

REPORT TO: East Lothian Council

MEETING DATE: 26 June 2012

BY: Executive Director (Services for Communities)

SUBJECT: Planning Application No. 11/00459/PPM – Planning permission in principle for (i) 3 chalets and (ii) 7 houses as an enabling development for the extension of the existing clubhouse and chalets at Castle Park Golf Club, Gifford

1 PURPOSE

- 1.1 On the simple fact that the site of application 11/00459/PPM has an area greater than 2 hectares, the development in principle proposed in this application is, under the provisions of The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, defined as a major development.
- 1.2 The housing component of the proposed development is significantly contrary to Policy DC1 of the adopted East Lothian Local Plan 2008.
- 1.3 Accordingly, a Pre-Determination Hearing for this application was held at the Planning Committee meeting of the 6 March 2012. A Pre-Determination Hearing is mandatory where a planning application is made for a major development that is significantly contrary to the development plan.
- 1.4 As amended by Section 14(2) of the Planning etc. (Scotland) Act 2006, the Local Government (Scotland) Act 1973 requires that in cases where a Pre-Determination Hearing is mandatory then the application must be decided by a meeting of the Council. Thus this application is now brought before the Council for a determination.

2 RECOMMENDATIONS

- 2.1 That planning permission in principle be refused for the following reasons:

1. The applicant has not sufficiently demonstrated a case that the enhancement of the existing clubhouse and the provision of the proposed 3 chalets is critical to the continuing operation of Castle Park Golf Club as a countryside leisure and tourism use or that there would be resultant wider public benefits sufficient to outweigh the normal policy presumption against new build housing in the countryside. Thus the enabling housing component of the proposed development is contrary to Policy DC1 of the adopted East Lothian Local Plan 2008 and Policy ENV3 of the approved Edinburgh and the Lothians Structure Plan 2015.

2. In their positioning on exposed, rising ground the indicatively proposed 7 houses, irrespective of their size and height would be prominent, sporadic and intrusive features that would be harmful to the landscape character and appearance of the area and a harmful suburbanisation of this part of the East Lothian countryside contrary to Part 5 of Policy DC1 of the adopted East Lothian Local Plan 2008.

3. As the proposed new build housing development would be on greenfield land not allocated for housing development by the adopted East Lothian Local Plan 2008 and as it would not be in keeping with the character of the local area, the proposed new build housing development is contrary to Policy HOU8 of the approved Edinburgh and the Lothians Structure Plan 2015.

3 BACKGROUND

3.1 Planning Assessment

This planning application relates to Castle Park Golf Club, which occupies a countryside location some 2.2 kilometres to the southeast of the village of Gifford. The Golf Club consists of an 18 hole golf course, its clubhouse and a golf driving range. A car park serving the Golf Club is located to the south and southeast of the clubhouse. Access to the car park is by way of a single track access road from the unclassified Quarryford to Gamuelston Bridge road.

The application site is some 3.3 hectares in area. It consists of only a small part of the land of Castle Park Golf Club and also a larger area of agricultural land. The part of the site that is existing Golf Club land has on it the existing clubhouse, car park and single track access road. The agricultural land of the site is situated to the east of the car park and part of the access road. The application site does not include the golf course of Castle Park Golf Club.

The site is bounded to the north, west and partly to the east by the golf course of Castle Park Golf Club. Otherwise it is bounded to the east and to the south by other agricultural land.

The site is within the Yester House Designed Landscape.

Castle Park Golf Club has an extensive planning history.

In July 1992 planning permission (Ref: 91/01234/HIS_P) was granted for the development of a 9 hole golf course and an associated access road that become the original Castle Park Golf Club.

Planning permission was granted in November 1992 (Ref: 92/00199/HIS_P) and in July 1993 (Ref: 92/00988/HIS_P) for the erection of a golf clubhouse, driving range and equipment store at the Golf Club.

The original 9 hole golf course opened in June 1994. The clubhouse, driving range and equipment store were erected around that time.

