

**COMMITTEE:** Planning Committee

**MEETING DATE:** 13 January 2026

**BY:** Depute Chief Executive – Resources and Economy

**REPORT TITLE:** Application for Planning Permission for Consideration – Further Report

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*Note: This application has been called off the Scheme of Delegation List by Councillor McGuire for the following reason: Given the large number of objections and concerns raised against these proposals, I feel it is worthy of further consideration by the full Planning Committee.*

Application No. **24/01122/P**

Proposal Change of use of land for the keeping of horses to the siting of four glamping pods for holiday let and associated works (as amended)

Location **Land East of 23A Boggs Holdings  
The Boggs  
Pencaitland  
East Lothian**

Applicant S A Fairgrieve Ltd

Per Glampitect

Recommendation Consent Granted

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## **REPORT OF HANDLING**

Further Report of Handling on Planning Application No. 24/01122/P – Change of use of land for the keeping of horses to the siting of 4 glamping pods for holiday let and associated works (as amended) at Land East Of 23A Boggs Holdings.

## **PURPOSE**

Planning application reference 24/01122/P was reported to the Planning Committee on 19 August 2025. The application was continued to allow the applicant the opportunity to address some of the points raised during the debate. The proposal has subsequently been revised. This report sets out the background, actions taken by the applicant, further representations, a further assessment and recommendation.

## **BACKGROUND**

The Planning Committee indicated at the meeting of 19 August 2025 that they would like the applicant to consider revising the proposal. The committee discussed a number of issues during the debate including the size of the development, the location of the parking, the management arrangements, impact on neighbouring properties and road, relationship to animals in adjoining fields and fire risk.

## **REPORT ON REVISED PROPOSAL**

On 12 November 2025, the applicant submitted revised proposals.

Permission is sought for a change of use of land for the keeping of horses to the siting of 4 glamping pods for holiday let and associated works.

The proposal has been amended following feedback from members and representators at the planning committee meeting 19 August 2025, the main amendments are:

1. Number of glamping pods reduced from 6 to 4.
3. Units have also been moved 8m further away from the closest neighbouring property to the north-west.
4. Remote parking proposed. A parking area is now proposed close to the new access from the public road.
5. Proposed planting and landscaping has increased in scope and quantity.
6. Additional new fencing has been included in the site design to create a separation buffer to adjacent agricultural land.
7. Fire beater stations are proposed close to each set of units.
8. The management plan has been updated and expands on the operation of the audio monitoring system.

The applicant has clarified two additional points:

1. The track shown on the proposed plan is existing and will not be altered;
2. A Short-Term Letting License will be required to be obtained from the Council's Licensing Service prior to guest occupation. This will control fire safety measures in particular.

## REPRESENTATIONS

Following a review of revisions to the application, the decision was taken to notify the neighbours and representors and provide a further period for comment. All previous material objection remains valid (as set out in the Report of Handling in Appendix A).

Re-notification was carried out on 13 November 2025 and 15 objections were received, the main grounds of objection are:

- o Maintain original objections to the proposal;
- o Revisions fail to address points of objection;
- o Proposal is unchanged following a public meeting 28/10/25.
- o The applicant's statement that this proposal reuses a historic entrance is wrong;
- o New parking location is unworkable;
- o Revised parking will create a nuisance.
- o Inadequate parking provision and no visitor parking;
- o People using the track can look into the neighbouring property;
- o Inadequate Management arrangements;
- o Site could be sold;
- o Recent RTA on this road;
- o Request for Freedom of Information request comments to be considered;
- o Why was a new application not required;
- o Site boundary has been changed;
- o Environmental Health Officer comments ignored;
- o People will drive down the track;
- o Additional lighting required on the track;
- o E.V. charging will create a noise nuisance;
- o No ecology report prepared;
- o Information is inaccurate;
- o Will inflate land prices.

In response to points raised:

There is no statutory requirement for a public meeting and the proposal is assessed as revised.

The correspondence relating to points raised in a Freedom of Information request have been responded to separately by the Chief Planner.

As this application was continued from Planning Committee in August and as the essence of the proposed development is unchanged there was no requirement to withdraw the application and re-submit a new application. Revisions to proposals during the processing of a planning application are normal practice.

The site boundary is unchanged.

All consultee comments were considered in full during the consideration of the planning application.

Additional lighting on the existing track does not form part of the application.

The information submitted with the application is adequate to determine this planning application, and

The impact of development on land prices is not a material planning consideration.

Other matters are addressed in the report below.

## **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 NFP4 and the adopted East Lothian Local Development Plan 2018 (ELLDP).

Policies 1 Tackling the climate and nature crises, 2 Climate mitigation and adaptation, 3 Biodiversity, 5 Soils, 13 Sustainable transport, 22 Flood Risk and water management, 29 Rural Development and 30 Tourism of NPF4 are relevant to the determination of this planning application.

