

REPORT TO: Planning Committee
MEETING DATE: Wednesday 6 June 2012
BY: Executive Director (Services for Communities)
SUBJECT: Application for Planning Permission for Consideration

Application No. **11/00975/AMC**

Proposal Approval of matters specified in conditions of planning permission in principle 06/00754/OUT - Expansion of holiday village to accommodate additional 195 static caravans, a 9 hole golf course and associated works (Part Retrospective)

Location **Seton Sands Holiday Village
Longniddry
East Lothian
EH32 0QF**

Applicant Bourne Leisure Ltd

Per Bratherton Park Design Consultants

Ward 3

RECOMMENDATION Consent Granted

PLANNING ASSESSMENT

The application site, which has an area of some 61 hectares, occupies a countryside location to the east and southeast of Port Seton. It consists of Seton Sands Holiday Village and the large field that is to the south of it.

There are cropmarks of a substantial ditched enclosure on part of the eastern edge of the large field that forms the southern part of the application site. These cropmarks are an ancient monument scheduled under the Ancient Monuments and Archaeological Areas Act 1979.

The site is bounded to the north by the B1348 road and partly to the south and west by Seton House and Seton Collegiate Church and their respective grounds. The grounds of Seton House and Seton Collegiate Church are designated as the Seton House (Palace) Designed Landscape. Seton House and Seton Collegiate Church are also each listed as being of special architectural or historic interest (Category A). The building of Seton Collegiate Church and its grounds are an ancient monument scheduled under the Ancient Monuments and Archaeological Areas Act 1979. To the east the site is otherwise bounded by a public footpath, by Seton Dean Woodland, and by the residential properties of Seton

Mains. The site is otherwise bounded to the west by agricultural land and to the south by the A198 public road.

Through the determination of application 06/00754/OUT planning permission in principle was granted in November 2008 for the expansion of the existing Seton Sands Holiday Village, which has been operating in its countryside location as a leisure/tourism business for many years. The expanded Holiday Village, as it was approved, would accommodate a total of 780 static caravans and 100 pitches for touring caravans, together with a 9 hole golf course with golf pavilion. The approved expansion also includes upgrading and extension of the existing main amenity building, upgrading works to accesses and car parking areas and landscaping works.

An illustrative Masterplan docketed to planning permission in principle 06/00754/OUT shows how the elements of the proposed expanded Holiday Village might be accommodated within the site.

Condition 2 of planning permission in principle 06/00754/OUT requires, amongst other things, that the layout of the development should be in general accordance with the approved Masterplan.

Condition 6 of planning permission in principle 06/00754/OUT states that no more than a total of 780 static caravans shall be located on those combined areas of land of the application site marked for caravans, other than touring caravans, on the docketed Masterplan.

In March 2008, full planning permission (Ref: 06/00753/FUL) was granted for the change of use of some 2.8 hectares of the large field to use as a static caravan park, as an extension to the Holiday Village. The approved development includes the proposed provision within the application site of 58 stances, each of which would accommodate one static caravan. That site forms the north eastern part of the large field that is the subject of outline planning permission 06/00754/OUT. Development of the 58 stances has recently been completed.

In November 2009 approval of matters specified in conditions (Ref: 09/00826/AMC) relative to planning permission in principle 06/00754/OUT was granted for the reconfiguration and upgrading of the existing entrance to the Holiday Village, which is at the northwest end of the site. The caravan park entrance has since been fully reconfigured and upgraded in accordance with the details so approved.

In March 2012 full planning permission (Ref: 12/00007/P) was granted for the erection of a golf pavilion, in a similar position to that shown for the golf pavilion on the Masterplan docketed to planning permission in principle 06/00754/OUT. Development of the golf pavilion has not yet commenced, although planning permission 12/00007/P could be implemented at any time up until the 5th March 2015.

