

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 21 JANUARY 2011

**10/0623/PP: CHANGE OF USE FROM FARMLAND TO FORMATION OF
CARAVAN PARK WITH TOILET BLOCK
AT: MACNABSTONE, LOCH DOON**

BY LOCH DOON CARAVAN CLUB

Report by Head of Planning and Economic Development

Click for Application Details: <http://eplanning.east-ayrshire.gov.uk/online/caseFile.do?category=application&caseNo=10/0623/PP>

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The proposal involves the change of use of farmland to the formation of a caravan and camping park with associated car parking, toilet/shower block and reception/office block. All of the proposed buildings are to be finished in concrete block work walls and concrete roof tiles or natural slate.

1.2 The proposed caravan site is to accommodate up to fifty touring caravans and eight tent pitches.

1.3 Included within the site are proposals for a septic tank, a chemical storage tank and a reed bed filtration system. Electrical power requirements will be achieved by connecting to the existing overhead power supply. It is proposed that the water supply will be provided from the nearby existing water main which runs behind the existing area of forestry adjacent to the site.

2. RECOMMENDATION

2.1 **It is recommended that the planning application should be approved subject to the conditions listed on the attached sheet. The issue of the decision notice should be withheld until a Section 75 Legal agreement between the Council, the applicant and landowners has been concluded in terms of paragraph 7.2 above.**

3. CONCLUSIONS

3.1 As indicated in the report the application is considered to be in accordance with the provisions of the Development Plan and therefore should be approved unless material considerations indicate otherwise. There are material considerations relevant to the application; however it is considered that these are supportive of the proposal.

CONTRARY DECISION NOTE

8.1 As indicated in the report the application is considered to be in accordance with the provisions of the Development Plan and therefore should be approved unless material considerations indicate otherwise. There are material considerations relevant to the application; however it is considered that these are supportive of the proposal

Alan Neish
Head of Planning and Economic Development

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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1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination an application for planning permission which is to be considered by Southern Local Planning Committee under the scheme of delegation, as more than 10 separate persons have objected to the application.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is located at Macnabstone adjacent to the road which runs along the western side of Loch Doon. The site is bounded to the east and south by a road, to the west by forestry and to the north by open fields which include the remains of some derelict military buildings. An existing access track runs across the site from south to north.

2.2 The application site is located within the Auchencroy/Glenmount Uplands Provisional Wildlife Site and the Western Southern Uplands Environmentally Sensitive Area. The nearby Loch Doon is designated as a Site of Special Scientific Interest.

2.3 **Proposed Development:** The proposal involves the change of use of farmland to the formation of a caravan and camping park with associated car parking, toilet/shower block and reception/office block. All of the proposed buildings are to be finished in concrete block work walls and concrete roof tiles or natural slate.

2.4 The proposed caravan site is to accommodate up to fifty touring caravans and eight tent pitches.

2.5 Included within the site are proposals for a septic tank, a chemical storage tank and a reed bed filtration system. Electrical power requirements will be achieved by connecting to the existing overhead power supply. It is proposed

that the water supply will be provided from the nearby existing water main which runs behind the existing area of forestry adjacent to the site.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Scottish Environment Protection Agency has no objection to the application and provided regulatory advice to the applicant in relation to issues of the discharge of treated sewage to the water environment and the treatment of surface water.

Should planning permission be granted, advisory notes to address the above issues would be included with any planning consent.

3.2 East Ayrshire Council Roads and Transportation Service - no objection subject to conditions in relation to sightlines, the discharge of surface water and any gates to be set back 10.0 metres and open inwards.

Should planning permission be granted, conditions to address the above issues would be included with any planning consent.

3.3 West of Scotland Archaeology Service - No substantive archaeological issue is raised by the proposal.

3.4 Scottish Natural Heritage - the development will not result in any impacts upon National Scenic Areas or Sites of Special Scientific Interest and the proposal will not raise issues of national interest. However SNH reminds EAC that the use of this area by caravaners has previously resulted in irresponsible camping behaviour which required intervention to remove caravans from the area. Furthermore SNH is concerned that to permit this proposal would be setting a precedent in the Loch Doon area, making way for similar applications with potential cumulative impacts for the landscape and the potential for static caravans, all of which would diminish the environment at Loch Doon. Should the proposal be granted planning permission, SNH advise that planning conditions should apply to the issues of colour and design of buildings, the chemical disposal point and the recycling enclosures.