Policies DC1 Rural Diversification, NH5: Biodiversity and Geodiversity Interests, including Nationally Protected Species, NH7: Protecting Soils, NH10: Sustainable Drainage Systems, DP1 Landscape Character, T1: Development Location and Accessibility and T2 General Transport Impact of the ELLDP are relevant to the determination of this application.

## **ASSESSMENT OF REVISED PROPOSAL**

This report should be read in conjunction with the original Report of Handling in appendix A.

On the matter of the principle of the proposed use as holiday letting accommodation the proposals are unchanged and do not conflict with Policies 5, 29 or 30 of NPF4 or with Policies Policy NH7 or DC1 of the ELLDP 2018 for the reasons set out in the Report of Handling in Appendix A.

Policy DP1 of ELLDP, amongst other matters, requires that new development be well-integrated into its surroundings by responding to and respecting landform and retaining, where appropriate, existing natural and physical landscape features. Policy DP2 of ELLDP requires that, amongst other matters, all new development is appropriate to its location, respects and complements the site and the surrounding area, is not harmful to amenity, retains physical and natural features important to the amenity of the area, and can be suitably serviced and accessed with no significant traffic or other environmental impacts.

The revised proposal reduces the number of glamping pods from six to four. The pods are in a similar location and configuration but as a result of the reduced numbers the closest pod would be some 49m from the boundary of the residential unit to the north west, an increase of approximately 8m from the original proposal.

Each of the proposed glamping units would be relatively small in size, scale and height. From the south they will primarily be seen against the backdrop of mature woodland, hedgerow and buildings. From the north they will be partially screened by the existing hedgerow along the existing road. From the east and west the buildings will be more prominent as they extend into land which has an open aspect due to the relatively flat terrain and lack of immediate boundary planting.

The revised proposal incorporates extensive areas of hedgerow planting to the boundaries and adjoining the pods tree planting is also proposed. As a result of the reduction in number from six pods to four and the revised landscape planting the visual impact of the proposal on the landscape will be softened further. The revised entrance and parking area will be surrounded by hedgerow and this will visually separate the buildings from the main public viewpoint. This will also screen the car parking. Therefore, due to their distance from the road and by virtue of their relatively small size, scale, massing and height, and external finishes, and revised landscape proposals the proposed four glamping pod development, would not appear harmfully intrusive, incongruous or exposed within their landscape setting and would not harm the landscape character of the area.

Amongst other matters, Local Development Plan Policy DP2 requires that new development should ensure privacy and amenity, with particular regard to levels of sunlight, daylight and overlooking, including for the occupants of neighbouring properties.

The closest pod would be 49m from the boundary of the residential unit to the north west, an increase of approximately 8m from the original proposal. By virtue of their size, height, positioning, orientation and distance way from neighbouring properties, the proposed four glamping pods and associated development would not result in harmful overlooking or the loss of sunlight or daylight to any existing neighbouring residential property and therefore would not have a harmful effect on the residential amenity of them. Moreover, given their distance from the neighbouring residential properties and of their size and scale the proposed accommodation would not be overly dominating or imposing in views from those neighbouring houses.

The proposal locates two pods in the north and two pods in the south of the site. Both areas are contained with fences with the fence located 7m from the east boundary and 17m from the south boundary. Each area contains bin storage and fire beater stations. There will be one low level motion sensitive light for each pod. The existing track will be unaltered and there will be a gated access at the north of the track for pedestrian and maintenance access. A

condition is recommended to prohibit guests from taking vehicles down this track. The existing track is some 50m from the boundary of the property to the west. The remote car park location is also well separated from neighbouring property. These areas will not result in unacceptable overlooking of any neighbouring property.

The proposed glamping accommodation pods would have capacity to reasonably accommodate 8-12 people in total within the four proposed units. The Council's Environmental Health Officer notes that there is potential for antisocial behaviour but states that it is not reasonable to assume any antisocial behaviour will arise from the guests staying in the holiday cabins.

The applicant has submitted a Revised Site Management Plan which sets out the operational aspect of the accommodation, including monitoring, noise, waste and light management. This plan illustrates that the business will be operated by four people, who will all be co-owners of the development. The Plan further states that all members of the management team are local residents, meaning that should any issue arise on the proposed site, a member of the management team can be on-site within in a matter of minutes. The furthest management team member's residence is located approx. 2.5km to the northwest of the proposed glamping site. The plan also proposes the installation of a site monitoring system to alert site management to any noise disturbance. The level and range of activities anticipated from this type of development is similar to that of a residential use. It is also noted that the proposed pods are a significant distance from the closest residential property. The reduction in the number of pods reduces the potential for adverse impact. The introduction of fencing to create a buffer to the east and south boundaries reduces the potential for conflict with neighbouring land use. The relocation of vehicle parking adjacent to the existing road, and reduction in vehicle numbers, lessens the potential impact from vehicle movement within the site. The provision of E.V. charging within the remote parking area does not generate an unacceptable noise nuisance. Given the relatively modest scale and nature of this development the proposal is compatible with neighbouring residential properties. The proposed use is not incompatible with any of the neighbouring uses, including the keeping of animals. Subject to the imposition of a condition that the glamping pods are operated in accordance with the Management Plan the Council's Senior Environmental Health Officer raises no objection to the proposal. Subject to the imposition of that planning control the proposal would not unacceptably impact on neighbouring amenity and does not conflict with Policy DP2 of ELLDP.

