

## Kincardine & Mearns Area Committee Report 29 October 2019

Reference No: APP/2019/1308

### Full Planning Permission for Extension to Existing Caravan Park at Cloak Caravan Park, Catterline, Stonehaven, Aberdeenshire, AB39 2UN

**Applicant:** Mr Lindsay Soutar, Cloak, Catterline, Stonehaven, AB39 2UN

**Agent:** Cowie Chartered Architects, Allardyce Castle, Inverbervie, DD10 0ST

Grid Ref: E:386809 N:779045

Ward No. and Name: W19 - Mearns

Application Type: Full Planning Permission

Representations 10

Consultations 6

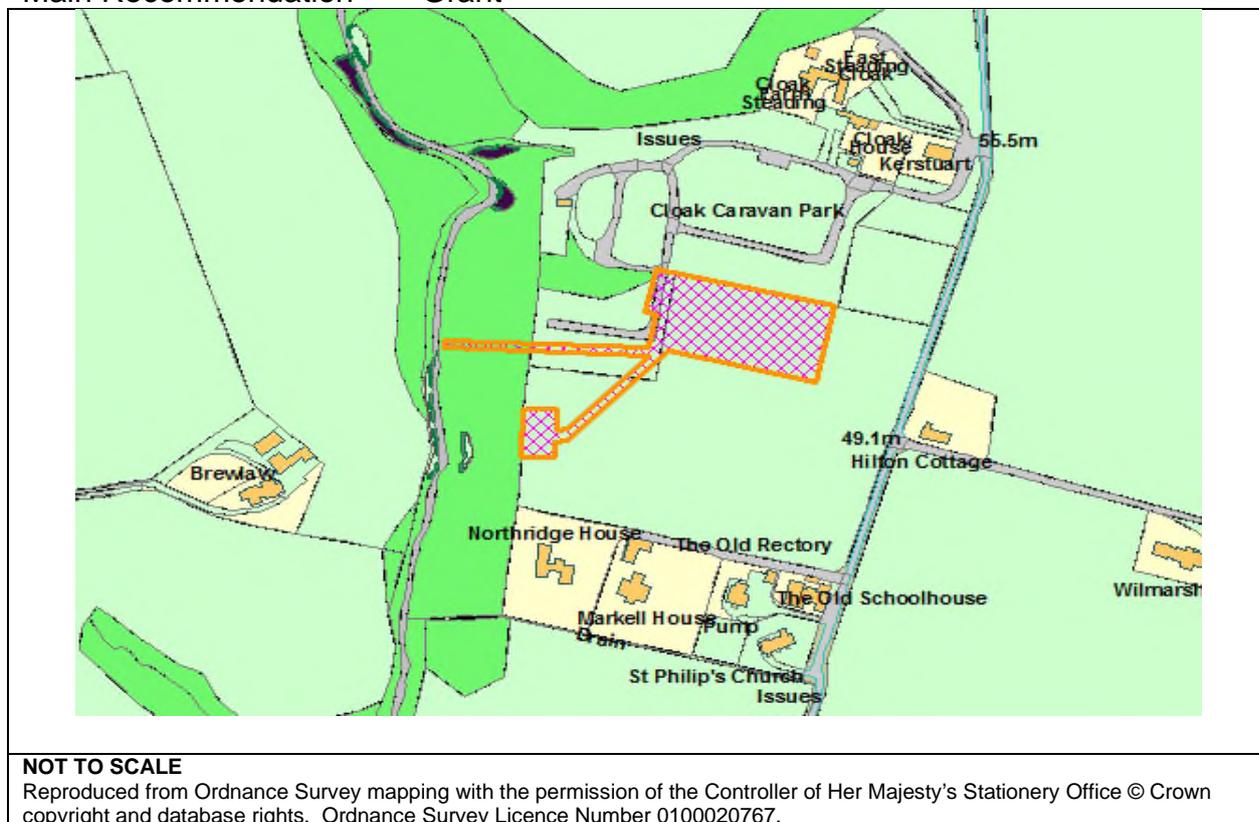
Relevant Proposals Map Aberdeenshire Local Development Plan

Designations: Coastal Zone, Catterline Conservation Area

Complies with

Development Plans: Yes

Main Recommendation Grant



## **1. Reason for Report**

- 1.1 The Committee is able to consider and take a decision on this item in terms of Section B.8.1 of Part 2A List of Committee Powers and Section C.3.1g of Part 2C Planning Delegations of the Scheme of Governance as there is an unresolved objection from a consultee.
- 1.2 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and had no comments to make and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