It is acknowledged that the Loch Doon area has previously suffered from the effects of irresponsible behaviour by caravaners indiscriminately parking along the road at the side of the Loch. However, this application seeks to rectify this situation by providing a single specific site identified for use by touring caravans and campers that will consolidate the provision of camping and caravan facilities within one site as opposed to indiscriminate use by caravans parking along the length of Loch Doon.

Should planning permission be granted, in order to mitigate the impacts of the caravan and camping park on the environment and landscape, conditions would be attached to any consent restricting the operational time period of the caravan site and that no static or permanent parking of caravans will be permitted.

3.5 East Ayrshire Access Panel – no objections but offered the following comments for consideration; the provision of accessible independent baby change facilities, reconfiguration of the accessible toilet and provision of a male and female accessible toilet, provision of at least one wet floor shower and an accessible laundry area. In addition issues in relation to accessible parking, entrances to buildings, opening widths of doors, accessible reception areas and a hearing enhancement system will require to be addressed by the applicant.

Whilst the comments of the Access Panel are noted the issues raised would require to be addressed through the building warrant procedures.

3.6 Dalmellington Community Council – fully support the Loch Doon Caravan Club's application for the proposed caravan park at Loch Doon.

4. REPRESENTATIONS

4.1 Fifteen representations objecting to the application have been received. from 17 objectors. A petition with 649 signatures and eleven representations in support of the application, have been received.

4.2 The points of objection are as follows:

- I have significant concerns about the environmental impact in an area of outstanding beauty
- Caravaners that had previously used the area had little regard for the area around them.
- The organisation proposing the plans does not have sufficient funding to complete the caravan park
- Unfortunately not all caravaners are responsible in their attitude to clearing up their rubbish which can have a detrimental effect on wild life with the ingestion of plastic and other forms of harmful matter.
- Whilst the application is for a controlled site it will signal open doors for caravans to once again abuse the fragile environment at Loch Doon
- The proposal lacks flair and imagination and is reminiscent of what was produced in Eastern Europe in the communist era. The site is in an area of outstanding beauty and therefore merits the site being formed in sympathy with the surroundings.
- The caravan park would be more appropriate if it was located at the dam and was landscaped so not to impact the dam.

- I object to the caravan site and believe that its planned location is unsuitable in terms of impact on the scenic beauty of a special loch.

It is acknowledged that the application site is located within a landscape designated as an environmentally sensitive area. However in this instance the site has a brownfield planning history as a military establishment previously existed on the site. Consequently the proposed caravan and camping site is not on previously undeveloped land and as such any environmental impact will be minimal.

Indeed the proposal constitutes an attempt to consolidate the use of the area by caravaners to one specific identified site in order to resolve the historical issue of indiscriminate use of the area by caravans being positioned along the length of the Loch. In this regard the proposal, through the consolidation of caravan use to one specific site, seeks to resolve issues of litter/rubbish pollution by providing recycling facilities within the site and the opportunity for rubbish to be collected from the site.

The issue of the applicant's ability to fund the development is not a material planning consideration.

The relatively small size and scale of the proposal and its resulting minimal impact is acceptable in relation to the surrounding area. However it is acknowledged that the finished materials of the development will require to be sympathetic to the character and appearance of this designated landscape setting and as such a condition could be added to any consent to address this issue.

In terms of the siting of the proposed development, it is more appropriate in terms of minimising the environmental impact of the development on the landscape to re-develop a brownfield site as opposed to the greater environmental impacts associated developing a greenfield site.

4.3 The petition in support of the application states that it is the aim of the Loch Doon Caravan Club to have a much needed purpose built caravan and camping site with proper facilities. The petition further states that the proposal is a community inspired idea run by voluntary members.

4.4 Furthermore, the eleven representations in support of the application raise the following points:

- Loch Doon is a beautiful area and a caravan park there would be wonderful and benefit the local community.
- My family and I have previously made camping trips to Loch Doon and a caravan park would make us visit the area.