In November 1999 planning permission (Ref: 99/00876/FUL) was granted for the addition of a conservatory onto the existing clubhouse. The conservatory was thereafter erected and still exists.

Planning permission (Ref: 00/00422/FUL) was granted in July 2000 for the extension of the golf course at Castle Park from 9 to 18 holes. The golf course was extended to 18 holes in 2002.

In March 2002 planning permission (Ref: 01/01356/FUL) was granted for the attachment of a building onto the east side of the clubhouse for a temporary period of 3 years. This temporary building continues to be part of the existing clubhouse.

In July 2011 planning permission (Ref: 11/00458/P) was granted for the alteration and extension of the existing clubhouse building. Planning permission 11/00458/P has not yet been implemented but could be at any time up until the 29 July 2014.

Planning permission is now sought by Castle Park Golf Club for the principle of a development of the application site for 3 chalets and 7 houses.

The application is supported by an indicative site layout plan, a pre-application consultation report, a supporting statement and a financial appraisal report.

The submitted indicative drawings show two possible positions for the 3 chalets; one being land that forms the southeast part of the existing Golf Club car park and the other being land immediately to the east of the existing car park. In either case it is shown on the indicative drawings how the 3 chalets could be of a terraced form and how each one of them could contain two bedrooms, a bathroom, a hall and a kitchen/ dining room. No elevation drawings of the chalets have been submitted with the application.

The principle of the 7 houses is being promoted by the applicant as a necessary provision of enabling development to cross-subsidise both the development of the 3 chalets and the alteration and extension of the existing clubhouse already approved by planning permission 11/00458/P.

The indicative site layout plan shows how the houses could be located on part of the agricultural land that comprises part of the application site and how they could be 1 detached house, 2 semi-detached houses and a U-shaped terrace of 4 houses. Access to the 7 houses is shown to be taken from the existing golf club access road via a length of new road.

The applicant has subsequently submitted cross section drawings showing how the indicative 7 houses might be set in the landscape relative to views from Baxtersyke and the unclassified Quarryford to Gamuelston Bridge road.

The applicant's supporting statement informs that golf based tourism forms an important part of the tourism mix in East Lothian and attracts a substantial number of visitors each year. Castle Park Golf Club must offer not only an excellent round of golf but the facilities that golfers expect to go with it. Because the clubhouse was only intended to serve the original 9 hole golf course at Castle Park and to test the market to see if the course was going to be viable, it was only ever intended to provide basic facilities. There is not any room within the existing clubhouse for ladies or children's facilities that any competitive golf course would normally provide. The lack of basic facilities inhibits further growth of this leisure and tourism business. The already approved alterations and extensions to the clubhouse would ensure that the clubhouse was fit for purpose. The proposed remodelling of the clubhouse would enable basic facilities to be provided such as new ladies changing facilities, a new meeting room suitable for young golfers, improved kitchen facilities and an enlarged driving range bay. The proposed remodelling of the clubhouse would allow a far more effective use of the course by local schools and would enable the promotion of women's golf. The net result would be to continue this tourism asset within East Lothian on an economically sustainable basis.

With regard to the 3 chalets the applicant's supporting statement informs that the intention is for them to be used to accommodate visiting golf parties so that they could enjoy the facilities after a round of golf without having to be concerned about driving that night. By offering these facilities the sustainable future of the golf club could be assured.

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.

Policies HOU8 (Development on Greenfield Land), ENV1C (International and National Historic or Built Environment Designations) and ENV3 (Development in the Countryside) of the approved Edinburgh and the Lothians Structure Plan 2015 and Policies DC1 (Development in the Countryside and Undeveloped Coast), ENV8 (Gardens and Designed Landscapes), INF3 (Infrastructure and Facilities Provision) and T2 (General Transport Impact) of the adopted East Lothian Local Plan 2008 are relevant to the determination of the application.