It is recommended that Condition 8 is amended to specifically require compliance with the Site Management Plan including the provision of noise monitoring equipment linked to site management staff accommodation. Should this site be sold the planning permission would remain with the land and the requirement to comply with any conditions, including the Site Management Plan would remain.

Policy 3 (a) of NPF4 sets out a requirement for development proposals to contribute to biodiversity enhancement. This issue is assessed in detail in the

Report of Handling in Appendix A. The revised landscape proposal includes additional tree and hedgerow planting which will further enhance the biodiversity of the area. An ecology report was not requested in this case as the planning authority has satisfied itself that the proposed development will not impact adversely on any European protected species. The proposal is considered to represent a significant biodiversity enhancement and is acceptable subject to a condition seeking a suitable planting specification. Therefore, subject to appropriate landscape and biodiversity related conditions the proposals do not conflict with Policy 3 of NPF4.

**Road Services** have reviewed the information submitted and other relevant data and are satisfied that the proposed access would provide a safe means of access and egress to the site.

The existing track width from fence line to fence line is around and this is adequate to allow for the passage of emergency vehicles and is considered acceptable. Waste collection vehicles will only need to enter / egress the turning head at the site entrance and swept path assessments demonstrate that the required manoeuvre can be made without conflict to the proposed remote car parking. The provision one space per pod is an acceptable level of parking provision.

Road Services have updated their calculation of peak daily vehicle movements which assumes provision of 4 pods, that on full occupancy residents of every pod would travel to local attractions, something they can realistically only do by car. Therefore, each pod would generate one trip to and one trip from the site each day. Management and refuse collections would generate 2 movements each on two days a week. These could potentially fall on the same day:

- Residents - 4 pods x 2 movements = 8 daily movements.
- Management and refuse - 2 movements each = 4 daily movements.
- Estimated peak daily trips = 12 daily movements (noting that this reflects full occupancy).

Holdings is a relatively lightly trafficked road and the above may represent a noticeable increase in traffic flows. The road has no capacity issues and, based on published statistics, does not have an existing problematic personal injury accident record. It is considered that the access will provide safely for the estimated daily vehicle movements and do not anticipate the proposed development would have an adverse impact on future road safety.

Road Services do not have any objection to the proposals subject to conditions relating to entrance visibility splay, first 10m of the access being hardformed, first two metres of the access remaining adopted road and the provision of EV charging.

## **CONCLUSION**

This Further Report, which should be read in conjunction with the Report of Handling contained in Appendix A, and sets out the assessment against the

Development Plan and other material planning considerations. The principle of the proposed land use is considered to be acceptable in this location, and the revised design of the proposal has no unacceptable impact on the landscape character and natural environment. The proposed use and reduced scale of development is compatible with the adjoining land uses. Given the accepted need for a rural or semi-rural site location of this type of accommodation the benefits of rural diversity and economic growth outweigh the restricted opportunities for the use of sustainable travel options in this case. On this count the proposal is broadly supported by Policy 30 of NPF4 but not fully compliant in respect of accessibility. Subject to the recommended conditions, the proposals are 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.

## RECOMMENDATIONS

In relation to planning application 24/01122/P that Planning Committee grant planning permission 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 The occupation of the accommodation units hereby approved shall be restricted solely to short term lets of not more than 28 days, and each of the holiday cabin holiday letting accommodation units shall not be re-let to the party/parties who last occupied it anytime within a period of two months following the date on which the previous time of occupancy ends.

A record of occupancy shall be maintained by the operators of the holiday lets, including details of the names and addresses of occupants and the dates of occupation. This record shall be made available for inspection by the Planning Authority at all reasonable times.

The holiday cabin accommodation units hereby approved shall at no time be occupied as permanent residential dwellings.

Reason:

To restrict the holiday letting use of the glamping pods to that applied for and in the interests of safeguarding the purpose and integrity of the Council's policy for the control of housing development in the countryside.