- A caravan park would be an asset to the area and bring business and tourism to the area
- A camping and caravan site with facilities is a much needed project in the area.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

Ayrshire Joint Structure Plan

5.1 Policy ECON 14 states that the three Ayrshire Councils shall

- A) Support the principle of rural diversification, particularly through proposals for small scale renewable energy; forest based products and industries; leisure, recreation and tourism; non food crops and local quality food initiatives; appropriate rural housing and small business development; and
- B) Identify appropriate criteria for the assessment of proposals related to the diversification and growth of existing rural businesses and for the establishment of appropriate new business development in rural areas.

The proposal is submitted by the Loch Doon Caravan Club an organisation comprising local caravaners who have come together to establish a permanent tourism facility at Loch Doon for the leisure, recreational and tourism use of touring caravaners and campers. The proposal seeks to consolidate the provision of caravanning and camping facilities to one site within the area as opposed to the previous situation where indiscriminate parking of caravans occurred at Loch Doon. The proposed touring caravan and camp site constitutes an acceptable form of rural diversification which is likely to encourage tourism and visitors to Loch Doon and the surrounding area. Furthermore, a single specific site designated for leisure and recreational use will ensure that the wider nature conservation interest is preserved and protected as opposed to sporadic and indiscriminate recreational use of the wider landscape.

East Ayrshire Local Plan

5.2 Strategic policy TOUR1 states that the Council will actively support and encourage the development of appropriate sustainable tourism throughout East Ayrshire. Sensitive tourism developments pertaining to the industrial and cultural heritage and green tourism initiatives relating to the high scenic and landscape quality and nature conservation interest of the Doon and Irvine Valleys, the Loch Doon and Glen Afton areas and in the Muirkirk Uplands and River Nith areas will be particularly supported.

The proposed touring caravan and camping site will provide a sustainable tourism opportunity for the Loch Doon area. The

provision of a single site specific leisure, tourism and recreation facility will ensure that the nature conservation interest of the Loch Doon area is preserved and protected as the development consolidates caravan and camping use to one designated site as opposed to the previous indiscriminate use of the area by caravanners parking along the length of the Loch.

5.3 Policy TOUR 4 states that The Council will encourage and support the retention and improvement of existing tourist attractions and tourism related facilities throughout the local plan area and will be supportive of sensitive new tourism related developments where:

(i) the proposed use and any associated structures are not visually or environmentally intrusive, are of a nature and scale compatible with surrounding land uses and are not detrimental to the character and amenity of the area within which they are proposed; and

(ii) there is no adverse impact on the natural environment and in particular on recognised natural or built heritage resources requiring conservation; and

(iii) the proposal can be fully justified in terms of infrastructure, provision of services, access and car parking provision.

Developments that do not meet these criteria will not receive Council support.

Wherever possible, the Council will encourage the use of existing buildings for the provision of new tourism related facilities in preference to the construction of new build facilities.

The proposed use and associated buildings are of a smaller size and scale which will not result in any significant detrimental impacts on the character and amenity of the surrounding area. Indeed should planning permission be granted a condition would be attached to any consent limiting the operation of the site to a period between March to November resulting in a temporary use of the site providing further mitigation in terms of impacts of the proposed development on the environment and the landscape.

Scottish Natural Heritage has not objected to the application and states that the development will not result in any impacts upon National Scenic Areas or Sites of Special Scientific Interest and the proposal will not raise issues of national interest. The application site has a brownfield history as the site was previously occupied by a military establishment and remains of buildings are located within the application site.

In terms of the detrimental impacts of the proposal on the landscape character the development of a brownfield site is preferable to development of a greenfield site as the environmental impacts and impacts on the character of the landscape are less significant.

The Council's Roads and Transportation Service has not objected to the proposal in terms of the access and car parking.

The applicant has provided information in its submitted planning statement indicating both an available power and mains water supply for the site.

5.4 Policy TOUR 5 states that new camping and caravan sites outwith settlement boundaries will only be considered acceptable if the development accords fully with all of the provisions of policy IND 6. All such proposals will require to be accompanied by a business plan or similar justification for the development and applicants will be required to enter into an appropriate Section 75 Agreement with the Council regarding the use and operation of the sites concerned.