Through this application, approval of matters specified in conditions is sought for the expansion of the Holiday Village to accommodate an additional 195 static caravans, a 9 hole golf course, ponds and associated works. As the ponds have already been formed the application is made partly in retrospect.

The Masterplan submitted with this application states that the number of static caravans on the existing land of the Holiday Village would not exceed 585. Thus, in total no more than 780 static caravans would be sited on the application site.

Although this further application is for the approval of matters specified in conditions in respect of planning permission in principle 06/00754/OUT it has to be determined as a major development type application because the area of the application site is greater than 2 hectares. Accordingly the application cannot be decided through the Council's Scheme of Delegation. It is therefore brought before the Planning Committee for a decision.

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that the application be determined in accordance with the development plan, unless material considerations indicate otherwise.

The development plan is the approved Edinburgh and the Lothians Structure Plan 2015 and the adopted East Lothian Local Plan 2008.

Relevant to the determination of the application are Policies ENV1C (International and National Historic or Built Environment Designations) and ENV1G (Design of New Development) of the approved Edinburgh and the Lothians Structure Plan 2015 and Policies DC1 (Development in the Countryside and Undeveloped Coast), ENV3 (Listed Buildings), ENV7 (Scheduled Monuments and Archaeological Sites), ENV8 (Gardens and Designed Landscapes), DP2 (Design), DP22 (Private Parking) and T2 (General Transport Impact) of the adopted East Lothian Local Plan 2008.

Material to the determination of the application are Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the Scottish Government's policy on development affecting a listed building or its setting given in Scottish Planning Policy: February 2010.

Scottish Planning Policy echoes the statutory requirements of Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 that in considering whether to grant planning permission for development which affects a listed building or its setting a planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

It is stated in the Scottish Historic Environment Policy: December 2011 and Scottish Planning Policy: February 2010 that scheduled monuments are of national importance and that they should be preserved in situ and within an appropriate setting. Where works requiring planning permission would affect a scheduled monument, the protection of the monument and its setting are material considerations in the determination of whether or not planning permission should be granted for the proposed development.

Also material to the determination of the application are the representations received from the public.

A total of 3 written representations have been made in respect of this application. Of these, 2 make objection to the proposed development. The other written representation does not state whether it objects or supports the proposed development.

A copy of each written representation is contained in a shared electronic folder to which all Members of the Committee have had access.

The main grounds of objection are summarised as follows:

- Proposed development would increase flood risk;
- The large, most northerly of the proposed ponds is large enough for children to drown in;
- A proper tree belt (200 metres wide) is required on the northwest aspect to screen off views of the caravan park; and

- Tree maintenance should be undertaken for the whole life of the caravan park.

The other written representation also raises some concern that the proposed development could increase flood risk.

Cockenzie and Port Seton Community Council were consulted on the planning application but did not comment on it.

By the grant of planning permission in principle 06/00754/OUT, approval has been given for the principle of the siting of up to 780 static caravans on the application site. There can therefore be no objection in principle to the erection of up to 780 static caravans on the application site.

Therefore, in the determination of this application the Council, as Planning Authority, can only concern itself with the siting, design and external appearance of the development and the landscaping of and means of access to the site. In this regard the detailed proposals have to be considered against relevant development plan policy and the Masterplan and conditions attached to planning permission in principle 06/00754/OUT.

The proposed additional 195 static caravans would be sited on most of the northern part of the large field. The remaining western area of that northern part of the large field would be used as a wetland wildflower meadow. The western part of the large field which is adjacent to the grounds of Seton House and Seton Collegiate Church would be used as a wildflower meadow. As a change to the previously approved Masterplan, it is not now proposed to use any part of the large field for the siting of touring caravans. Instead, touring caravans would continue to be sited at the northeast end of the land of the existing Holiday Village. The part of the large field immediately to the northwest of Seton Mains and which contains the cropmarks scheduled ancient monument would not be developed. Most of the remainder of the large field is proposed for use as a nine hole golf course.