Material to the determination of the application is Scottish Planning Policy: February 2010 where it states that planning authorities have a role in protecting, preserving and enhancing gardens and designed landscapes of national importance that are included in Historic Scotland's Inventory of Gardens and Designed Landscapes. The affect of a proposed development on a garden or designed landscape should be a consideration in decisions on planning applications. Change should be managed to ensure that the significant elements justifying designation are protected or enhanced.

A total of 18 written representations have been received in respect of this application. Of these 11 make objection to the principle of development proposed. One of these is from the Haddington and District Amenity Society. There are 5 representations in support of the principle of development proposed. 2 of the total of 18 written representations do not support or object to the principle of development proposed.

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

One of the written representations of objection is a petition, with a total of 15 signatories to it. In the petition it is stated that "We, the undersigned, object strongly to the proposed development at Castle Park Golf Course, because we believe it would severely impact on the beauty of this area, is out of character with nearby housing, and in any case is not necessary for a small local golf course".

The main grounds of objection of the other written representations are summarised as follows:

- Proposed houses would be highly visible, obviously intrusive and would diminish the quality of this outstanding landscape;
- There is no justification for the proposed chalets, as the local area is already well served by hotels, bed and breakfasts and holiday lets;
- Other regular commercial funding could be used to fund the development;
- There would be no public benefits from the proposed development;
- Local roads could not cope with the traffic generated by the proposed development;
- The proposed development would not secure the primary use, which is the golf course and which has long since been completed;

- The proposed development is contrary to the adopted East Lothian Local Plan; and
- Approval of this planning application would set an unfortunate precedent, which could result in other golf clubs and commercial enterprises within the countryside of east Lothian also seeking planning permission for enabling housing to upgrade their existing facilities.

The 5 representations of support for the principle of development proposed are made on the grounds that it would:

- Not affect the stunning rural scenery;
- Ensure the future security of the golf course;
- Ensure that the clubhouse would be big enough to accommodate all of the members of the Golf Club; and
- Benefit tourism through the erection of 3 chalets.

In the 2 other representations it is stated that prescriptive planning controls should be imposed to ensure that all buildings are complimentary to each other and to their surrounding environment, and that construction works do not impact on the local area.

Gifford Community Council, a consultee on the application, raise concerns that the proposal would constitute a major item of unwelcome sporadic development and its intrusive impact on the countryside would be exacerbated by its location on the hillock. The additional traffic generated would be unwelcome in the countryside. Moreover the proposal should not be considered as enabling, as the improvements that the housing would cross fund would remain in the ownership of the applicant, with little or no benefit to the wider community. Gifford Community Council ask that planning permission in principle for the proposed development be refused.

In principle, the application site is capable of accommodating a development of the nature proposed without occupiers of nearby properties suffering a significant loss of privacy or amenity.

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

The Scottish Environment Protection Agency raise no objection to the principle of the proposed development.

The indicative site layout plan submitted with the application shows that vehicular access to the 3 chalets could be taken from the existing golf club car park. It further shows that access to the 7 houses could be taken from the existing golf club access road via a length of new road. The Council's Transportation service is satisfied that in principle the proposed houses and chalets would be capable of being conveniently and safely accessed in the manner indicatively proposed. Transportation are also satisfied that the existing golf club car park is of a sufficient size that

could accommodate any additional parking demand generated by use of the proposed 3 chalets. In respect of the proposed 7 houses, Transportation recommend that 3 parking spaces would have to be provided within the curtilage of each property to accommodate residents and visitor parking. Moreover, it is recommended that a turning area should be provided within the site to enable the turning of large delivery and refuse vehicles. This could be formed at the end of the access road indicatively shown to serve the 7 houses. Alternatively, if an access path were to be formed between that proposed access road and the existing car park, then the car park could be used for the turning of large delivery and refuse vehicles. To minimise the impact of construction traffic movement and activity on the local road network, Transportation recommend that a Construction Method Statement should be submitted to and approved in advance by the Planning Authority. The Construction Method Statement should recommend mitigation measures to control noise, dust, construction traffic and shall include hours of construction work.

Transportation do not consider that the additional traffic generated by the proposed development would create unacceptable congestion on the local road network or result in any road safety hazard.

