

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE : 8 SEPTEMBER 2000

**00/0373/FL : PROPOSED REMOVAL OF CONDITION NO. 2 ON
PLANNING CONSENT NO. CD/93/0237/DPP FOR THE OCCUPATION OF
THE DWELLINGHOUSE LIMITED TO THE PROPRIETOR OF OR A
PERSON IN FULL EMPLOYMENT AT SKELDON CARAVAN PARK OR
THE DEPENDANTS OF SUCH A PERSON RESIDING WITH HIM/HER**

AT RISBOROUGH COTTAGE, SKELDON CARAVAN PARK, HOLLYBUSH

APPLICATION BY MRS DEVERELL

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Planning permission is sought for the removal of Condition No. 2 of consent CD/93/0237/DPP. This consent, granted in December 1993, was for the erection of a detached dwellinghouse and garage at Skeldon Caravan Park, and Condition No.2 required the occupation of the dwellinghouse to be limited to the proprietor of, or a person in full employment at, Skeldon Caravan Park or the dependants of such a person residing with him/her.

2. RECOMMENDATION

2.1 It is recommended that the application be approved.

3. SUMMARY OF ANALYSIS

3.1 The removal of Condition No. 2 on planning consent no. CD/93/0237/DPP does not conflict with the policy provisions of the East Ayrshire Local Plan Finalised Version.

3.2 With respect to the letter of objection, given that the operation of the site has been significantly scaled down, and that only four occupied caravans remain on site, it is considered that the dwellinghouse is no longer an integral part of the caravan park.

3.3 It is noted that the site has been closed to tourers and tents for some time, and that it is no longer a viable business. Furthermore, planning consent for residential development on part of the site was approved earlier this year. In these circumstances, there is no further need to maintain the occupancy condition.

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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THE DEPENDANTS OF SUCH A PERSON RESIDING WITH HIM/HER****AT RISBOROUGH COTTAGE, SKELDON CARAVAN PARK, HOLLYBUSH****APPLICATION BY MRS DEVERELL****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 proposal is subject to objection.

2. APPLICATION DETAILS

2.1 **Site Description:** The application sites lies adjacent to Skeldon Caravan Park, and is accessed by a narrow road, north of Skeldon Mills. The site is bounded to the north by the caravan park, to the east by the River Doon, and to the south and west by a wooded area. The caravan park is a combined holiday/touring site operated from end of March through to September/October.

2.2 **Proposed Development:** Planning permission is sought for the removal of Condition No. 2 of consent CD/93/0237/DPP. This consent , granted in December 1993, was for the erection of a detached dwellinghouse and garage at Skeldon Caravan Park, and Condition No.2 required the occupation of the dwellinghouse to be limited to the proprietor of, or a person in full employment at, Skeldon Caravan Park or the dependants of such a person residing with him/her.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Dalrymple Community Council has not responded to the consultation letter.

4. REPRESENTATIONS

One letter of objection, and a supporting statement from the applicant and lessee of the caravan park has been received.

4.1 The objector states that one of the principal benefits of such a condition is that the owner or an employee of the caravan park, being resident so close to the property would ensure its proper maintenance, upkeep and general appearance. Given the current economic climate, there is a risk that if a facility such as a caravan park is not being heavily used, that parts, if not all, would become neglected in an attempt to reduce costs. This would be a particular risk if the owner/employee was not resident immediately adjacent to the site and thus not viewing the deterioration on a regular basis.

When the original application was determined, the site lay within an area identified as Countryside Around Towns which presumed against isolated residential development. The applicant however proved that they had a specific locational need for the dwellinghouse. i.e the operation of the caravan park. The application was therefore approved subject to conditions. Condition No.2 enabled the Planning Authority to retain effective planning control over the proposed dwellinghouse in relation to its requirement as an integral part of the Caravan Park. As the caravan site is due to close, and the site now lies within the settlement boundary of Skeldon Mills, within the East Ayrshire Local Plan, Finalised Version, there is no further need to maintain the occupancy condition. The requirement of the house to ensure effective maintenance of the caravan site is not a material consideration in the determination of this application. The applicant has stated however that the former lessee will continue maintaining the caravan park until the approved dwellinghouses are completed.

4.2 There will be a delay between the receipt of the planning consent for the three dwellings and the construction of the dwellings, during which the site could become neglected. They request that if the planning committee are minded to grant the removal of condition No.2 then this should be subject to the proviso that the three dwellings are constructed and completed. The reason for the request being to safeguard the amenity of the area pending completion of the three dwellings.

Suspensive conditions can be imposed, if they serve a clear planning purpose. In this instance there is no clear planning purpose for the imposition of a suspensive condition.