- 3 In the event that all accommodation on the site is not occupied for a continuous period of 12 months, then, unless otherwise approved in writing by the Planning Authority, it shall be deemed to have ceased to be required. If it is deemed to have ceased to be required the accommodation and all ancillary equipment, infrastructure and hard surfacing shall be removed from the site by the operator by no later than the date occurring 6 months after the end of the said continuous 12 months period, and the ground fully reinstated to the specification and satisfaction of the Planning Authority and the use shall revert to its former use for the keeping of horses.

Reason:

To prevent redundant accommodation remaining on the application site, in the interests of the reinstatement of the landscape.

- 4 Notwithstanding the approved landscape plan no above ground development shall take place until there has been submitted to and approved in writing by the Planning Authority a detailed planting specification and maintenance details. Thereafter that detailed planting specification shall be implemented in accordance with the details so approved and shall thereafter be retained and maintained in accordance with the implementation and management schedules, unless otherwise approved in writing by the Planning Authority.

All planting and seeding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the opening of the accommodation. Any trees or 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.

Reason:

In order to ensure the implementation of a landscaping and biodiversity enhancement scheme to mitigate the visual impact on longer views and ensure the appearance of the development is appropriate to the landscape and amenity of the area.

- 5 Prior to the first occupation of any part of the accommodation hereby approved, the visibility splay shown on Drawing 231035-01-13 (2.4m x 160m in both directions developed to the centreline of the carriageway) to be created. The visibility splay must then be maintained for the lifetime of the development.

Reason:

In the interest of road safety.

- 6 The first 10m of the proposed access should be hard formed to ensure mud and debris is not carried onto the public road and any water runoff should be directed away from the road.

Reason:

In the interest of road safety.

- 7 The applicant shall submit details of EV charging provision, at the rate of one charger per accommodation pod or shared charging provision where practical, for the written approval of the Planning Authority. The approved EV provision shall be implemented in full prior to the first occupation of the approved accommodation, unless otherwise agreed by the Planning Authority.

Reason:

To ensure the development makes an appropriate contribution to the declared climate emergency.

- 8 The development shall be operated in accordance with the approved Site Management Plan including the provision of noise monitoring equipment linked to site management staff accommodation, as contained in the Noise Management Plan, docketed to this decision notice.

Reason:

To minimise the potential disturbance of neighbouring residents.

**COMMITTEE:** Planning Committee

**MEETING DATE:** 19 August 2025

**BY:** Executive Director for Place

**REPORT TITLE:** Application for Planning Permission for Consideration

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*Note: This application has been called off the Scheme of Delegation List by Councillor McGuire for the following reason: Given the large number of objections and concerns raised against these proposals, I feel it is worthy of further consideration by the full Planning Committee.*

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Proposal Change of use of land for the keeping of horses to the siting of six glamping pods for holiday let and associated works

Location **Land East of 23A Boggs Holdings  
The Boggs  
Pencaitland  
East Lothian**

Applicant S A Fairgrieve Ltd

Per Glampitect

Recommendation Consent Granted

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## **REPORT OF HANDLING**

This application relates to a field in Boggs Holdings which is located in the countryside to the south of north of Pencaitland. By being in the countryside, the site is within an area defined by Policy DC1 of the adopted East Lothian Local Development Plan 2018 (ELLDP).

The application site is some 8171m<sup>2</sup> in area and is roughly rectangular in shape. The field is identified as being grade 3.1 prime agricultural land. The application site is bounded to the north, south, east and west by agricultural

fields. To the northwest is a residential property. The south east corner of the boundary of the property at 23a Boggs Holding abuts the site and the building is approximately 31m from its south boundary and 17.5m from its east boundary. The site has an existing vehicular access from the unclassified road to the north. At the time visiting the site the fields were in use for the keeping of horses.

Planning permission is sought the change of use of land for the keeping of horses to the siting of 6 glamping pods for holiday let and associated works. The associated works includes the formation of a new vehicular access and parking for each unit, decking, vehicle turning area, bin storage and timber fencing.

The glamping units would be located in two lines of three placed on a diagonal across the site with 50m separation between units. The parking area would be immediately adjacent to each unit at a ratio of 1 car space and 1 cycle rack per unit.

The site will be accessed from a new 5.5m wide vehicular access that would be formed through the widening of an existing gap in the hedgerow. To create the new access approximately 7m of hedgerow would need to be removed. The new access would link the existing lane at Boggs Holding to the first row of glamping pods via a 73m long driveway. The driveway would then extend further south to serve the other three glamping pods and also retain access to the adjacent field to the west.

Each of the glamping pods would be formed from the timber cladding, grey felt sloping elements and Upvc windows and doors and would have associated decking. Each glamping pod would provide 1 open plan bed/living area with kitchen and a small W.C./shower room measuring 6m x 6m at its largest (internal floor area = 24m<sup>2</sup>). The decking will extend 3.3m beyond the pod and be 6m in width.