The new static caravan areas and 9 hole golf course would be accessed from the existing access road network within the existing Seton Sands Holiday Village. No vehicular access to the site would be taken from the A198 road on the south side of the application site. New areas of landscaping and a network of footpaths within the application site are also proposed.

The development now proposed does not include for any upgrading or extension of the existing main amenity building. The applicant has indicated that this may instead be proposed through a planning application that may be submitted at some time in the future.

As a variation to the application, the applicant has submitted an amended Masterplan. The amendments to the Masterplan consists of (i) a reduction in the number of static caravans on the large field from 219 to 195; (ii) a substantial increase in the width of the tree belt proposed for the west side of the 195 additional static caravans; (iii) other changes to the proposed scheme of landscaping; and (iv) the omission of one of the footpaths proposed for the western part of the large field.

What is proposed for the development of the application site would be a sympathetic expansion of Seton Sands Holiday Village with due regard to its existing landscape setting and its close proximity to nearby listed buildings and to the residential properties of Seton Mains. The proposed expansion of the Holiday Village is broadly consistent with the Masterplan docketed to planning permission in principle 06/00754/OUT.

The areas of land proposed for the siting of the 195 additional static caravans is below a natural low ridge running east-west across the large field. Consequently by being on those

areas of land, and by the screening afforded by Seton Dean Woodland which is on the east side of the application site, the additional 195 static caravans would be visually well contained within the existing local landform and their landscape setting. The Masterplan shows the provision of a substantial belt of tree planting along the western side of the 195 additional static caravans and also landscaping within the new static caravan areas. Subject to the provision of the tree belt and the proposed landscaping the proposed static caravan areas would be well integrated into the landscape. They would not be harmfully intrusive, incongruous or exposed and would not harm the character or appearance of the landscape of the area. The implementation of the scheme of landscaping could be secured through the imposition of a condition on this approval of matters specified in conditions.

The proposed golf course is shown to be located on the higher level of the large field between the residential properties of Seton Mains and the designed landscape of Seton House (Palace). In its position to the north of the A198 road, the proposed golf course would be clearly visible from public view.

However, there would not be significant changes required to the landform there to create the golf course, other than for the creation of tees, bunkers, greens and ponds. In the position proposed for it, the proposed golf course would not appear as an alien or harmfully intrusive feature within the landscape. Rather it would maintain the largely open aspect of the southern part of the large field. Consequently the proposed golf course would not appear as an alien feature harmful to the character or appearance of the landscape of the area or the setting of the Seton House (Palace) Designed Landscape. The proposed landscaping would help to integrate the golf course into its surroundings and would further enhance nature conservation habitats within the golf course area.

Both the Council's Biodiversity Officer and the Policy and Projects Manager raise no objection to the proposed scheme of landscaping.

On these counts the proposed development is consistent with Policy ENV1G of the approved Edinburgh and the Lothians Structure Plan 2015, Policy DP2 and Part 5 of Policy DC1 of the adopted East Lothian Local Plan 2008 and with the Masterplan docketed to planning permission in principle 06/00754/OUT.

As the components of the proposed scheme of development would be positioned and laid out within the application site they would all be sufficiently far removed from the Seton House (Palace) Designed Landscape and from listed buildings in the locality such that they would not detract from the setting of any of those protected interests. Thus the proposed development is consistent with Policy ENV1C of the approved Edinburgh and the Lothians Structure Plan 2015 and Policies ENV3 and ENV8 of the adopted East Lothian Local Plan 2008.

The cropmarks on part of the eastern edge of the large field comprising the southern part of the application site, which are a scheduled ancient monument would not be directly impacted upon by the proposed development and would not have their setting adversely affected. Thus the proposed development is consistent with Policy ENV1C of the approved Edinburgh and the Lothians Structure Plan 2015, Policy ENV7 of the adopted East Lothian Local Plan 2008, and with the Masterplan docketed to planning permission in principle 06/00754/OUT.

