

## **EAST AYRSHIRE COUNCIL**

### **NORTHERN AREA LOCAL PLANNING COMMITTEE: 03 MAY 2002**

#### **02/0058/FL: PROPOSED EXTENSION TO EXISTING FACILITY TO INCLUDE NEW ARENAS, GYMNASIUM, CLASSROOM, BAR LOUNGE AND RESTAURANT AND FUNCTION AREA, RETAIL, MANAGER'S HOUSE AND HOSTEL AND STABLING AT MEIKLE MOSSIDE FARM, FENWICK FOR LORD AND LADY ROWALLAN**

### **EXECUTIVE SUMMARY SHEET**

#### **1. DEVELOPMENT DESCRIPTION**

1.1 It is proposed to alter and significantly extend the existing facility at Meikle Mosside. The elements of the proposal are varied but are concentrated on the large extension on the south side of the existing building. This building, which is approximately 130 metres long and 50 metres wide, is described as an indoor riding school and will house three arenas for dressage and equestrian events and a recreation area for other events as required. The structure is some 11 metres in height. This large arena building is proposed to be linked to the existing building on site by a central reception block, which will house additional facilities. These additional facilities are as follows: restaurant/lounge bar and function area, crèche, retail shop, lecture room, gymnasium and associated changing and office accommodation, and judging box. In addition to these facilities it is proposed to construct hostel accommodation on the western side of the large arena building for clients who are interested in residential learning courses at the centre. Additionally it is proposed to erect a detached house to provide accommodation for a manager of the centre. The proposal confirms external finishes to the large arena building to match the existing arena and stables on site. The linking block which will house the reception and other ancillary facilities is detailed as being finished in a mixture of materials including facing brick and glazed panels. The manager's accommodation is detailed as detached villa type property with facing brick and timberclad external walls, the roof is confirmed as being finished in a concrete tile.

1.2 The applicant has submitted a statement in support of the proposal. This explains the intention to set up an equestrian "Centre of Excellence" and confirms the reasoning behind the proposal including the necessity of the scale of the proposal and the increasing demand from other client groups who are unable to find suitable accommodation in the area. Additionally the applicants have confirmed that there will be a comprehensive landscaping scheme brought forward to both soften the impact of the proposal and improve the setting of the development.

1.3 As stated above the existing unauthorised works on site (the new stabling block and the paintball area) are also part of this application. The external areas of the site

are detailed as being laid over for parking areas and the relocation and rearrangement of the external exercise areas. Vehicular access to the Centre will continue to be from the existing access on the Kilmaurs/Fenwick road, the B751.

## **2. RECOMMENDATION**

**2.1 It is recommended that the application be approved subject to the conditions indicated on the attached sheet.**

## **3. CONCLUSIONS**

3.1 As is indicated in Paragraph 5 of the report the application is considered to be generally in accordance with the Development Plan. Therefore given the terms of Sections 25 and 37 (2) of the Town & Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As indicated in Section 6 of the report there are material considerations relevant to this application. These considerations are considered to be generally supportive of the application.

## **CONTRARY DECISION NOTE**

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Building Control, the application will not require to be referred to the Development Services Committee as it would not represent a significant departure from Council policy.

**Alan Neish**  
**Head of Planning and Building Control**

**Note: This document combines key sections of the associated report for quick reference and should not in itself be considered as having been the basis for recommendation preparation or decision making by the Planning Authority.**

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#### **Report by Head of Planning and Building Control**

### **1. PURPOSE OF REPORT**

1.1 The purpose of this report is to present for determination a detailed application which is required to be considered by the Local Planning Committee due to it being a large application which accords with the East Ayrshire Local Plan and is of area significance.

### **2. APPLICAITON DETAILS**

2.1 **Site Description:** The application site extends to some 8 hectares situated less than a mile to the north of Kilmarnock. Currently the site operates as an Activity Centre specialising heavily on equestrian uses. The centre is run by the applicants, who reside in the former farmhouse, at Meikle Mosside. The centre has a large existing arena situated to the south of the farmhouse which provides internal space for eventing displays and a limited number of secure stabling units. Recently this arena has been extended to provide a cafe facility for the benefit of visitors to the centre, (East Ayrshire Council Application No. 00/0593/FL). The existing arena has now been altered by the addition of a larger stabling building immediately adjacent on its eastern side (this stabling block is currently unauthorised but does now form part of this application).