Based on the advice of Transportation the principle of the proposed development does not conflict with Policy T2 of the adopted East Lothian Local Plan 2008.

With regard to the housing component of the proposed development, the Executive Director (Services for People) informs that the application site is within the primary school catchment area of Yester Primary School with its nursery school and the secondary school catchment area of Knox Academy. He confirms that there would be sufficient capacity at Yester Primary School to accommodate children that could arise from the proposed development but not at Knox Academy. He advises that the proposed 7 houses, together with other residential developments expected to arise within the Knox Academy catchment area would necessitate the provision of additional accommodation at that school. In the case of the proposed development of 7 houses on the application site, the contribution toward the provision of additional educational capacity at Knox Academy requires to be £18,928 (£2,704 per house). The Executive Director confirms that he has no objection to the proposed development if the applicant is required to make such a financial contribution.

This required payment of a financial contribution of £18,928 could be secured by a legal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 or by some other legal Agreement. The basis of this is consistent with the test of reasonableness of a planning obligation set in Planning Circular 1/2010: Planning agreements. Subject to the Council securing the appropriate developer contribution the proposal is consistent with Policy INF3 of the adopted East Lothian Local

Plan 2008, which states that new development will only be permitted where the developer makes appropriate provision for infrastructure required as a consequence of their development. This will include funding necessary school capacity. The applicant has indicated that they are willing to enter into such a Section 75 Agreement.

The Council's Policy and Projects Manager advises that if the proposed housing is taken to be a justified form of enabling development it has to be regarded as being a stated exception of the Council's affordable housing policy and that it need not be subject to a required provision of affordable housing.

Castle Park Golf Club is a leisure and tourism facility in its countryside location to the southeast of Gifford. The chalets are not proposed as a new primary leisure and tourism use within this part of the East Lothian countryside. Rather they are promoted as a complementary addition to the existing primary leisure and tourism use of Castle Park Golf Club.

By being in the countryside the lands of the application site are covered by Policy DC1 of the adopted East Lothian Local Plan 2000. Policy DC1 sets controls for the development of business, leisure, tourism and housing uses within the countryside and undeveloped coast of East Lothian.

It is the stated intention of the applicant that the proposed chalets would be occupied mainly by users of the golf course at Castle Park. If that is to be the case then, by their association of use with Castle Park Golf Club, they can be taken to have an operational requirement for their countryside location and, accordingly, the development principle of them is consistent with Policy DC1 of the adopted East Lothian Local Plan 2008.

In that the chalets are consistent, in principle, with Policy DC1, they are also consistent, in principle, with Policy ENV3 of the approved Edinburgh and the Lothians Structure Plan 2015.

Although the three chalets are intended for leisure and tourism use they would nevertheless be physically capable of use as three houses. A proposal to build three houses in this countryside location would be contrary to the policies of the development plan that control the development of new build housing in the countryside (i.e. Local Plan Policy DC1 and Structure Plan Policy ENV3).

In respect of this the occupation of each chalet would have to be restricted to prevent them from being used as houses and this could be achieved by limiting their use to short term holiday lets (i.e. to the letting period of each chalet being no more than 14 days at a time and to no re-letting to the party who last occupied the chalet anytime within a period of two months after that previous time of occupancy). Such control could be secured by an Agreement under Section 75 of the Town and Country

Planning (Scotland) Act 1997. The applicant has confirmed a willingness to enter into such an Agreement. This would have the effect of safeguarding the purpose and integrity of the Council's policies for the control of new build housing development in the countryside.

Local Plan Policy ENV8 stipulates that development that would harm the conservation objectives of areas included within "The inventory of Gardens and Designed Landscapes" will not be permitted. Structure Plan Policy ENV1C stipulates that development that would harm the character, appearance and setting of a site listed in the Inventory of Gardens and Designed Landscapes should be resisted. In part 5 of Policy DC1 it is stated that having regard to its nature and scale, new development must be integrated into the landscape, reflect its character and quality of place, and be compatible with its surroundings.