The applicant (The Loch Doon Caravan Club) has submitted a planning statement in justification of the proposal which details the establishment of the Caravan Club and its aims and objectives. Should planning permission be granted any consent would be withheld until a Section 75 legal agreement has been concluded between the Council, all landowners and the applicant.

5.5 Policy IND5 part (iii) is relevant in this instance and states that all new industrial, commercial and business development outwith settlement boundaries will be encouraged and considered acceptable to the Council only where the proposal relates to:

(iii) sympathetic industrial, commercial and business developments including sensitive recreational, tourism, leisure and sporting developments and developments which support the knowledge based economy and the service sector, and which contribute positively to the diversification of the rural economy and can be clearly demonstrated to have a specific requirement for a rural location;

In this instance the proposal relates to a site specific rural location for a recreational, leisure and tourism development which is likely to contribute positively to the diversification of the rural economy by attracting visitors and tourists to the unique landscape character provided at Loch Doon and the surrounding area. Indeed the quality and character of the landscape in which the site is located clearly

demonstrates the specific requirement that is likely to attract visitors and tourism to Loch Doon and the surrounding area.

5.6 Policy IND6 states that outwith settlement boundaries, all proposals for new industrial, commercial and business developments which fall within the categories of development detailed in Policy IND5 (ii) to (vi) above, will require to be justified and will only be supported where:

- (i) the proposed use is compatible with surrounding land uses;
- (ii) the development has no unacceptable adverse impact on the landscape quality, character and amenity of the surrounding area which cannot be adequately mitigated through the appropriate provision of screen planting or landscaping;
- (iii) the development has no unacceptable transportation or infrastructure implications;
- (iv) there is no unacceptable loss of prime quality and good quality, locally important agricultural land falling within categories 1, 2, 3.1 and 3.2 of the Macauley Land Use Research Institute; and
- (v) the development has no unacceptable adverse impact on natural and built heritage resources.

Developments that do not meet these criteria will not receive Council support.

Whilst the proposed use of the site is not related to the existing surrounding land uses of farming or forestry the proposal constitutes rural diversification through the provision of a sustainable recreational, leisure and tourism development which is likely to attract visitors and tourists to the Loch Doon Area. The size and scale of the proposed development is relatively small in magnitude and is likely to be operational on a restricted seasonal basis between the months of March to November thus reducing the impact of the development on natural heritage resources.

The proposed development is not likely to result in any significant adverse impacts on the quality or character of the Loch Doon area. Indeed the proposal seeks to consolidate to one specific site the use of the area by caravans and campers.

Should planning consent be granted a condition would be added to address the issue of a landscaping plan for the site.

There is no loss of important agricultural land falling within categories 1, 2, 3.1 and 3.2 of the Macauley Land Use Research Institute.

Scottish Natural Heritage has not objected to the proposed development and highlights that the proposal will not result in any impacts upon National Scenic Areas or Sites of Special Scientific Interest and the proposal will not raise issues of national interest.

Given that the application site is a brownfield site which has previous history of use as a military establishment, and the remains of some of these buildings are evident both within and adjacent to the application site, it is unlikely that any significant unacceptable adverse impact on natural and built heritage resources would result from the proposal.

5.7 Strategic Policy ENV2 states that the Council will seek to protect, preserve and enhance all natural heritage resources requiring conservation including Special Protection Areas, Special Areas for Conservation, Sites of Special Scientific Interest, Confirmed or Provisional Wildlife Sites and Local Nature Reserves.

In this case the application site is located within the Auchencroy/Glenmount Uplands Provisional Wildlife Site. Whilst it is acknowledged that the proposed touring caravan park proposes new development at the site, as previously discussed, the site is brownfield in nature as a military establishment previously occupied the site and remains of these buildings are evident on the site. Consequently the proposed development on a brownfield site is unlikely to result in significant adverse impacts on an area of nature conservation.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of this application are the East Ayrshire Local Plan 2010, the consultation responses, the representations detailed in Section 3 of the report, the planning history of the site, the impact on the amenity of the area and the applicant's submitted information in support of the application.