Subsequent to the registration of the application the proposal additional information has been provided. The additional information comprises:

- Updated Management Plan.
- Revised Drainage Plan.
- Revised Visibility and HGV manoeuvring details.
- Revised Landscape Plan.

## **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 NFP4 and the adopted East Lothian Local Development Plan 2018 (ELLDP).

Policies 1 Tackling the climate and nature crises, 2 Climate mitigation and adaptation, 3 Biodiversity, 5 Soils, 13 Sustainable transport, 22 Flood Risk and

water management, 29 Rural Development and 30 Tourism of NPF4 are relevant to the determination of this planning application.

Policies DC1 Rural Diversification, NH5: Biodiversity and Geodiversity Interests, including Nationally Protected Species, NH7: Protecting Soils, NH10: Sustainable Drainage Systems, DP1 Landscape Character, T1: Development Location and Accessibility and T2 General Transport Impact of the ELLDP are relevant to the determination of this application.

## **REPRESENTATIONS**

The application has received 35 objections and one neutral comment. The objection from the Boggs Community Association was signed by 62 people. The main grounds of objection are:

- \* Landscape character would be wholly altered and an unacceptable change to the distinctive character and landscape of Boggs Holdings;
- \* The glamping pods would appear incongruous in the rural setting resulting in unacceptable change in the landscape, contrary to Policy DP1-Landscape Character;
- \* the site is not accessible by public transport, reliance on cars, fails to meet sustainable transport aims;
- \* Access road not suitable for walking, no access to off road routes;
- \* New access would result in the loss of the hedge and habitat;
- \* Insufficient parking;
- \* Inadequate emergency vehicle access;
- \* Increase in vehicles on road with adverse impact on road safety;
- \* Inadequate visibility at proposed access due to hedgerow part of which is out with applicant control;
- \* Lack of information on drainage;
- \* Drainage will impact on residents to the south;
- \* Danger to public health as it would contaminate local water;
- \* Field already saturated and soil does not allow water to permeate. Water from soakaway will run off into adjoining field;
- \* There is no drainage assessment taking account of the existing drainage infrastructure crossing the development site which serves many existing properties;
- \* Adverse impact on residents from additional noise, fumes and smells.;
- \* Detrimental impact on neighbours health including those with protected characteristics (see DCP note below);
- \* Loss of amenity from potential anti-social behaviour;
- \* Harmful to visual amenity;
- \* Loss of privacy to neighbouring house;
- \* Impact on views including from the road and neighbouring properties;
- \* Safety and security for neighbouring animals;
- \* Any future on site management accommodation should be resisted and it is noted that it does not form part of the management proposal;
- \* No on-site management and management proposals will be ineffective/inadequate;
- \* Waste arrangements not adequate;

- \* Illumination will be detrimental to the amenity of the area NPF4 item 2 "protection from...light pollution;
- \* Not a sustainable location as there are no local amenities;
- \* People entering private land, concerns over trespassing;
- \* Additional humans will have a negative impact on local wildlife;
- \* No economic benefit or positive contribution to the local community;
- \* This development does not constitute acceptable diversification of an existing rural business;
- \* The proposed development is inappropriate as it does not meet the criteria for new tourist use in a rural location as set out in NPF 4, Policies 29 and 30;
- \* Would be best sited within an existing farming business where it would generate an additional source of income for an established farming business;
- \* Already glamping provision in area. No clear business need/inadequate demand for use;
- \* Loss of prime quality agricultural land;
- \* Does not accord with LDP Policy DP1, DP2, DC1, DC4, EMP1, T1, T2, NN10, NH13 and para. 3.18;
- \* Does not accord with NPF4 Policy 1,2, 3, 4, 5b, 13, 14, 22, 23, 26, 29, 30;
- \* Does not align with NPF4 Annex 3 section on Sustainable Tourism;
- \* Noise from existing houses will disturb glamping customers;
- \* The information is inadequate and inaccurate - The Planning Authority considers there to be adequate information to assess the application.

A number of non-material objections were raised, these are:

- \* The matters of the proposal restricting access to existing underground drainage within the field is a legal matter between the respective parties and not a matter relevant to the determination of this planning application.
- \* The matters of the fire risk from camp fires, that the site could be sold on and impact on property values are not matters that are relevant to the determination of this planning application.
- \* This proposal if approved will set a precedent - Each planning application is considered on its merits in accordance with the development plan unless material planning considerations indicate otherwise.
- \* Applicant has not engaged with the community - As this is local development type then there is no statutory requirement for an applicant to carry out public consultation and engagement on the planning application.
- \* Other properties in Boggs Holdings have been subject to conditions restricting the use of the property - The Planning Authority will assess each application on its own merits and if required may impose planning conditions relevant to the development proposed.
- \* Not aligned with the approved land use granted in 2001 - This application is to change the use of the land and assessed on its own merits.