2.2 The areas immediately adjacent to the buildings and the other environs within the site are laid over for parking/circulation areas and fenced off enclosures for exercising horses. An area to the south east of the main body of the site is currently utilised for paintball events. Again this use is unauthorised but is part of this application.

2.3 **Proposed Development:** It is proposed to alter and significantly extend the existing facility at Meikle Mosside. The elements of the proposal are varied but are concentrated on the large extension on the south side of the existing building. This building, which is approximately 130 metres long and 50 metres wide, is described as an indoor riding school and will house three arenas for dressage and equestrian events and a recreation area for other events as required. The structure is some 11 metres in height. This large arena building is proposed to be linked to the existing building on site by a central reception block, which will house additional facilities. These additional

facilities are as follows: restaurant/lounge bar and function area, crèche, retail shop, lecture room, gymnasium and associated changing and office accommodation, and judging box. In addition to these facilities it is proposed to construct hostel accommodation on the western side of the large arena building for clients who are interested in residential learning courses at the centre. Additionally it is proposed to erect a detached house to provide accommodation for a manager of the centre. The proposal confirms external finishes to the large arena building to match the existing arena and stables on site. The linking block which will house the reception and other ancillary facilities is detailed as being finished in a mixture of materials including facing brick and glazed panels. The manager's accommodation is detailed as detached villa type property with facing brick and timberclad external walls, the roof is confirmed as being finished in a concrete tile.

2.4 The applicant has submitted a statement in support of the proposal. This explains the intention to set up an equestrian "Centre of Excellence" and confirms the reasoning behind the proposal including the necessity of the scale of the proposal and the increasing demand from other client groups who are unable to find suitable accommodation in the area. Additionally the applicants have confirmed that there will be a comprehensive landscaping scheme brought forward to both soften the impact of the proposal and improve the setting of the development.

2.5 As stated above the existing unauthorised works on site (the new stabling block and the paintball area) are also part of this application. The external areas of the site are detailed as being laid over for parking areas and the relocation and rearrangement of the external exercise areas. Vehicular access to the Centre will continue to be from the existing access on the Kilmaurs/Fenwick road, the B751.

### **3. CONSULTATIONS AND ISSUES RAISED**

3.1 East Ayrshire Council Roads and Transportation Division has assessed the application and the supporting Traffic Assessment (TA). They have advised that in their view the TA may underestimate the likely traffic to the site when a major event is being staged. However, they have confirmed they have no objection to the proposal.

***Noted.***

3.2 The Scottish Executive Development Department has confirmed through their Road Network Management and Maintenance Division that it does not propose to advise against the granting of planning permission.

***Noted.***

3.3 West of Scotland Water (Scottish Water) has raised no objection to the proposed development but has confirmed that there are no public sewers in the area available for connection and that a septic tank arrangement will be required.

***Noted. The question of Drainage and Sewerage disposal can be addressed by condition.***

3.4 Transco has advised that the proposal may require measures to protect/ divert their plant at the applicants cost. Accordingly it has recommended that the applicant contact their office to discuss the issues.

***Noted. A note can be attached to any planning consent drawing attention to this point.***

3.5 Scottish Environment Protection Agency confirm that it has no objection to the proposal provided that the drainage arrangements are installed to their satisfaction. They advise that the full implications of their requirements have already been discussed with the applicants and that the provision of a reed bed arrangement to deal with the sewage effluent from the site has been explored. Certain other matters require further assessment, i.e. the degree of treatment required regarding either septic tank or full biological treatment options and the location of the outfall pipe to a watercourse.

***Noted. These matters have been discussed with SEPA and it is considered that the issues can be appropriately addressed by conditions if the Committee is of a mind to approved the application.***

3.6 The Coal Authority have advised that they do not anticipate any ground stability issues that could impact on the development of the proposal.

***Noted.***

3.7 The Scottish Wildlife Trust has confirmed that they have no objection to the proposed development.

***Noted.***

3.8 East Ayrshire Council Environmental Services have advised that they have no objection, in principle, to the proposal.