Consultation Responses

6.2 The consultation responses are summarised in Section 3 of this report and they do not suggest that this application should be refused.

Representations

6.3 The concerns raised in the objections received generally relate to the adverse impacts of the proposed development on the amenity of the Loch Doon area. Whilst the concerns of objectors are noted, the proposed development seeks to provide mitigation measures for a long standing issue of caravans indiscriminately parking along the side of Loch Doon and the resulting significant adverse effects.

6.4 The petition received included 649 signatures in support of the application stating that it is the aim of the Loch Doon Caravan Club and the local community to have a much needed purpose built caravan and camping site with proper facilities.

Planning History

6.5 Whilst there is no recent planning history relating to the site it is apparent that the site was previously developed as remains of buildings are evident on the site. The applicant has stated that the site was previously used as a military establishment and has supplied photographic evidence to support this claim.

Impact on the Amenity of the Area

6.6 It is not considered that the development will have any significant detrimental impact on the character or quality of the landscape or on the surrounding area.

Applicants supporting statement

6.7 The applicant has provided a planning statement in support of the application. The applicant acknowledges that for many years the Loch Doon area has been used as camp sites for caravaners and campers and that as a result of indiscriminate use of the area large boulders were placed alongside the road at Loch Doon to prohibit caravaners parking.

6.8 The applicant's case states that many of the responsible caravan owners have now formed the Loch Doon Caravan Club and a lease has been agreed with the landowner to allow the formation of a caravan park which includes car parking and tent pitches.

6.9 The applicant maintains that there are currently various activities in the Loch Doon and surrounding areas and these together with the proposed caravan park would attract more visitors to the area and the formation of a caravan park would greatly reduce the visual impact and environmental aspects of the past.

6.10 A long term perspective is needed to ensure that the Loch Doon area is correctly and appropriately maintained, developed and managed and perhaps the first stage in this process would be the formation of the caravan park to fully establish Loch Doon as a more widely known tourist attraction.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial implications for the Council in relation to the application.

7.2 There are legal implications for the Council in the determination of the application. Planning consent should be withheld until a Section 75 Agreement between the applicant, the Council and landowners has been concluded. This should address the use and operation of the site to ensure that it is utilised to best effect for leisure purposes and not for permanent residential accommodation.

8. CONCLUSIONS

8.1 As indicated in the report the application is considered to be in accordance with the provisions of the Development Plan and therefore should be approved unless material considerations indicate otherwise. There are material considerations relevant to the application; however it is considered that these are supportive of the proposal.

9. RECOMMENDATION

9.1 It is recommended that the planning application should be approved subject to the conditions listed on the attached sheet. The issue of the decision notice should be withheld until a Section 75 Legal agreement between the Council, the applicant and landowners has been concluded in terms of paragraph 7.2 above.

CONTRARY DECISION NOTE

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

Alan Neish
Head of Planning & Economic Development

12 January 2011

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form, plans and supporting statement
2. Consultation responses.
3. Ayrshire Joint Structure Plan 2007
3. Adopted East Ayrshire Local Plan 2010
4. Representations; of objections and of support

Anyone wishing to inspect the above papers please contact Jane Little, Senior Planning Officer, on 01563 576768.

Implementation Officer: Dave Morris

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 10/0623/PP

Site of Proposal: Macnabstone
Loch Doon
By Dalmellington

Nature of Proposal: Change of use from farmland to formation of caravan park with toilet block and reception/office block

Name & Address of Applicant: Loch Doon Caravan Club
28 Bellsbank Crescent
Dalmellington
KA6 7SL

Name & Address of Agent: WG Architectural Services
29 Blackburn Drive
Ayr
KA7 2XW

DPO's Reference: Jane Little

The above application for planning permission should be approved subject to the following conditions.

1. This permission shall not authorise the use of the site as a caravan and camping site except during the period from 01 March until 30 November in each calendar year. No caravans or tents shall be positioned on the site at any time outwith the time period 01 March until 30 November in any calendar year.

REASON: To ensure that the caravans are not occupied as permanent dwellings and to protect the natural heritage resources in the surrounding area.