## **PLANNING ASSESSMENT**

The application site is located within the countryside of East Lothian and the proposed glamping pods are for use as short stay holiday accommodation which is a tourism type development that would provide accommodation for visitors to East Lothian.

Policy 29 of NPF4 states that development proposals that contribute to the viability, sustainability and diversity of rural communities and local rural economy will be supported, including for the diversification of existing businesses.

Policy 30(a) of NPF4 provides qualified support for tourism development. It supports development proposals for new or extended tourist facilities or accommodation, including caravan and camping sites, in locations identified in the ELLDP. It states that development proposals for tourism related development will take into account amongst other things the contribution made to the local economy, compatibility with the surrounding area, opportunities for sustainable travel and measures taken to minimise carbon emissions.

Policy DC1 of the adopted East Lothian Local Development Plan 2018 sets out controls for development in the countryside, and states that development in the countryside, including changes of use will be supported in principle for uses including, amongst other things, businesses that have an operational requirement for a countryside location, including tourism and leisure uses.

The use of the application site for the siting of the proposed glamping units for holiday letting accommodation is a tourism and leisure use providing accommodation for tourists wishing to benefit from a stay in the East Lothian countryside. This type of visitor accommodation (glamping) is designed to provide the visitor with the experience of staying within the countryside. Therefore, in principle, based on the nature of the proposed tourism accommodation, there is an operational requirement for the proposed holiday accommodation use in this rural location. While these units would be in a rural location, they would be within reach of popular East Lothian attractions and towns. Furthermore, by its small scale of operation, the proposed holiday accommodation use of the site for 6 glamping units are of a scale and character that would not be inappropriate to this countryside location. It is not unreasonable to assume that such development would be likely, to positively contribute towards the tourist industry of East Lothian. Accordingly, the proposed glamping pods for use as holiday letting accommodation would not conflict with Policy DC1 of the adopted East Lothian Local Development Plan 2018. A condition can be imposed on any grant of planning permission that restricts the occupation of the accommodation to a period no longer than 28 days.

Policy 30 (Tourism) of NPF4 provides in qualified supports for development proposals for new or extended tourist facilities or accommodation. The site is located approximately 1 mile outside Pencaitland and is well located for walking and cycling routes to allow visitors to access the countryside and neighbouring settlements. Whilst there is no dedicated pedestrian footpath on the public road serving the site and there is no direct public transport serving the site the proposed glamping pod development is modest in size and therefore will have a limited negative impact on car based journeys. Given the accepted need for a rural or semi-rural site location of this type of accommodation the benefits of rural diversity and economic growth outweigh the restricted opportunities for the

use of sustainable travel options in this case. On this count the proposal is broadly supported by Policy 30 of NPF4 but not fully compliant in respect of accessibility.

Policy 29 (Rural Development) of NPF4 supports development proposals that contribute to the viability, sustainability and diversity of rural communities and local rural economy. The provision of tourist accommodation near the village of Pencaitland, and suitably located for access to other East Lothian visitor attractions, will benefit the local economy.

The **Council's Economic Development Service** support the application stating that there are demonstrable local economic benefits delivered by all types of short-term holiday lets in East Lothian and that existing provision of this type of accommodation must be retained, protected, and supported where there is no demonstrable and unacceptable impact on local amenity, the character of the area, or loss of residential accommodation. Therefore the proposal is aligned with Policy 29 of NPF4.

The site is identified as an area of prime agricultural land. Policy 5 of NPF4 supports development on prime agricultural land in limited circumstances, including where the proposal is small scale development directly linked to a rural business. Policy NH7: Protecting Soils of ELLDP 2018 provides qualified support for rural development. This land was granted permission for a change of use from agricultural land to use for the keeping of horses in 2001 and operates under this permission. This land is therefore not in agricultural use and this proposal is not in conflict with Policy 5 of NPF4 or Policy NH7 of ELLDP 2018.

On the matter of the principle of the development the proposals do not conflict with Policies 5, 29 or 30 of NPF4 or with Policies Policy NH7 or DC1 of the ELLDP 2018.

Policy DP1 of ELLDP, amongst other matters, requires that new development be well-integrated into its surroundings by responding to and respecting landform and retaining, where appropriate, existing natural and physical landscape features. Policy DP2 of ELLDP requires that, amongst other matters, all new development is appropriate to its location, respects and complements the site and the surrounding area, is not harmful to amenity, retains physical and natural features important to the amenity of the area, and can be suitable serviced and accessed with no significant traffic or other environmental impacts.