## **2. Background and Proposal**

- 2.1 Full planning permission is sought for an extension to an existing caravan park by approximately 4900sqm to accommodate an additional 17 caravan stances. The application site extends approximately 6550sqm including the proposed drainage infrastructure.
- 2.2 The caravan park is located within the designated coastal zone and the application site lies approximately 550m to the north of the defined settlement boundary of Catterline. The site is also situated within the Catterline Conservation Area. The application site at present is located to the south of the existing caravan park and is within a grazing field. The field is enclosed by post and wire fencing, with residential properties further to the south and north, the public road to the east and wooded area and Catterline burn to the west. There are existing caravans situated to the north and west of the application site. Currently on site, there are 46 caravans. Semi-mature planting is present around the area of caravans to the north of the application site.
- 2.3 There are a group of 4 residential properties, the boundaries of which are located approximately 119m south of the application site boundary. An access road runs along the northern boundary of four of these dwellings and is located approximately 144m south of the application site. St Philip's Church, is category C listed and is situated slightly further to the south, around 160m to the south of the application site. Another residential property, Hilton Cottage, is located approximately 66m to the southeast of the site, separated by the public road. Whilst the plans show trees at the southern boundary of field, these are not present. Trees are also not present along the southern boundary of the caravans to the west of the site.
- 2.4 The proposal seeks to extend the caravan park to accommodate an additional 17 stances for static caravans. The plans show that each stance would have parking space for 2 cars and connect to the public water supply network. In terms of drainage, foul water would be disposed of via a package sewage treatment plant discharging to a mound filter system. This would be located approximately 92m to the southwest of the caravan area. Surface waters would be disposed of via a filter drainage and discharging to the Catterline Burn to the west of the site.

### Planning history

- 2.5 Applications have been approved previously for extensions to the caravan site. APP/2007/4538 was approved under delegated powers and APP/2012/1445 was approved by Kincardine and Mearns Area Committee.

### Supporting information

- 2.6 A Ground Assessment and Drainage Recommendation Report (dated 06 March 2019) by S.A. McGregor was submitted with the application which outlines the proposed drainage infrastructure for the site. Following comments from Infrastructure Services (Flood Risk and Coast Protection), an updated drainage report (dated 16 September 2019) was submitted with revisions the drainage proposed to reflect the comments made.

## **3. Representations**

- 3.1 A total of 10 valid representations (5 support/5 objection) have been received as defined in the Scheme of Governance. This does not include multiple representations from the same household which equate to 10 letters in total. All issues raised have been considered. The letters raise the following material issues:

### Objection

- Noise pollution and traffic congestion of single track road;
- Health and safety risk to pedestrians and occupants of the village as a result of increased visitors;
- Impact on privacy by overlooking from extended caravan park area;
- Suitable materials and plants needed to provide natural barriers to minimise impact of the development;
- Previously conditioned screening has not been developed and trees shown on the plan do not exist;
- Development is not sympathetic or in keeping with rural conservation area;
- Proposal does not preserve or enhance special character of the area;
- Impact on setting and character of nearby listed building, St Philips Church, and built heritage of the area;
- New development should be constructed from locally sourced materials and in a style sympathetic to existing buildings in the area;
- Pattern of gradual creep will continue in future to further detriment and impact on the area;
- Foul drainage systems suitable to accommodate year round occupancy/head count level so not to impact the surrounding area;
- Increased light pollution and obtrusive light that would impact on nearby properties and nocturnal habits of wildlife;
- Pavement and passing places should be provided as a condition of the planning application;
- No traffic assessment conducted as part of consultation with Infrastructure Services (Roads Development);

- Are there plans to improve safety at A92 junction as a result of additional traffic the proposed development would bring;
- Pheasants, birds of prey and owls often seen in the field, is there a requirement for impact on wildlife and natural habitat;
- Clarification sought on surface water discharge to Catterline Burn and impact on properties downstream of proposed discharge;
- Village infrastructure not adequate to support further increase in semi and permanent residents;
- Condition of roads will worsen and increase hazards to vehicles, cyclists and pedestrians;
- No public transport so users required to use cars to use facilities elsewhere that are not available in the village;
- Long term environmental impact in respect of flooding, sewage, waste disposal and collection.

#### Support

- Application has no negative impact on the Catterline area;
- Allow a rural business to grow and serve local area by attracting tourism;
- Plans show proposal would be screened from the road and any properties;
- Current screening has been employed by the caravan park and effectively breaks up the boundary and surrounding area.