Historic Scotland do not object to the proposed development, as they are satisfied that it would not harm the setting of any listed building, scheduled monument, or the conservation objectives of the Seton House (Palace) Designed Landscape.

Condition 5 of planning permission in principle 06/00754/OUT restricts the occupation of the additional static caravans to prevent them from being used as permanent residences. Consequently there is no need to impose any conditions on this approval of matters specified in conditions to control occupations of the additional static caravans.

Consistent with the grant of planning permission in principle 06/00754/OUT, access to the new static caravan areas and the 9 hole golf course would be taken from the access road network within the existing Seton Sands Holiday Village. No vehicular access to the site would be taken from the A198 road on the south side of the application site. The Council's Transportation service are satisfied with the detailed proposals for site access. They are also satisfied that the proposed car parking provision is sufficient to meet the requirements of the Council's parking standards. They do however recommend that a new 2 metres wide footpath should be provided on the south side of the B1348 road (Links Road), which is immediately to the north of the existing Holiday Village. This would necessitate the existing footpath being extended i) from the existing Holiday Village access junction to the Double D islands on the eastern part of the B1348 road (Links Road); and ii) from the Double D islands on the western part of the B1348 road (Links Road) to the existing footpath at Sandy Walk. This could be secured through the imposition of a condition on this approval of matters specified in conditions.

Subject to the imposition of the recommended condition the proposed development is consistent with Policies DP22 and T2 of the adopted East Lothian Local Plan 2008.

The components of the proposed development would be located at a sufficient distance away from nearby residential properties so as not to have a detrimental impact on the privacy or amenity of those properties.

The Council's Environmental Protection Manager raises no objection to the proposed development.

The Scottish Environment Protection Agency advise that there may be a risk of coastal flooding along the northern boundary of the application site. However the northern part of the application site is already in use as the existing Holiday Village. Accordingly the Scottish Environment Protection Agency are satisfied that the proposed development would not place people and property at flood risk or exacerbate flooding elsewhere.

The Scottish Environment Protection Agency recommend that waste water from the proposed development should be directed to the public sewerage system. This recommendation can be secured through the imposition of a condition on this approval of matters specified in conditions.

Scottish Water raise no objection to the proposed development.

One of the letters of objection raises concern that the most northerly of the proposed ponds is large enough for children to drown in. The applicant has advised that the maximum depth of water would be 300mm, and that all ponds have a partial stone edge to discourage pedestrian access. The management and supervision of the ponds is a matter for the applicant and not a material consideration in the determination of this application.

RECOMMENDATION

That approval of matters specified in conditions for the proposed development be granted subject to the following conditions:

- 1 All planting, seeding or turfing comprised in the docketed landscaping drawings shall be carried out in the first planting and seeding season following the occupation of any of the additional 195 static caravans or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Planning Authority gives written consent to any variation.

Reason:

In order to ensure the implementation of a landscaping scheme to enhance the appearance of the development in the interests of the amenity of the area.

- 2 A new 2 metres wide footpath shall be formed on the south side of the B1348 road (Links Road), from the existing Holiday Village access junction to the Double D islands on the eastern part of the B1348 road (Links Road) and from the Double D islands on the western part of the B1348 road (Links Road) to the existing footpath at Sandy Walk.

Within two months from the date of grant of this approval of matters specified in conditions, details of the proposed new footpath, including a timetable for its formation, shall be submitted to, and thereafter approved by the Planning Authority.

The new footpath shall thereafter be formed in full accordance with the details so approved.

Reason:

In the interests of road safety.

- 3 Unless otherwise approved in writing by the Planning Authority, within one month from the date of grant of this approval of matters specified in conditions, a scheme to connect the development hereby approved to the public waste water network shall be submitted for the written approval of the Planning Authority, in consultation with Scottish Water.

Development shall thereafter be carried out in accordance with the details so approved.

Reason:

To protect people and the environment from the impact of waste water and ensure the development of the public sewerage network.