2. Prior to the commencement of development, a landscaping plan shall be submitted to and approved in writing by the Planning Authority and thereafter implemented as approved. The plan shall be such as to soften the visual impact of the caravan park and to integrate the development into the surrounding landscape.

REASON: In the interest of visual amenity.

3. Prior to the commencement of development, details of the material finishes of the access road, the caravan and the tent pitches shall be submitted to and approved in writing by the Planning Authority and thereafter implemented as approved.

REASON: In the interest of the amenity of the surrounding area.

4. Notwithstanding the plans hereby approved visibility splay areas of 2.5 metres by 90 metres shall be maintained at both sides of the site access with no obstruction to visibility greater than 1.0 metre in height being allowed in these areas.

REASON: In the interest of road safety.

5. No surface water shall discharge from the site onto the adjacent public road.

REASON: In the interest of road safety.

6. Prior to the commencement of development, details of the design of the bin storage, chemical disposal point and recycling enclosures shall be submitted to and approved in writing by the Planning Authority and thereafter implemented as approved.

REASON: In the interests of visual amenity.

7. Prior to the commencement of development, details of the refuse collection arrangements for the development shall be submitted to and approved in writing by the Planning Authority and thereafter implemented as approved.

REASON: In the interests of visual amenity.

8. Notwithstanding the plans hereby approved samples of all external materials shall be submitted to and agreed in writing by the Planning Authority before any development commences on the site and thereafter utilised where and as approved.

REASON: In the interest of the visual amenity of the area

9. Prior to the commencement of development details of all boundary treatments shall be submitted to and approved in writing by the Planning Authority. The approved boundary treatments shall be implemented and in place before the commencement of the use hereby approved.

REASON: In the interests of visual amenity

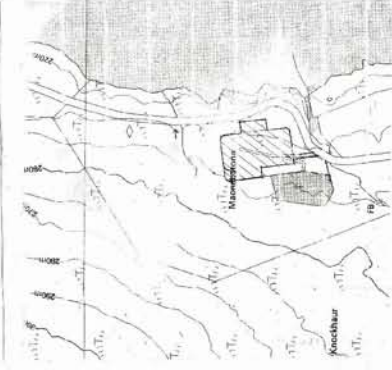
10. This permission shall not authorise the location of static caravans on the site at any time.

REASON: To ensure that the natural heritage resources of the surrounding area are protected and to ensure that the use of the site is consistent with the aims of policy TOUR4 of the Adopted East Ayrshire Local Plan.

Advisory Notes.

1. The discharge of treated sewage effluent requires to be authorised by SEPA to comply with the Water Environment (Controlled Activities) (Scotland) Regulations 2005.
2. CAR simple licence would be required to authorise the discharge of effluent to the water environment.
3. Surface water should be excluded from the foul drainage system and discharged via a suitably designed Sustainable Urban Drainage System.