***Noted.***

3.9 Ayrshire Joint Structure Plan and Transportation Team has no objection to the proposal.

***Noted.***

3.10 Stewarton & District and Fenwick Community Councils have not responded to the proposal.

***Noted.***

3.11 Strathclyde Police, Kilmarnock have not responded to the consultation at the time of writing this report.

***Noted.***

#### **4. REPRESENTATIONS**

4.1 There have been no letters of representation submitted in respect of this application.

#### **5. ASSESSMENT AGAINST DEVELOPMENT PLAN**

5.1 Sections 25 and 37 (2) of the Town & Country Planning (Scotland) Act 1997 require that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. For the purposes of this application the Development Plan comprises the Approved Ayrshire Joint Structure Plan and the Adopted Stewarton Local Plan (1987). The Adopted Local Plan was prepared within the context of the then emerging Structure Plan.

5.2 Notwithstanding the age of the Adopted Plan the proposal would fall to be considered against the terms of policies 5.3.5 and 5.3.9.

Both these policies confirm criteria against which proposals for both residential use and commercial uses in the Countryside should be assessed.

Policy 5.3.5 relates only to a proposal for an Agricultural workers house and is therefore not relevant in this instance. There is no policy applicable to the proposed manager's house.

Policy 5.3.9 relates primarily to commercial development. The proposal is for an extension to an existing facility and is considered to be compliant with policy by reason of Section 5 of 5.3.9 which supports tourist and recreational facilities where there is specific locational need and no detriment to the landscape.

***Accordingly it is considered that the Adopted Local Plan offers partial support for the proposal and greater weight should be placed on the other material considerations as identified in Section 6 of this report.***

#### **6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS**

6.1 The other material considerations relevant to the assessment of this application are the East Ayrshire Local Plan (Finalised Version with Modifications), consultation responses, representations received and impact on the amenity of the area.

6.2 The Adopted Local Plan is considerably out of date and therefore it is considered appropriate that greater weight be attached to more recent expressions of policy. The Council has agreed that the East Ayrshire Local Plan Finalised Version with Modifications (EALP) should be considered a prime material consideration.

#### East Ayrshire Local Plan Finalised Version with Modifications

6.3 The relevant policies in the EALP against which the proposal requires to be assessed are as follows:

Policy RTC5 confirms the criteria against which commercial enterprises must be considered in out of town centre locations. It should however be borne in mind that this proposal is a major extension to an existing facility on the fringes of Kilmarnock. The main function of the facility will continue to be holding equestrian events and related uses with ancillary accommodation attached. Accordingly it is considered that only the following criteria within RTC5 are relevant.

(iv); the proposal is considered to be compatible with the surrounding land use being an extension to an existing facility.

(v); the design of the proposal is attributable to the function provided and is characterised by fairly simple industrial scaled steel framed/clad buildings, with a more diversified treatment to the ancillary accommodation block.

***It is considered that given the context of the existing buildings and the type of facility the design of the main facility is acceptable. Specific matters of finishing and colours will be covered by condition. Additionally it is noted that a landscaping scheme, which could include areas in the applicant's control but outwith the site, will be brought forward to address additional conditional requirements.***

***The remaining RTC5 criteria seek compliance with a sequential approach to the location of various activities; such as the retail, bar, lounge, restaurant and gymnasium elements of this proposal; and assessment of their impact on town centre and other areas. There is no doubt that by far the largest part of these proposals could only be established in a rural location. Furthermore, these proposals are further justified by comprising an extension to an established facility.***

Policy RTC 7 (v) confirms that the retail element for such an out of town facility should be of a maximum gross floor area of 200 m<sup>2</sup> and cater specifically to visitors/clients of the facility.

***The shop area is approximately 70 m<sup>2</sup>. In the supporting information the applicant has confirmed that the shop will be a saddlery/and equestrian related unit. Accordingly it is considered to be in accordance with the***

***policy. A condition can be applied to any consent to control the type of goods sold.***

Policy RES 13 confirms the circumstances in which a proposal of new residential development in the Rural Protection Area will be supported. These circumstances are met where, such as here, the development is required to accommodate a person or persons employed as a manager on site.