In either of the positions on the application site indicatively shown for them, and subject to careful design and external finishes, 3 chalets should be capable of being fitted into the local landform in a manner respectful of the character and quality of their place, without being harmfully intrusive, incongruous or exposed or without being harmful to the historic values or landscape qualities of the Yester House Designed Landscape.

In their consultation response, Historic Scotland advise that, given the location and scale of the proposed development, it would not have a significant enough impact on the Yester House Designed Landscape to warrant an objection.

On these considerations the chalet component of the proposed development does not conflict with Policy ENV1C of the approved Edinburgh and the Lothians Structure Plan 2015 or Policies DC1 and ENV8 of the adopted East Lothian Local Plan 2008.

As is indicatively shown for them, the proposed houses would be positioned on a raised area of agricultural land to the east of the existing access road to Castle Park Golf Club and to the south of the existing golf club car park. In those positions the houses would be on existing agricultural land to the south of the golf course and near to the southern edge of the Yester House Designed Landscape. Historic Scotland advise that given their location and scale they would not have a significant enough impact on the Yester House Designed Landscape to warrant an objection.

Whilst the applicant is proposing to erect houses that would be one and a half storeys in height they would nevertheless, on the raised land of their indicative positions, still be clearly visible in views from the unclassified Quarryford to Gamuelston Bridge public road to the south of the site. Due to their indicative height, size and positioning the houses would be prominent, sporadic and intrusive features in their setting, harmful to the

landscape character and appearance of the area and a harmful suburbanisation of this part of the East Lothian countryside.

On this consideration, the housing component of the proposed development is contrary to Part 5 of Policy DC1 of the adopted East Lothian Local Plan 2008.

A greenfield site is defined in the approved Edinburgh and the Lothians Structure Plan 2015 as being a site which has never previously been developed, or fully restored formerly derelict land which has been brought back into active or beneficial use for agriculture, forestry, environmental purposes, or outdoor recreation.

The land of the proposed housing development is actively used for agriculture and is therefore a greenfield site.

The land is not allocated in the adopted East Lothian Local Plan 2008 for residential development and as the housing component of the proposed development would not be in keeping with the character of the local area, such development of the greenfield land of the application site is contrary to Policy HOU8 of the approved Edinburgh and the Lothians Structure Plan 2015.

In any event, what now has to be considered in the determination of this application is whether or not the principle of the proposed housing to enable the erection of the 3 chalets and the already approved alterations and extensions to the clubhouse of Castle Park Golf Club accords with Policy DC1 of the adopted East Lothian Local Plan 2008.

It is stated in paragraph 84 of Scottish Planning Policy: February 2010 that the majority of housing land requirements will be met within or adjacent to existing settlements and this approach will help to minimise servicing costs and sustain local schools, shops and services. Authorities should also set out the circumstances in which new housing outwith settlements may be appropriate, particularly in rural areas.

In this regard it is stated in paragraph 2.10 of the adopted East Lothian Local Plan 2008 that "East Lothian's countryside and undeveloped coast exhibits little need for regeneration, renewal or action to redress population decline. It is not a remote rural area where a more permissive planning policy approach to new housing in the countryside might be appropriate on these grounds. Rather it is an area where few, if any, locations are more than 1 hours travel time from Edinburgh and, on the whole, is characterised by increasing population and economic growth and a continuing pressure for housing development both within and outwith its towns and villages."

In paragraph 2.11 it is further stated that "For these reasons, and consistent with Structure Plan Policy ENV3, new development, particularly housing, is directed to existing settlements. New

development in the countryside is permitted only in the specific circumstances defined in Policy DC1."

The adopted East Lothian Local Plan 2008 does not allocate any of the land of the application site for residential development. Rather, the area of land of the application site proposed for development in this application is defined by Policy DC1 of the adopted East Lothian Local Plan 2008 as being part of the countryside of East Lothian.