## 4. Consultations

### Internal

- 4.1 **Infrastructure Services (Environmental Health)** has no objection to the application. However, the applicant is reminded that they should ensure that any Caravan Site Licence is updated to reflect any changes to the site.
- 4.2 **Infrastructure Services (Flood Risk and Coast Protection)** were consulted as letters of representation raised concerns in relation to flooding. This Service required clarification in relation to: whether 100mm attenuation is sufficient for the site; more details with regard to how the surface water is to be fed to the attenuation trench outfall; drainage information for the access road. Upon receipt of confirmation from the drainage engineer and an updated drainage report, this Service has no objection to the proposal subject to a condition ensuring that the drainage infrastructure is provided and maintained in accordance with the details in the updated drainage report.
- 4.3 **Infrastructure Services (Roads Development)** has commented on the application and note that the proposal will utilise an existing access onto the public road and the parking provision of 2 spaces per caravan is acceptable. This Service has no further comment to make on this application.

## External

4.4 **Catterline, Kinneff and Dunnottar Community Council** object to the proposal for the following reasons:

- Historical extensions to the caravan park approved despite objection from local residents and this application is another example of creep;
- Number of caravans equates to number of dwellings within village boundary. Any further extension would mean more caravans than dwellings;
- Detrimental impact on conservation area, a village that attracts tourists and visitors;
- Visual impact of caravan park from the road is already negative and current screening has failed in its intent;
- Impact of safety of children walking to and from school and result of increase in traffic on local roads;
- Access and drainage infrastructure put under significant additional strain and Catterline Burn already floods at times of heavy rainfall;
- Main access to the site is from a staggered junction at the A92 and increase in traffic flow at the junction would be reckless. This is now recognised in the latest main issues report from the 2021 LDP.

4.5 **Scottish Forestry** has been consulted and notice that the proposed development is not located in a woodland as identified by the National Forest Inventory. From the information provided, it does not appear that there is any proposed removal of woodland associated with the application and on this basis Scottish Forestry has no comment to make.

4.6 **Scottish Water** has no objection to the planning application, however the applicant should be aware that this does not confirm that the proposed development can currently be serviced and further investigations may be required to be carried out once a formal application is submitted to Scottish Water.

## **5. Relevant Planning Policies**

### 5.1 Scottish Planning Policy

The aim of the Scottish Planning Policies is to ensure that development and changes in land use occur in suitable locations and are sustainable. The planning system must also provide protection from inappropriate development. Its primary objectives are:

- to set the land use framework for promoting sustainable economic development;
- to encourage and support regeneration; and
- to maintain and enhance the quality of the natural heritage and built environment.

Development and conservation are not mutually exclusive objectives; the aim is to resolve conflicts between the objectives set out above and to manage change. Planning policies and decisions should not prevent or inhibit development unless there are sound reasons for doing so. The planning system guides the future development and use of land in cities, towns and rural areas in the long term public interest. The goal is a prosperous and socially just Scotland with a strong economy, homes, jobs and a good living environment for everyone.

## 5.2 Aberdeen City and Shire Strategic Development Plan 2014

The purpose of this Plan is to set a clear direction for the future development of the North East. It promotes a spatial strategy. All parts of the Strategic Development Plan area will fall within either a strategic growth area or a local growth and diversification area. Some areas are also identified as regeneration priority areas. There are also general objectives identified. In summary, these cover promoting economic growth, promoting sustainable economic development which will reduce carbon dioxide production, adapt to the effects of climate change and limit the amount of non-renewable resources used, encouraging population growth, maintaining and improving the region's built, natural and cultural assets, promoting sustainable communities and improving accessibility in developments.

From the 29 March 2019, the Strategic Development Plan 2014 went beyond its five-year review period. In light of this, for proposals which are regionally or strategically significant, or give rise to cross boundary issues between Aberdeen City and Aberdeenshire, the presumption in favour of development that contributes to sustainable development will be a significant material consideration in line with Scottish Planning Policy 2014.

The Aberdeenshire Local Development Plan 2017 will continue to be the primary document against which applications are considered. The Proposed Aberdeen City & Shire SDP 2020 may also be a material consideration.

## 5.3 Aberdeenshire Local Development Plan 2017

Policy R1 Special rural areas  
Policy P1 Layout, siting and design  
Policy E2 Landscape  
Policy HE2 Protecting historic and cultural areas  
Policy RD1 Providing suitable services

## 5.4 Other Material Considerations

None

## 6. Discussion

- 6.1 The main issues to consider in the determination of this application include the acceptability in principle of the proposed extension to the caravan park and the potential impact on the character and amenity of the surrounding area, including the visual impact on the Catterline Conservation Area. In addition, consideration must also be given to technical matters such as access and drainage.