***The applicants have confirmed through their agent the anticipated workload generated by the proposed development and the Division is satisfied that it meets the requirements of the policy. It is considered appropriate however to ensure that the house if approved is not occupied until the completion of the main buildings. This can be done by condition.***

***Policies TLR 3 and 4 confirm criteria against which proposals for tourist related proposals should be assessed.***

***The proposal is a major facility and will on event days attract visitors either on a day basis or short term. The detailed hostel is on the clients submission primarily an ancillary provision, for short learning courses. It is considered on that basis that the proposal is acceptable.***

***The other various elements of the proposal, i.e. gymnasium, restaurant, bar, etc. are considered to be complimentary/ancillary uses relative to the scale of the facility. Accordingly it is not is considered appropriate to assess these elements individually. It is accepted that there may be a certain degree of incidental use of the facility by groups not specifically related to equestrian uses.***

### Consultation Responses

6.4 As indicated above the consultees are generally supportive of the application. Certain matters in particular the issue of an appropriate drainage arrangement for the site are required to be finalised but it is considered that these issues can be addressed by means of conditions.

### Impact on the Area

6.5 It is acknowledged that the application presents a major proposal and the building housing the new internal arena will be visible from certain view points. It is considered however that with the use of appropriate finishes and landscaping the development could be accommodated with no significant detrimental impact on the area.

## **7. FINANCIAL AND LEGAL IMPLICATIONS**

7.1 There are no financial or legal implications for the Council in determining this application.

## **8. CONCLUSION**

8.1 As is indicated in Paragraph 5 of the report the application is considered to be generally in accordance with the Development Plan. Therefore given the terms of Sections 25 and 37 (2) of the Town & Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As indicated in Section 6 of the report there are material considerations relevant to this application. These considerations are considered to be generally supportive of the application.

## **9. RECOMMENDATION**

**9.1 It is recommended that the application be approved subject to the conditions indicated on the attached sheet.**

## **CONTRARY DECISION**

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Building Control, the application will not require to be referred to the Development Services Committee as it would not represent a significant departure from Council policy.

**Alan Neish**  
**Head of Planning and Building Control**

24 April 2002

IW/IMB/MS

FV/DVM

## **LIST OF BACKGROUND PAPERS**

1. Application form and plans.
2. Statutory Notices and Certificates.
3. Consultation Letters.
4. Adopted Stewarton Local Plan.
5. East Ayrshire Local Plan (Finalised Version with Modifications).
6. Approved Ayrshire Joint Structure Plan.
7. Approved Strathclyde Structure Plan.
8. East Ayrshire Council Design Guidance.

Any person wishing to inspect the background papers listed above should contact Mr Ian Walker on 01563 576769

***Implementation Officer: Dave Morris***

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

02/0058/FL

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Site of Proposal:	Meikle Mosside Farm FENWICK
Nature of Proposal:	Proposed extension of existing facility to include new arenas, gymnasium, classroom, bar, lounge and restaurant with function area, retail, manager's house, hostel and stabling.
Name & Address of Applicant:	Lord & Lady Rowallan Meikle Mosside Farm FENWICK Kilmarnock KA3 6AY
Name of Agent:	Colin Simpson Architecture 10 Kirklee Terrace Lane GLASGOW G12 0TL

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DPO's Ref: IW/IMB

PPO's Ref:

The above FULL application should be granted subject to the following conditions:

1. A landscaping scheme shall be submitted to and approved by the Planning Authority prior to commencement of any development, and shall be implemented not later than the next appropriate planting season after the development has been carried out. The scheme shall include details of any land consolidation and earth landfill works, the provision to be made for the maintenance of soft and hard landscaped areas, and shall be maintained thereafter in accordance with these details. Any trees removed without consent of the Planning Authority or seriously damaged at any time thereafter shall be replaced by trees of similar size or species as may be agreed in writing with the Planning Authority.

REASON To ensure that adequate landscaping is provided, to an adequate standard, and that it is subsequently maintained, in the interests of visual amenity.

2. No trees shall be felled, lopped, have roots cut, or be the subject of any other works without the written consent of the Planning Authority.

REASON In the interests of visual amenity and to maintain the existing visual contribution of the trees to the amenity of the area.