Policy DC1 is very restrictive in its support for new build housing development in the countryside of East Lothian. Through Part 1(b) of the policy new build housing is only permissible where the Council is satisfied that a new house is a direct operational requirement of an agricultural, horticultural, forestry or other employment use.

The housing development proposed in principle in this application is not to meet a direct operational requirement of an agricultural, horticultural, forestry or other employment use in the countryside to the southeast of Gifford and therefore it does not comply with Part 1 (b) of Policy DC1.

However, It is stated in Part 1(c) of Policy DC1 that "in the case of an employment, tourism or leisure use, an element of new build housing may be acceptable as enabling development where the Council is satisfied that (i) the wider public benefits of securing the primary use outweigh the normal policy presumption against new build housing in the countryside, and (ii) the enabling development is essential, it is the minimum necessary to achieve the primary use and it is not a substitute for normal development funding, including borrowing".

The primary use of Castle Park Golf Club as a leisure and tourism facility is an established use that, following its inception in the early 1990s, continues to be operated in its countryside location to the southeast of Gifford.

The new build development of 7 houses for which planning permission in principle is now sought is promoted as enabling development, not to secure the creation of a new primary use but to secure the continuing viability of the existing primary use through the enhancement of the existing clubhouse of Castle Park Golf Club and the new provision of 3 chalets.

The case put forward by the applicant is that without an enhancement of the existing sub-standard clubhouse the future of the Golf Club as a viable business is not sustainable. The 3 chalets would help improve the attractiveness of the course, which is in a relatively remote part of East Lothian, by allowing travelling parties to stay overnight. The golf course would not be able to continue to compete in a competitive leisure and tourism market without an investment in the established business that cannot be secured through current operating profits. The enhancement

of the clubhouse and the provision of the 3 chalets cannot be fully funded by normal development funding.

The enhancement of the clubhouse is the scheme of alteration and extension to it for which planning permission (Ref; 11/00458/P) is already granted (July 2011).

The applicant's financial appraisal report has been assessed by both the District Valuer and the Council's Economic Development Manager.

The Economic Development Manager has raised some concerns that it contains only one quote for the alterations and extensions to the clubhouse and has questioned whether or not the proposed development could be funded through some other method of development funding, such as borrowing.

The District Valuer's assessment of the cost of the alterations and extensions to the clubhouse is only 1.33% higher than the quote provided by the applicant and that, therefore, the costs of the alterations and extension are deemed by him to be realistic at the current.

In response to a request from the District Valuer for further information on other methods of funding that the applicant has considered, the agent for the applicant has submitted a letter from the Clydesdale Bank, which confirms that it would not be possible for them to support the funding of the alterations and extensions to the clubhouse, as the business would not be able to service borrowing of the level required. Furthermore, the applicant's agent has submitted a letter from Scottish Enterprise, which confirms that the proposed development would not be eligible for Scottish Government funding.

The District Valuer concludes that he is satisfied that there would appear to be no prospect for alternative funding open to the applicant. Moreover, the advice of the District Valuer is that 7 residential units is the minimum necessary to cover the costs of the alterations and extensions to the existing clubhouse and the provision of the proposed 3 chalets.

Nonetheless, the fact of the matter is that the primary use of Castle Park Golf Club exists. There is nothing in the applicant's case that categorically demonstrates that such existing use would cease to operate if the clubhouse were not to be enhanced by the alterations and extensions to it for which planning permission is granted. Figures submitted by the applicant show that in each of the four years following his purchase of it the business of Castle Park Golf Club has made a significant net profit (before proprietor's wages).

The existing clubhouse contains a reception, conservatory/ bar, dining room, office, kitchen, toilets, store rooms, ladies changing room, gents changing room and an 8 bay golf driving range.

The scheme of alterations and extensions to the clubhouse approved by the grant of planning permission 11/00458/FUL involves the removal of the existing temporary building and its replacement with an extension that would abut the eastern side of the original clubhouse building. Additionally a small extension would be added to the southwest part of the clubhouse building and a glazed link would be added to the south and east elevations of the clubhouse building to provide a covered access between the southwest part of the existing building and the southwest part of the proposed eastern extension.