Each of the proposed glamping units would be relatively small in size, scale and height. From the south they will primarily be seen against the backdrop of mature woodland, hedgerow and buildings. From the north they will be partially screened by the existing hedgerow along the existing road. From the east and west the buildings will be more prominent as they extend into land which has an open aspect due to the relatively flat terrain and lack of immediate boundary planting. The proposal incorporates extensive areas of hedgerow planting to the boundaries and adjoining the pods the glamping pod development and tree

planting is also proposed. The proposed landscaping and planting will soften the visual impact of the proposal on the landscape. Therefore, due to their distance from the road and by virtue of their relatively small size, scale, massing and height, and external finishes, and landscape proposals the proposed six glamping pod development, would not appear harmfully intrusive, incongruous or exposed within their landscape setting and would not harm the landscape character of the area.

The applicant has also provided a proposed lighting plan which shows low level motion sensitive LED lighting. There will be one lighting unit adjacent to each of the accommodation pods. The principle of using low-level, PIR-activated lighting, with restricted lighting spread, as shown, is supported. By virtue of the size, height, form, number and positioning of the units, the proposed external lighting of the site would not appear harmfully intrusive, incongruous or exposed within its landscape setting, or be harmful to the landscape character of the area.

Amongst other matters, Local Development Plan Policy DP2 requires that new development should ensure privacy and amenity, with particular regard to levels of sunlight, daylight and overlooking, including for the occupants of neighbouring properties.

By virtue of their size, height, positioning, orientation and distance way from neighbouring properties, the proposed 6 glamping pods and associated development would not result in harmful overlooking or the loss of sunlight or daylight to any existing neighbouring residential property and therefore would not have a harmful effect on the residential amenity of them. Moreover, given their distance from the neighbouring residential properties and of their size and scale the proposed accommodation would not be overly dominating or imposing in views from those neighbouring houses.

The proposed glamping accommodation pods would have capacity to reasonably accommodate 12-18 people in total within the 6 proposed units. The **Council's Environmental Health Officer** states that it is not reasonable to assume any antisocial behaviour will arise from the guests staying in the holiday cabins. The applicant has submitted a Revised Management Plan which sets out the operational aspect of the accommodation, including monitoring, noise, waste and light management. This plan illustrates that the business will be operated by 4 people, who will all be co-owners of the development. The Plan further states that all members of the management team are local residents, meaning that should any issue arise on the proposed site, a member of the management team can be on-site within in a matter of minutes. The furthest management team member's residence is located approx. 2.5km to the northwest of the proposed glamping site. The level and range of activities anticipated from this type of development is similar to that of a residential use. It is also noted that the proposed pods are a significant distance from the closest residential property. Given the relatively modest scale and nature of this development the proposal is compatible with neighbouring residential properties. The proposed use is not incompatible with any of the neighbouring uses, including the keeping of animals. Subject to the imposition of a condition

that the glamping pods are operated in accordance with the Management Plan the Council's Senior Environmental Health Officer raises no objection to the proposal. Subject to the imposition of that planning control the proposal does not conflict with Policy DP2 of ELLDP.

Policy 3 a) of NPF4 sets out a requirement for development proposals to contribute to biodiversity enhancement.

To form the new vehicular access a section of approximately 7m of hedgerow would have to be removed. However, the proposed access would be located within an historic access where the existing boundary planting is of lesser quality than elsewhere on the road frontage. Furthermore, substantial compensatory planting is proposed within the site, including on the north section of the site where the hedgerow will extend along the south boundary and part of the west and north boundaries, measuring 130m in length. On the south section of site the hedgerow will extend along the south, west and east boundaries and measure 190m in length. The proposed planting of extensive hedgerow within this site will represent a significant enhancement to the landscape and biodiversity of the area.

As an existing field used for the keeping of horses the existing site has modest biodiversity at present and therefore there is an opportunity to enhance biodiversity and habitat connectivity for example through the planting of hedgerows around the boundary of the site. The position of the proposed access will minimise the loss of hedgerow and the revised visibility splay information shows that the impact has been minimised in this area. The applicant has provided a revised landscaping plan which shows extensive hedgerow planting, tree planting, wildflower areas and grazing areas. The proposal is considered to represent a biodiversity enhancement and is acceptable subject to a condition seeking a suitable planting specification. Therefore, subject to appropriate landscape and biodiversity related conditions the proposals do not conflict with Policy 3 of NPF4.

The site will be accessed from a new 5.5m wide vehicular access that would be formed through the widening of an existing gap in the hedgerow. In support of the application the applicant has provided a visibility splay diagram for the proposed access. This indicates that a visibility splay of 2.4m x 160m developed to the centreline of the carriageway can be achieved over land that lies within the control of the applicant or the Roads Authority. The **Council's Road Services** are satisfied that subject to the imposition of a condition to ensure that the visibility splay is maintained the proposed access would provide a safe means of access and egress to the site.

