

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 8 MARCH 2002

**01/0337/FL : PROPOSED ERECTION OF MANAGER'S HOUSE FOR CARAVAN
COMPLEX AT LAND ADJACENT TO CATRINE HOUSE, BY MAUCHLINE / FOR
MRS H TEMPLTON**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning permission is sought for the erection of a single storey, 3-bedroom dwellinghouse on the site. The applicant proposes to externally finish the dwellinghouse with grey concrete roofing tiles and west dash render. The design of the proposed dwellinghouse incorporates several traditional rural characteristics including smooth cement banding around the windows and vertically proportioned fenestration.

1.2 The applicant has indicated that the dwellinghouse is required to house an employee required for the full-time maintenance and supervision of the caravan site. Supporting information has been provided by the Caravan Club and Strathclyde Police. The site presently accommodates a modest number of touring and static caravans, although outline planning permission (Ref No. 00/0508/0L) was granted on 1 December 2000 for an extension to the caravan park within the former walled garden, comprising a further 19 pitches.

2. RECOMMENDATION

2.1 It is recommended that the application be refused for the reasons listed on the attached sheet.

3. CONCLUSIONS

3.1 As indicated in paragraph 5.3 of the report, the proposed development is considered to be contrary to the Development Plan. Therefore, given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be refused unless material considerations indicate otherwise. As indicated at Paragraphs 6.2 to 6.10 of the report, there are material considerations relevant to this application.

3.2 Given the age of the Adopted Catrine/Sorn Local Plan, the Council has agreed that the East Ayrshire Local Plan (Finalised Version with Modifications) should be considered as a prime material consideration. In this regard, the proposal is considered to be contrary to the provisions of the East Ayrshire Local Plan (Finalised Version with Modifications).

3.3 No objections have been received in respect of the application.

3.4 No adverse consultation replies have been received.

CONTRARY DECISION NOTE

Should the Committee agree to grant the application contrary to the advice of the Head of Planning and Building Control, the application will require to be referred to the Development Services Committee as such a decision would represent a significant departure from the provisions of the Approved Ayrshire Joint Structure Plan and in the East Ayrshire Local Plan, Finalised Version with Modifications.

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.

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 8 MARCH 2002

01/0337/FL : PROPOSED ERECTION OF MANAGER'S HOUSE FOR CARAVAN COMPLEX AT LAND ADJACENT TO CATRINE HOUSE, BY MAUCHLINE FOR MRS H TEMPLTON

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 full planning application which is to be considered by the Local Planning Committee under the Scheme of Delegation as the application is contrary to policy and recommended for refusal.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site lies some 240 metres south west of the A76 trunk road, between Mauchline and Auchinleck, within the Catrine House Caravan Site. It comprises a level grassed area adjacent to a former walled garden. A former stable block, which has been converted to a dwellinghouse, lies adjacent to the site. The application site is not readily visible from the A 76.

2.2 **Proposed Development:** Full planning permission is sought for the erection of a single storey, 3-bedroom dwellinghouse on the site. The applicant proposes to externally finish the dwellinghouse with grey concrete roofing tiles and west dash render. The design of the proposed dwellinghouse incorporates several traditional rural characteristics including smooth cement banding around the windows and vertically proportioned fenestration.

2.3 The applicant has indicated that the dwellinghouse is required to house an employee required for the full-time maintenance and supervision of the caravan site. Supporting information has been provided by the Caravan Club and Strathclyde Police. The site presently accommodates a modest number of touring and static caravans, although outline planning permission (Ref No. 00/0508/0L) was granted on 1 December 2000 for an extension to the caravan park within the former walled garden, comprising a further 19 pitches.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads and Transportation Division has no objection to the proposal subject to conditions in respect of the provision of car parking spaces and the prevention of surface water from discharge onto the public road.

Should the application be approved, appropriate conditions in respect of the above can be included on the planning permission.

3.2 West of Scotland Water Authority has no objection to the proposal, provided all drainage arrangements are to its satisfaction.

Should the application be approved, an appropriate note in respect of the above can be attached to the planning permission.

3.3 The Scottish Environment Protection Agency has no objection to the proposal, provided drainage arrangements are to its satisfaction.

Should the application be approved, an appropriate note in respect of the above can be attached to the planning permission.

3.4 The Coal Authority has no objection to the proposal.

Noted.

3.5 Catrine Community Council has not responded to the consultation letter at the time of writing this report.

Noted.

4. REPRESENTATIONS

4.1 No representations have been submitted.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 Sections 25 and 37(2) of the Town and 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 (1999) and the Adopted Catrine and Sorn Local Plan (1984). The Adopted Plan was prepared in the context of the then emerging Strathclyde Structure Plan.

5.2 Notwithstanding the age of the Adopted Local Plan, the application site lies within an area of Local Landscape Significance and the application requires to be determined with regard to Policy 4.3.5(J). This policy presumes

in favour of small scale residential development in the countryside except where there would be a detrimental effect on the landscape character of the area of Local Landscape Significance.