SITE AREA (ENCLOSURE LAYOUT PLAN)
1.6 Hectare or 14,194 m²

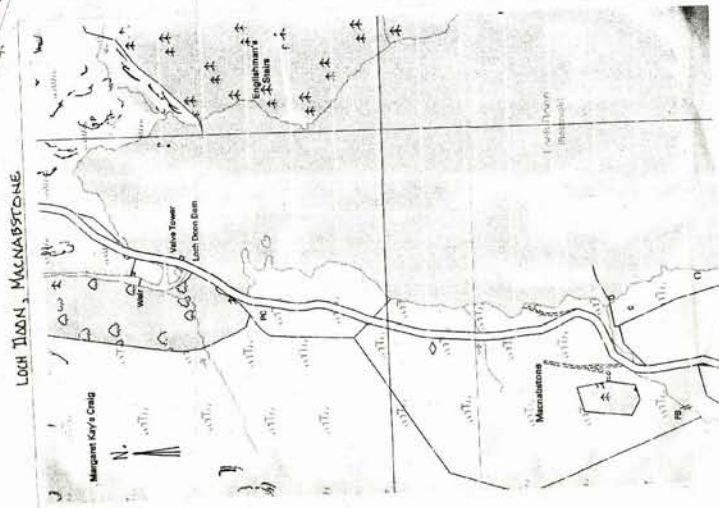
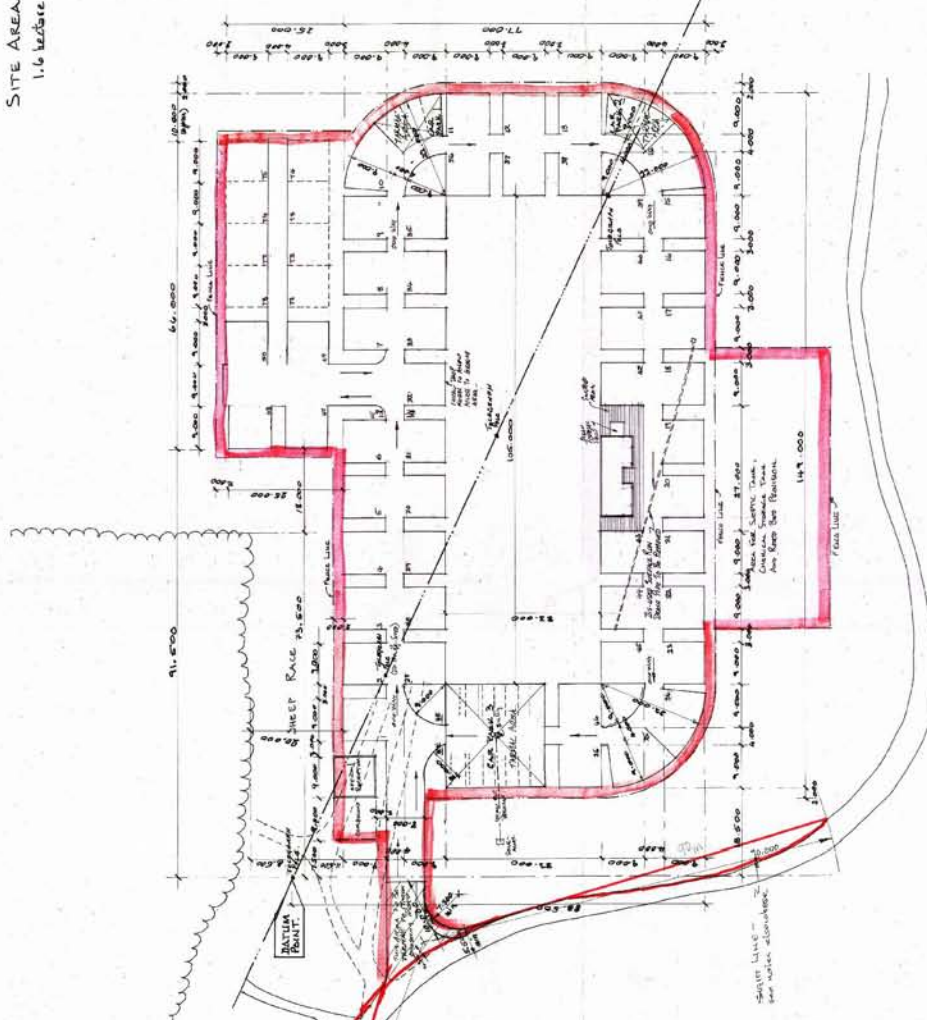


LOCATION PLAN
r.t. : 1:500
(As Proposed)