### Principle of development

- 6.2 The proposed development lies outwith the settlement boundary of Catterline and is situated within the designated coastal zone. Policy R1 Special rural areas states that development in the coastal zone must require a coastal location and the social and economic benefits must outweigh any adverse environmental impact.
- 6.3 The existing caravan site benefits from a coastal location and as a proposed extension, by virtue of the siting there are no other appropriate locations for an extension to the caravan park. The coastal zone covers large areas of coast and any location outwith the designation would not be an extension. As a result of the rural location, there would be a reliance on cars, however this is the nature of the site and there is already an established business at this location. Furthermore, it is realised that there are limited facilities within Catterline, but as previously acknowledged the rural location does rely on use of a private car to some extent. In terms of economic gain, the proposed extension would assist in providing accommodation for tourists who in turn would utilise the immediate and surrounding area.
- 6.4 As a field used for grazing cattle, it is not considered that it would provide an abundant habitat for wildlife. It is acknowledged that wildlife may pass through the field, however it is unlikely that the extension to the caravan site would destroy any established habitat and the proposal would not have a significant environmental impact in this regard. Overall, it is considered that the proposal complies in principle with Policy R1 special rural areas.

### Layout, siting and design

- 6.5 The proposed extension would facilitate caravans which are acknowledged to vary in design, however the Planning Service is not assessing the style or specific siting of the caravans on the site as these matters are controlled under a caravan licence. Other on site infrastructure such as any proposed lighting, would also be covered under the site's caravan licence. It is considered that the nature of the development would be in keeping with the existing use of the site and overall would not have a significant adverse impact on the character of the surrounding area. The scale of the extension is not considered to be excessive or take a significant step closer to the settlement or nearby residential properties. Any future applications to further extend the caravan park would be assessed on their own merits and the potential impact on the area.

6.6 The existing caravan park is bound by a field to the south, of which part of the proposed development would encroach upon. However, it is considered there is clear separation between the proposed site and existing residential properties and there would not be a detrimental impact in terms of overlooking. Letters of representation raise concerns that there are no existing trees on the southern boundary of the field and this was confirmed during the site visit, where there are very few trees along the fence line with the access road for these properties. The separation distance is considered adequate to ensure that residential amenity is not impacted upon to such a degree which would warrant a recommendation of refusal. The Planning Service would have reservations in relation to imposing a condition that trees are planted along the field boundary as this would be outwith the application site. Screen planting has been detailed on the submitted plan and shown along the southern boundary of the application site, which would assist in softening the impact of the proposed development and is considered appropriate in terms of ensuring that surrounding amenity is protected further. The requirement for proposed planting can be reinforced through the use of an appropriate planning condition. It is considered that the proposed extension would not cause a detrimental adverse visual impact on the surrounding area or cause an unacceptable impact on existing residential amenity. Therefore, the proposal complies with Policy P1 Layout, siting and design and Policy E2 Landscape.

#### Impact on built heritage

6.7 The proposal is located within the Catterline Conservation Area which covers not only the settlement of Catterline, but large areas of open countryside and coastline. The application site is adjacent to an existing caravan site, and the scale of the extension is not considered to result in an adverse impact on the character of the conservation area. The listed building, St Philip's Church, is located some 160m from the boundary of the application site and is contained by neighbouring properties to the north and northwest. As a result of the existing buildings at this location, it is not considered that the extension to the caravan park would have a significant impact on the setting of the listed building and there is a clear separation provided by the remainder of the field to reduce the overall impact of the proposal. The proposal satisfies the criteria of Policy HE2 Protecting historic and cultural areas.

#### Technical matters

6.8 A number of representations received raised concerns in relation to the existing roads leading to the site, and increased usage as a result of the proposed extension. Infrastructure Services (Roads Development) has not requested a transport assessment, therefore it is not required. This Service has raised no concerns in relation to the parking provision or use of the existing access and therefore, the proposal is considered to accord with Policy RD1 Providing suitable services in this regard.

- 6.9 In terms of impact in regards to noise, the Planning Service is unable to control the behaviour of individuals and if an excessive level of noise arises as a result of this proposal, action may be taken under nuisance legislation. It is considered however, that there is sufficient distance from the residential properties to the south that there would not be detrimental impact on amenity.
- 6.10 In relation to drainage, Infrastructure Services (Flood Risk and Coast Protection) sought clarification on a number of matters and are satisfied that the proposed drainage infrastructure is acceptable. As such, the proposal complies with Policy RD1 Providing suitable services.
- 6.11 As a site providing holiday accommodation, an appropriate condition would be attached to any consent granted to ensure that the caravans are for temporary accommodation purposed and not occupied on a permanent basis as a primary residence.