It is considered that the proposal, given its small scale and relatively secluded aspect, would not have a detrimental impact on the landscape character of the area of Local Landscape Significance. It is therefore considered that the proposal accords with the policy provisions of the Adopted Catrine and Sorn Local Plan.

5.3 The proposal also requires to be assessed against Policy G5 of the Approved Ayrshire Joint Structure Plan. Policy G5 states that:-

Development proposals in the Rural Protection Area shall normally be limited to the use of land within settlements. Outside settlements, development proposals shall conform to the structure plan only where the development:-

- (a) has a demonstrated site specific locational need;*
- (b) can be justified in terms of social and economic benefit to the community;*
- (c) contributes to rural land diversification; or*
- (d) provides for the operational needs of agriculture and forestry.*

The Caravan Club has confirmed that the caravan site at Catrine House is a Caravan Club Certified Location. The Club states that it attaches particular importance to the close supervision of Certified Location activities by their owners. Whilst offering no comments on the planning issues to be considered by the Council, the Caravan Club confirms the desirability of the operator of a Certified Location living close by for supervision and visitor support services.

The Strathclyde Police Office in Cumnock has confirmed the following acts of vandalism and criminal activity at the Catrine House caravan site:-

- 6 July 2002- caravan broken into;***
- 29 June 2002- caravan broken into;***
- gate house broken into twice in two years; and***
- adjacent nursery has been the subject of theft and vandalism over the years.***

Notwithstanding the comments of the Caravan Club and Strathclyde Police, it is considered that, given the relatively small number of caravans presently catered for within the site (13 at the time of the site inspection, a full time supervisory presence and the erection of a new dwellinghouse is not justified at the present time. Nevertheless, as noted above, outline planning permission has recently been granted for an extension to the caravan site (ref. no. 00/0589/OL granted on 1 December 2000). It is therefore

considered that a the erection of the dwellinghouse may be justifiable upon the implementation, following Approval of Reserved Matters, of the outline planning permission previously granted for the site.

This however is subject to the provision of financial information in respect of the income generated by the proposed and existing caravan parks, as an economic justification for the erection of the new dwellinghouse in terms of a site specific locational need. However, despite several requests to the applicant, no such information has been received. It is therefore considered that insufficient justification presently exists to support the erection of a new dwellinghouse on this site.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The other principal material considerations relevant to the determination of the application are the East Ayrshire Local Plan, Finalised Version, with Modifications, the planning history of the site, the consultation responses and the supporting information provided by the applicant.

East Ayrshire Local Plan

6.2 The Adopted Local Plan is considerably out of date and therefore it is considered appropriate that greater weight should be attached to more recent expressions of policy. The Council has agreed that the East Ayrshire Local Plan, Finalised Version with Modifications 2002, (EALP), should be considered as a prime material consideration.

6.3 The application site lies within the Rural Protection Area as defined in the EALP and falls to be determined with regard to Policy RES 13 which states:-

"The Council will be supportive of residential development of houses in the Rural Protection Area only where it can be demonstrated that the houses are required on a permanent basis;

- (ii) for a worker employed by a rural enterprise or a tourism related activity and where the requirement for that worker to live on the site is essential to the economic operation of the activity concerned;*
- (iii) as an essential and integral part of an authorised proposal which necessitates the provision of on-site staff accommodation;*

Developments for which a site specific locational need cannot be demonstrated to the satisfaction of the Council will not receive Council support " (Criteria (i) and (iv) are not relevant to this proposal)

See response to 5.3 of the report. The proposal is therefore considered to be contrary to the provisions of Policy RES 13 of the East Ayrshire Local Plan (Finalised Version with Modifications).

6.4 Policy SD3 of the East Ayrshire Local Plan (Finalised Version with Modifications) is also of relevance and states that:-

"Within the Rural Protection Area, development proposals relating to land located outwith settlement boundaries will be acceptable to the Council only where the development:

- (i) comprises an acceptable form of residential use as detailed in policy RES 13 of the Local Plan; or*
- (ii) can be fully justified in terms of site specific locational need; or*
- (iii) can be fully justified in terms of social and economic benefit to the community; or*
- (iv) contributes to rural land diversification; or*
- (v) provides for the operational needs of agriculture or forestry. "*

See response to 5.3 of the report. The proposal is not considered to be justified in the terms specified and does not comply with Policy SD3.

6.5 In Paragraph 6.3 above, RES13 is confirmed as not supporting the proposal. Had RES13 been supportive, Policy RES15 would have required the applicant in the first instance to utilise any existing buildings in preference to erecting a new dwelling. As indicated in 6.6. below, the stable block on site has consent for a part change of use to provide various facilities. The remainder of that block could potentially offer manager's accommodation.

The applicant's agent has been contacted with respect to the above however no indication has been received regarding the suitability of that block for utilisation in this way.

6.6 In view of the above, the proposal can be considered to be contrary to policies SD3, RES13 and RES15 of the EALP and contrary to Policy G5 of the Approved Ayrshire Joint Structure Plan.

Planning History

6.7 As has been noted above, the site has been the subject of a previous application for planning permission. Outline planning permission (00/0589/OL) for the formation of an extension to the caravan park and associated changes of use of part of the stable block to provide a self catering cottage and toilet facilities was granted on 1 December 2000.