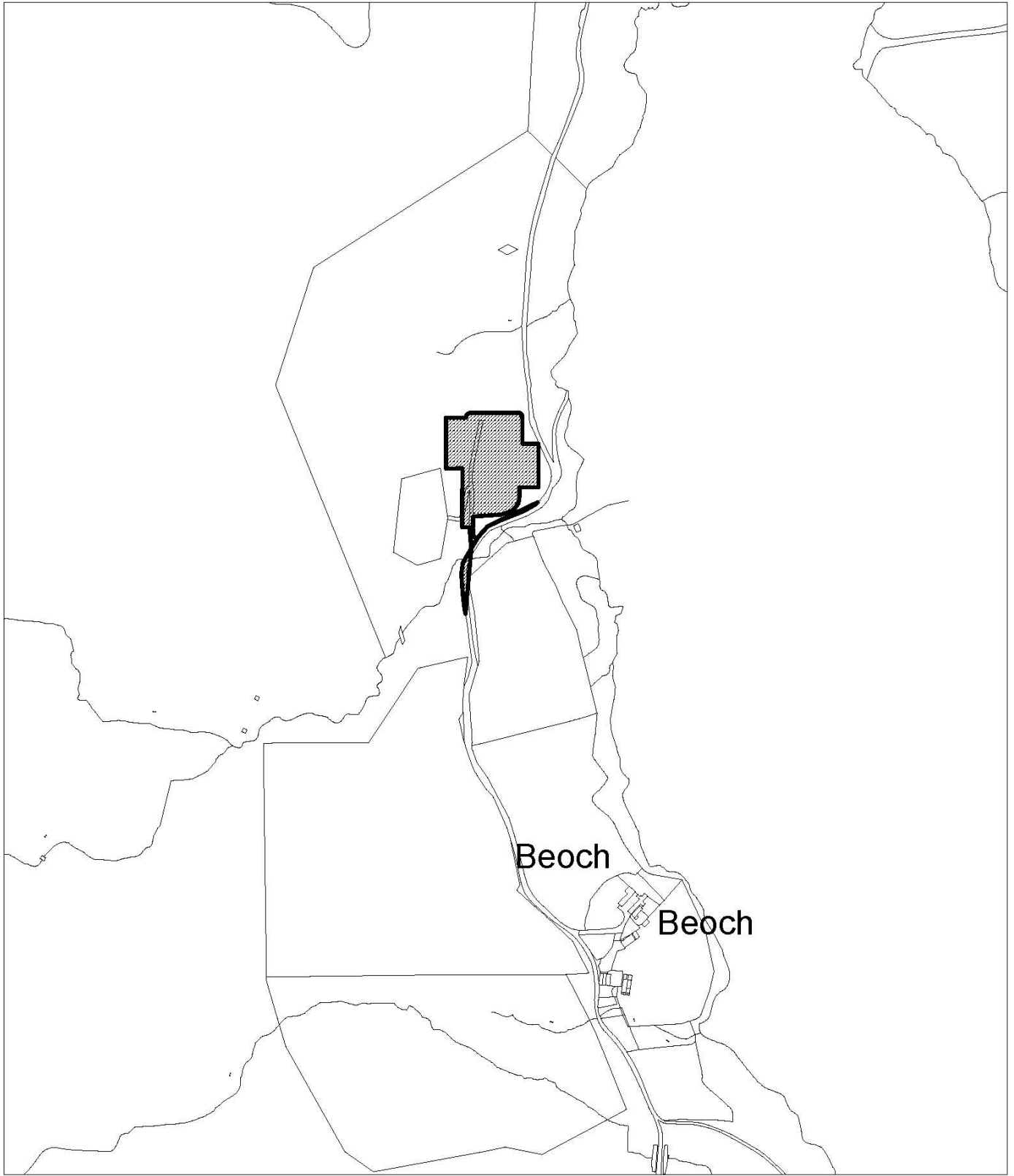
SE Thomas 'N' Street 'Stairs'



AMENDED
PLAN
10/06/2010

DATE: 16/09/09 016/10/10		DATE: 10/06/2010
NO. 70/01	PROJECT: PROPOSED CARRAN PARK AT LOCH TIDDA, EAST AYRSHIRE, FOR LOCH DOON CARRAN CLUB	SCALE: 1:500
DRAWN BY: Z. G. Architectural Services		
CHECKED BY: Z. G. Architectural Services		
DATE: 04 OCT 2010		



LOCATION PLAN
r.t. : 1:500



<p>Title/Location</p> <p>Loch Doon, Caravan Site</p> <p>Dalmellington</p> <p>Application No. 10/0623/PP</p>	<p>East Ayrshire Council</p> <p>Department of Neighbourhood Services Planning & Economic Development Service.</p> <p>6 Croft Street Kilmarnock KA1 1JB</p> <p>Tel: (01563) 576790 Fax: (01563) 576774 E-Mail : Planning@east-ayrshire.gov.uk</p> <p>Com Date: 21/1/2011</p> 
<p>Key</p>  <p>Application Site</p>	

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