### Conclusion

- 6.12 Overall, the proposal is an acceptable extension to an existing business in the coastal zone and there is considered to be a limited impact on the character and amenity of the surrounding area and Catterline Conservation Area. The proposal also satisfies technical matters in relation to access and drainage. Therefore, the proposal accords with the relevant policies of the Aberdeenshire Local Development Plan 2017, subject to conditions.

## **7. Area Implications**

- 7.1 In the specific circumstances of this application there is no direct connection with the currently specified objectives and identified actions of the Local Community Plan.

## **8. Implications and Risk**

- 8.1 An equality impact assessment is not required because the proposal does not have a differential impact on any of the protected characteristics.
- 8.2 There are no staffing and financial implications.
- 8.3 There are no risks identified in respect of this matter in terms of the Corporate and Directorate Risk Registers as the Committee is considering the application as the planning authority in a quasi-judicial role and must determine the application on its own merits in accordance with the Development Plan unless material considerations justify a departure.

## **9. Sustainability Implications**

- 9.1 No separate consideration of the current proposal's degree of sustainability is required as the concept is implicit to and wholly integral with the planning process against the policies of which it has been measured.

## **10. Departures, Notifications and Referrals**

### **10.1 Strategic Development Plan Departures**

None

### **10.2 Local Development Plan Departures**

None

10.3 The application is not a Departure from the Local Development Plan or Strategic Development Plan and no departure procedures apply.

10.4 The application does not fall within any of the categories contained in the Schedule of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 and the application is not required to be notified to the Scottish Ministers prior to determination.

10.5 The application would not have to be referred to Infrastructure Services Committee in the event of the Area Committee wishing to grant permission for the application.

## **11. Recommendation**

### **11.1 GRANT Full Planning Permission subject to the following conditions:-**

01. The caravans hereby approved shall be used solely as temporary holiday letting accommodation and for no other purposes whatsoever including use as permanent residential units without the prior express grant of planning permission by the planning authority. The caravans shall not be occupied as a person's sole or main residence and the owner of the caravans shall maintain an up-to-date register of the name of each occupier of the caravans on the site, their length of stay and their main home address and shall make this information available at all reasonable times to the planning authority.

Reason: The occupation of the caravans as permanent residential units would not comply with the Council's Local Development Plan policies regarding residential development in this area.

02. No works in connection with the development hereby approved shall commence unless a scheme of hard and soft landscaping works has been submitted to and approved in writing by the planning authority.

Details of the scheme shall include:

- a) Existing landscape features and vegetation to be retained;
- b) Protection measures for the landscape features to be retained;
- c) Existing and proposed finished levels;
- d) The location of new trees, shrubs, hedges and grassed areas;
- e) A schedule of planting to comprise species, plant sizes and proposed numbers and density;

- f) The location, design and materials of all hard landscaping works including walls, fences, gates, street furniture and play equipment;
- g) An indication of existing trees, shrubs and hedges to be removed;
- h) A programme for the implementation, completion and subsequent management of the proposed landscaping.

All soft and hard landscaping proposals shall be carried out in accordance with the approved planting scheme and management programme. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the planning authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted. Once provided, all hard landscaping works shall thereafter be permanently retained.

Reason: To ensure the implementation and management of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area.

03. The development hereby approved shall not be brought into use unless the proposed foul and surface water drainage systems have been provided in accordance with the approved plans and the Ground Assessment and Drainage Recommendation Report by S.A. McGregor dated 16 September 2019. The foul and surface water drainage systems shall be permanently retained thereafter in accordance with the approved maintenance scheme.

Reason: In order to ensure that adequate drainage facilities are provided, and retained, in the interests of the amenity of the area.

04. The proposed development shall be connected to the public water supply as indicated in the submitted application and shall not be connected to a private water supply without the separate express grant of planning permission by the planning authority.

Reason: To ensure the long term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

## 11.2 Reason for Decision

The proposed extension is to an existing caravan park and would assist in providing additional accommodation for tourists. As such, the proposal accords with Policy R1 Special rural areas. Due to the existing use of the site and the proposed scale of the extension, it is not considered there would be an adverse impact on amenity of neighbouring residents or on the character or appearance of the Catterline Conservation Area. The proposal complies with Policy P1 Layout, siting and design, Policy HE2 Protecting historic and cultural area and satisfies all other relevant policies of the Aberdeenshire Local Development Plan 2017.

**Stephen Archer**  
**Director of Infrastructure Services**  
**Author of Report: Jenny Ash**  
**Report Date: 10 October 2019**