No application for Approval of Reserved Matters has as yet been received.

6.8 Planning applications 00/0591/0L and 00/0592/0L proposed the erection of two dwellinghouses on plots adjacent to the present application site and both applications were refused on 1 December 2000. The reasons for refusal of both applications were that the proposed developments would constitute the erection of new dwellinghouses in the countryside which:

- do not have a demonstrated site specific locational need;
- cannot be justified in terms of social or economic benefit to the community;
- do not contribute to rural land diversification;
- do not provide for the operational needs of agriculture and forestry.

The proposed development would therefore not be in accordance with Policies SD3 and RES 13 of the East Ayrshire Local Plan (Finalised Version with Modifications) and Policy G5 of the Ayrshire Joint Structure Plan.

Noted.

Consultation Responses

6.9 No adverse consultation responses have been received in respect of the application.

6.10 As mentioned previously, the applicants have supported their proposals by reference to the comments of the Police and the Caravan Club. In addition they state that planning consent is required in order that they can establish a firm framework within which their financial commitment can be promoted. The proposed manager's house is a keystone in the wider development proposals which include the proposed conversion of the remainder of the stable block to a second holiday home.

It is considered that there is not yet in place a proven justification for the house and that indeed such manager's accommodation might well be capable of being provided in the stable block.

7. FINANCIAL AND LEGAL IMPLICATIONS

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

8. CONCLUSIONS

8.1 As indicated in paragraph 5.3 of the report, the proposed development is considered to be contrary to the Development Plan. Therefore, given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland)

Act 1997, the application should be refused unless material considerations indicate otherwise. As indicated at Paragraphs 6.2 to 6.10 of the report, there are material considerations relevant to this application.

8.2 Given the age of the Adopted Catrine/Sorn Local Plan, the Council has agreed that the East Ayrshire Local Plan (Finalised Version with Modifications) should be considered as a prime material consideration. In this regard, the proposal is considered to be contrary to the provisions of the East Ayrshire Local Plan (Finalised Version with Modifications).

8.3 No objections have been received in respect of the application.

8.4 No adverse consultation replies have been received.

9. RECOMMENDATION

9.1 It is recommended that the application be refused for the reasons listed on the attached sheet.

CONTRARY DECISION NOTE

Should the Committee agree to grant the application contrary to the advice of the Head of Planning and Building Control, the application will require to be referred to the Development Services Committee as such a decision would represent a significant departure from the provisions of the Approved Ayrshire Joint Structure Plan and from the East Ayrshire Local Plan, Finalised Version with Modifications.

Alan Neish
Head of Planning and Building Control
22 February 2002
DS/SMB
FV /DVM

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Statutory Notices and Certificates.
3. Consultation responses.
4. Adopted Catrine and Sorn Local Plan.
5. East Ayrshire Local Plan (Finalised Version with Modifications)
6. Approved Ayrshire Joint Structure Plan.
7. Previous planning applications 00/0589/0L, 00/0591/0L and 00/0592/0L.

Any person wishing to inspect the background papers listed above should contact Mr Derek Scott on 01563 555483.

Implementation Officer: Dave Morris

Form TP24A

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application no 01/0337/FL

Location	Land adjacent to Catrine House MAUCHLINE KA5 5JY
Nature of Proposal:	Proposed erection of manager's house for caravan complex
Name and Address of Applicant:	Mrs H Templeton Syke Farm MAUCHLINE KA5 5JT
Name and Address of Agent	Hope Homes Scotland Watson Terrace DRONGAN KA6 7AB

DPO's Ref: [Derek Scott
PPO's Ref: []

The above FULL application should be refused for the following reasons:-

1. The proposal is contrary to Policy G5 of the Approved Ayrshire Joint Structure Plan as:-
 - a) No site specific location need has been demonstrated;
 - b) It cannot be justified in terms of social or economic benefit to the community;
 - c) It does not contribute to rural land diversification; and
 - d) Does not provide for the operational needs of agriculture or forestry.
2. The proposal is contrary to policy SD3 of the East Ayrshire Local Plan (Finalised Version with Modifications) as:
 - a) It does not comprise an acceptable form of residential development detailed in policy RES 13 of the East Ayrshire Local Plan (Finalised Version with Modifications)
 - b) It cannot be fully justified in terms of a site specific locational need;
 - c) It cannot be justified in terms of social or economic benefit to the community; d) It does not contribute to rural countryside development.
 - e) It does not provide for the needs of agriculture or forestry.
3. The proposal is contrary to Policy RES 13 of the East Ayrshire Local Plan (Finalised Version with Modifications) as a site specific locational need has not been demonstrated to justify the dwelling and to indicate that the dwelling would be required for on-site staff accommodation.
4. The proposal is contrary to RES 15 of the East Ayrshire Local Plan (Finalised Version with Modifications) as the applicant has not demonstrated that it is not appropriate to utilise existing buildings, being capable of residential use, in the first instance.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S
PLANNING OFFICE IN LUGAR. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 555320.**

AGENDA