The applicant has also provided an estimate of vehicle movements that would be generated by the development which Road Services consider to be an underestimate. Road Services calculation of peak daily vehicle movements assumes that on full occupancy, residents of every pod would travel to local attractions, something they can realistically only do by car. Therefore, each pod would generate one trip to and one trip from the site each day. Management

and refuse collections would generate 2 movements each on two days a week. These could potentially fall on the same day:  
Residents - 6 pod \* 2 movements = 12 daily movements.  
Management and refuse - 2 movements each = 4 daily movements.  
Estimated peak daily trips = 16 daily movements (noting that this reflects full occupancy).

Notwithstanding that the Boggs Holdings road is a relatively lightly trafficked road and the estimated traffic movements may represent a noticeable increase in traffic flows, the road has no capacity issues and, based on published statistics, does not have an existing problematic personal injury accident record. Therefore, and as Road Services consider the access will provide safely for the estimated daily vehicle movements they do not anticipate the proposed development would have an adverse impact on road safety. Therefore the proposals do not conflict with Policy T2 of the adopted East Lothian Local Development Plan 2018.

The application contains information in relation to the handling of foul and surface water drainage. Foul water will enter and underground treatment plant and discharge into reed bed units and then into existing field drains. The border drainage around the pod unit will be of a French drain type design consisting of 100mm diameter perforated plastic pipe in a trench 300mm wide and 300mm deep sited up both sides of the pod to handle surface water. The applicant has advised that two separate field drains were exposed at a depth of 800mm the drains were found to be in very good condition and free from any silt build up. The **Council's Flooding and Structures Team** has considered the details provided and are supportive of the proposed arrangements. The proposals do not conflict with Policy NH10 of the ELLDP.

The principle of the proposed land use is considered to be acceptable in this location, and the design of the proposal has no unacceptable impact on the landscape character and natural environment. The proposed use and scale of development is compatible with the adjoining land uses. Subject to the recommended conditions, the proposals are considered to be in accordance with the provisions of the stated relevant Development Plan policies and there are no material considerations which outweigh the proposal's accordance with the Development Plan.

## **CONDITIONS:**

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

Reason:

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

- 2 The occupation of the accommodation units hereby approved shall be restricted solely to short term lets of not more than 28 days, and each of the holiday cabin holiday letting accommodation units shall not be re-let to the party/parties who last occupied it anytime within a period of two months following the date on which the previous time of occupancy ends.

A record of occupancy shall be maintained by the operators of the holiday lets, including details of the names and addresses of occupants and the dates of occupation. This record shall be made available for inspection by the Planning Authority at all reasonable times.

The holiday cabin accommodation units hereby approved shall at no time be occupied as permanent residential dwellings.

Reason:

To restrict the holiday letting use of the glamping pods to that applied for and in the interests of safeguarding the purpose and integrity of the Council's policy for the control of housing development in the countryside.

- 3 In the event that all accommodation on the site is not occupied for a continuous period of 12 months, then, unless otherwise approved in writing by the Planning Authority, it shall be deemed to have ceased to be required. If it is deemed to have ceased to be required the accommodation and all ancillary equipment, infrastructure and hard surfacing shall be removed from the site by the operator by no later than the date occurring 6 months after the end of the said continuous 12 months period, and the ground fully reinstated to the specification and satisfaction of the Planning Authority and the use shall revert to its former use for the keeping of horses.

Reason:

To prevent redundant accommodation remaining on the application site, in the interests of the reinstatement of the landscape.

- 4 Notwithstanding the approved landscape plan no above ground development shall take place until there has been submitted to and approved in writing by the Planning Authority a detailed planting specification and maintenance details. Thereafter that detailed planting specification shall be implemented in accordance with the details so approved and shall thereafter be retained and maintained in accordance with the implementation and management schedules, unless otherwise approved in writing by the Planning Authority.

All planting and seeding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the opening of the accommodation. Any trees or 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.

Reason:

In order to ensure the implementation of a landscaping and biodiversity enhancement scheme to mitigate the visual impact on longer views and ensure the appearance of the development is appropriate to the landscape and amenity of the area.

- 5 Prior to the first occupation of any part of the accommodation hereby approved, the visibility splay shown on Drawing 231035-01-13 (2.4m x 160m in both directions developed to the centreline of the carriageway) to be created. The visibility splay must then be maintained for the lifetime of the development.

Reason:

In the interest of road safety.

- 6 The first 10m of the proposed access should be hardformed to ensure mud and debris is not carried onto the public road and any water runoff should be directed away from the road.

Reason:

In the interest of road safety.

- 7 The applicant shall submit details of EV charging provision, at the rate of one charger per accommodation pod, for the written approval of the Planning Authority. The approved EV provision shall be implemented in full prior to the first occupation of the approved accommodation, unless otherwise agreed by the Planning Authority.

Reason:

To ensure the development makes an appropriate contribution to the declared climate emergency.

- 8 The development shall be operated in accordance with the approved Noise Management Plan docketed to this decision notice.

Reason:

To minimise the potential disturbance of neighbouring residents.