4.3 The supporting statement from the former lessee of the caravan park has stated that their lease was terminated as of April 2000. It was agreed however that they would continue looking after the park until their commitment to the four remaining static caravans ended at the end of October 2000 or

2001. The caravan park closed for bona fide business on 30 September 1999. There have been no tourers or tents allowed on site, no advertising since 1998 and no annual subscriptions to trade organisations since 1998. Furthermore, trade memberships have been terminated and all trade accounts discontinued. The toilet and shower blocks are closed, and thus there are no facilities for touring caravans. Independent financial sources have advised that the purchase of the caravan park, which must include the dwellinghouse, and the amount of capital needed to revitalise business, could never be justified. They have now concluded six years at Skeldon, and there has never been one year which could sustain a salary for even one person.

Noted.

4.3 The applicant has stated that on reaching retirement age, they gave up running the caravan park, because it was no longer viable to employ staff etc. They got in touch with a company who buy and sell caravan parks, but they were not interested, as in their opinion, it was not a viable proposition. They leased the park in 1996, and their solicitors issued 'Notice to Quit' to the lessee, effective from 1 April 2000. They came to an agreement that the lessee would maintain the site and look after the four remaining static caravan owners until all necessary arrangements were made to start building. The caravan park as a business is closed (three notices on all approaching roads clearly state this fact).

It is accepted that the caravan park has been closed to tourers for some time, and that the operation of the park is no longer economically viable.

5. DEVELOPMENT PLAN STATUS

5.1 The relevant policy document is the East Ayrshire Local Plan, Finalised Version and the application site is located within the settlement boundary of Skeldon Mills. Policy RES4 encourages the sympathetic residential development of gap, infill or other sites not specifically safeguarded or identified for particular development purposes on the Local Plan Maps. Developments should be assessed against the effect on the surrounding natural and built environment and adjacent uses, transport and infrastructure implications, compatibility with surrounding densities and housing types.

There is a possibility that, if the current economic climate improves, the applicant could sell the caravan park, and the new owner could then apply for a new house adjacent within the site. Any such application would be consistent with the provisions of the above policy. It is not therefore considered that this application for the removal of condition No. 2 is premature.

5.2 In terms of the Dalmellington/Patna, Dalrymple Local Plan, the application site is identified for tourism purposes, and is affected by

Policy 6.25E of the above Local Plan. This policy encourages the provision of further tourists and hotel accommodation.

Skeldon Caravan Park was established more than 30 years ago. In recent years, the number of caravans has declined, as it has found difficulties in competing with other caravan sites which are better equipped and have more facilities. The applicant has also experienced difficulties in managing the site. The above Adopted Local Plan is now considered out of date and the East Ayrshire Local Plan Finalised Version is now the agreed policy base against which applications are determined.

6. OTHER PLANNING CONSIDERATIONS

6.1 99/0884/OL : Outline planning consent was granted on 20 April 2000 for 3 bungalows with the caravan site.

Noted.

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 The removal of Condition No. 2 on planning consent no. CD/93/0237/DPP does not conflict with the policy provisions of the East Ayrshire Local Plan Finalised Version.

8.2 With respect to the letter of objection, given that the operation of the site has been significantly scaled down, and that only four occupied caravans remain on site, it is considered that the dwellinghouse is no longer an integral part of the caravan park.

8.3 It is noted that the site has been closed to tourers and tents for some time, and that it is no longer a viable business. Furthermore, planning consent for residential development on part of the site was approved earlier this year. In these circumstances, there is no further need to maintain the occupancy condition.

9. RECOMMENDATIONS

9.1 It is recommended that the application be approved.

Alan Neish
Head of Planning and Building Control
VE/SMB
30 August 2000
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Statutory notices/certificates.
3. Consultation responses.
4. Letters of representation.
5. Application No. 99/0864/OL
6. East Ayrshire Local Plan (Finalised Version)
7. Dalmellington/Patna, Dalrymple Local Plan.

Any person wishing to inspect the background papers listed above should contact Miss Vivien Emery on 10563 555485.

Implementation Officer : Pamela Clifford

Form TP24A

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application no: 00/0373/FL

Location	Risborough Cottage, Skeldon Caravan Park HOLLYBUSH, Ayr KA6 7EB
Nature of Proposal:	Proposed removal of Condition 2 on planning consent no. CD/93/0237/DPP for the occupation of the dwellinghouse limited to the proprietor or of a person in full employment at Skeldon Caravan Park or the dependants of such a person residing with him/her.
Name and Address of Applicant:	Mrs Morag Deverell Risborough Cottage, Skeldon Caravan Park HOLLYBUSH KA6 7EB
Name and Address of Agent	

DPO's Ref: [VIVIEN EMERY]
PPO's Ref; []

The above **FULL** application should be granted.

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THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S
PLANNING OFFICE IN LUGAR. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 555320.**

AGENDA