Through the alterations and extensions to the clubhouse improved ladies changing facilities, a larger dining room and kitchen, an improved reception and toilet facilities and a small meeting room would be provided.

The applicant considers that the existing clubhouse facilities fall well short of the standards necessary in an increasingly competitive golf market. However, no case is made that the existing clubhouse is wholly unfit for purpose or that the amount of enhancement to the permanency of the building and the services to be provided within it would be such an improvement as to attract significantly greater numbers of members and visitors to the Golf Club.

In their supporting statement the applicant argues that the enhancement of the clubhouse would allow for a far more effective use of the course by local schools and would enable the promotion children's and women's golf. However it is not clear to see how the enhancement of the clubhouse would in itself serve to accomplish those stated aims.

The supporting statement also advises that the enhancement of the clubhouse would result in an enlarged driving range bay. However the approved alterations and extensions to the clubhouse do not include changes to the existing driving range bays. In any event, according to the Castle Park Golf Club website there is already "excellent driving range facilities".

There is no evidence in the applicant's case to demonstrate the extent to which the proposed 3 chalets would be used by visiting golfers or how the extent of use of them would enhance the business operation of the Golf Club.

The applicant has not sufficiently demonstrated a case that the enhancement of the existing clubhouse and the provision of the proposed 3 chalets is critical to the continuing operation of Castle Park Golf Club as a countryside leisure and tourism use or that there would be resultant wider public benefits sufficient to outweigh the normal policy presumption against new build housing in the countryside. Thus the enabling housing component of the proposed development is contrary to Policy DC1 of the adopted East Lothian Local Plan 2008 and Policy ENV3 of the approved Edinburgh and the Lothians Structure Plan 2015.

At the Pre-Determination Hearing for this application on the 6 March 2012, the agent acting on behalf of the applicant referred to general support from Scottish Planning Policy: February 2010 in relation to supporting economic growth. It is correct to say that on the matter of rural development Scottish Planning Policy states that the planning system has a significant role in supporting sustainable economic growth. Whilst the aim in this should be to support prosperous and sustainable communities it should not be to the expense of the protection and enhancement of the environmental quality of our rural areas or the suburbanisation of the Scottish countryside.

4 POLICY IMPLICATIONS

4.1 None.

5 EQUALITIES IMPACT ASSESSMENT

5.1 This report is not applicable to the well being of equalities groups and an Equalities Impact Assessment is not required.

6 RESOURCE IMPLICATIONS

6.1 Financial - None

6.2 Personnel - None

6.3 Other - None

7 BACKGROUND PAPERS

7.1 Planning application 11/00458/P- Alteration and extensions to building at Castle Park Golf Club, Gifford

7.2 Planning application 11/00459/PPM- Planning permission in principle for (i)3 chalets and (ii)7 houses as an enabling development for the extension of the existing clubhouse and chalets at Castle Park Golf Club, Gifford

7.3 Adopted East Lothian Local Plan 2008

7.4 Approved Edinburgh and the Lothians Structure Plan 2015

7.5 Scottish Planning Policy: February 2010

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**NOTE TO COUNCIL OF PRESENTATIONS
MADE TO THE PLANNING COMMITTEE ON 6 JUNE 2012 IN
RESPECT OF THE PRE-DETERMINATION HEARING**

Planning Application No. 11/00459/PPM: Planning permission in principle for (i)3 chalets and (ii)7 houses as an enabling development for the extension of the existing clubhouse and chalets at Castle Park Golf Club, Gifford

NEIL SUTHERLAND (Agent - Wardell Armstrong LLP)

PRESENTATION

Background

- The existing clubhouse was formed from the original 9 hole clubhouse and temporary porta-cabins. The clubhouse does not have ladies changing room or shower facilities, nor adequate facilities for children and the kitchen is too small to cater efficiently. The aim of the improvements is to provide a clubhouse that is fit for purpose; ladies changing facilities with toilets and showers, a new meeting room, improved kitchen facilities and an enlarged driving range bay.
- Castle Park Golf Course was purchased by Mr Wilson in 2006. He and his family have improved the course and building and have a good reputation with local and visiting golfers. The course operates as a leisure and tourism business in a competitive environment.
- Golf based tourism forms an important part of the tourism mix in East Lothian.
- Castle Park is included within the choice of courses played by visitors because of its friendly reputation, good quality greens and lower price bracket.
- Castle Park hold free events every Tuesday for children aged between 6 and 8. They also have a children's golf team which won the children's East Lothian golf competition last year.