3. Notwithstanding the submitted plans details of the design and construction of all fences and walls to be erected on the site shall be submitted to and approved by the Planning Authority before any development commences on the site.

REASON To allow the Planning Authority to control the design and construction of such features in the interests of visual amenity.

4. Notwithstanding the plans hereby approved details/samples of all external finishing materials to be used in the construction of the arena and facilities buildings and the manager's house shall be submitted to and approved by the Planning Authority prior to the commencement of development on site.

REASON In the interests of visual amenity.

5. Details submitted further to Condition No. 4 above shall provide for the utilisation of slate or slate substitute tile and a wet dash render as the external finish of the house.

REASON In the interests of visual amenity.

6. Notwithstanding the details of the plans hereby approved further details of the proportions and design of the windows in the manager's dwellinghouse shall be submitted to and approved by the Planning Authority prior to the commencement of the building of the house.

REASON In the interests of visual amenity.

7. The dwellinghouse hereby approved shall only be occupied by an individual employed as a manager of this equestrian related arena complex or a similarly responsible person offering cover and security in relation to the site.

REASON The proposed development involves the construction of a dwelling house in the countryside which would otherwise be refused.

8. The dwellinghouse hereby approved shall not be occupied until the new arena building and facilities building have been completed on site.

REASON It is only through the provision of these buildings that there is considered to be a justification for a house in the countryside which would otherwise be refused.

9. Prior to the commencement of use of the building as overnight accommodation, further details of the means of drainage and sewage disposal shall be submitted to, and approved by, the Planning Authority.

REASON To prevent contamination of watercourses.

10. Before any work commences on site, details of a sustainable urban drainage system and its maintenance following installation shall be submitted to, and approved by the Planning Authority. The sustainable urban drainage system shall thereafter be installed on site, prior to the erection of any of the buildings approved by this planning consent.

REASON To ensure that adequate drainage is provided.

11. Notwithstanding the details on the plans hereby approved the administration lodge building coloured blue on the proposed location plan is not approved and further details of that building shall be submitted to and approved by the Planning Authority prior to its construction.

REASON In the interests of visual amenity.

12. Notwithstanding the provisions of the (General Permitted Development) (Scotland) Order 1992, and the Town and Country Planning (Use Classes) (Scotland) Order 1997, this permission relates only to the retailing of items associated with equestrian based, leisure activities or other approved uses on site, and the further express permission of the Planning Authority shall be required in respect of the proposed retailing of any other type of goods or services.

REASON To enable the Planning Authority to retain control over the type of goods sold in accordance with Council policy.

13. Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Scotland) Order 1997 and the General Permitted Development (Scotland) Order 1992, the gymnasium, bar, lounge, restaurant, function area, hostel rooms and retail facility shall operate only as uses ancillary to the use of the main arena areas.

REASON To enable the Planning Authority to retain control over the types of use operated from the site in accordance with Council policy and to maintain the primary function of the development as an equestrian based arena complex.

14. Notwithstanding the terms of the Town and Country Planning (Use Classes) (Scotland) Order 1997 or the General Permitted Development (Scotland) Order 1992, the uses permitted as part of the development hereby approved shall be restricted only to those authorities specified on the approved plans and the further separate express permission of the Planning Authority shall be required in respect of the introduction of any other activities which fall within the same use class.

REASON To enable the Planning Authority to retain control over the various activities on site and the character of the development upon which basis consent is granted.

## **NOTE TO APPLICANTS**

- 1) The Developer shall make early contact with the Scottish Environment Protection Agency and Scottish Water to confirm their request to utilise a Sustainable Urban Drainage System, (SUDS), with regard to surface water. These Authorities require this development to be drained in accordance with the recommendations contained in the CIRIA manual on SUDS.
- 2) The Council does not currently have a general agreement with Scottish Water in relation to the maintenance of public SUDS. Proposals for site specific agreements which may require to involve the developer or other third parties will be considered within the overall framework recommended in the design manual for SUDS published by CIRIA.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT  
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S  
PLANNING OFFICE IN KILMARNOCK. FOR INFORMATION ON  
VIEWING PLEASE CONTACT (01563) 576790.**

**AGENDA**