Design

- The golf course comprises rolling countryside located within the Yester House Designed Landscape.
- The 7 houses and 3 chalets would be located adjacent to the clubhouse car park to minimise views of the houses from the public road to the south and the buildings would form a grouping with the existing clubhouse.
- The houses would be 1½ storeys in height. The detailed design would be the subject of a further planning application to East Lothian Council. Historic Scotland has not objected.

Planning Policy

- Scottish Planning Policy states that *“Increasing sustainable economic growth is the overarching purpose of the Scottish GovernmentThe planning system should proactively support development that will contribute to sustainable economic growth and to high quality sustainable places. ...Planning authorities should take a positive approach to development, recognising and responding to economic and financial conditions in considering proposals that could contribute to economic growth.”*
- Part 1(c) of Policy DC1 states that *“In the case of an employment, tourism or leisure use, an element of new build housing may be acceptable as enabling development where the Council is satisfied that (i) the wider public benefits of securing the primary use outweigh the normal policy presumption against new build housing in the countryside, and (ii) the enabling development is essential, it is the*

minimum necessary to achieve the primary use and it is not a substitute for normal development funding, including borrowing.”

- Castle Park is an employment, tourism and leisure use located in the countryside. A golf course must have associated facilities in order that the course can be properly run; those facilities are typically contained in a clubhouse. The existing clubhouse does not have the facilities required to compete in the competitive golf course market; it is essential to improve the clubhouse facilities.
- The original concept was to build an entirely new purpose built clubhouse. However it is recognised that Policy DC1 will only support the “*minimum necessary*” enabling housing. The scheme has therefore been reduced to the absolute minimum required to secure only essential facilities. The 3 chalets would help improve the attractiveness of the course by allowing travelling parties to stay overnight; the chalets would be funded by the enabling housing.
- Policy DC1 requires that enabling development not only be “*the minimum necessary*” but also “*secure the primary use*” of the site. The primary use of the site is a golf course. An integral part of a commercial golf course is a clubhouse.

Financial Case

- The normal method of funding improvements would be to obtain a bank loan to cover the cost of the works. The loan and associated interest would be repaid via increased receipts obtained as a result of the improvements. However in this instance the loan and its interest payments could not be serviced by the profit generated by Castle Park Golf Course. *Written evidence of this from a bank has been provided.*
- The financial assessment contains the full justification for the enabling housing and demonstrates that the only way to secure the minimum necessary capital is through enabling development. The accompanying financial assessment demonstrates that;
 - In order to raise capital from membership fees they would have to increase by around 62%. It would not be possible to raise subscriptions by that amount.
 - The Wilson’s have invested heavily in the golf course. Mr & Mrs Wilson take no income from the business; all revenue is put back into the business.
 - The valuation of the proposed 7 house plots is significantly less than that of the estimates of the build cost; the Wilson’s have agreed to fund that shortfall.
 - If it were not for the ongoing commitment of the Wilsons it is probable that the course would close; rather than let that happen they propose to drive the business forward with their son taking over in due course, but they require investment in order to do so.
- East Lothian Council requested further financial details on behalf of the District Valuer. It is assumed that evidence post dates the comments made by the Council’s Economic Development Manager. No comment is made about the District Valuer in the Council report.

Conclusion

- The wider public benefits include the ongoing and sustainable future for Castle Park Golf Course which in turn has direct benefits for employment and tourism revenue.
- The proposed housing would not remain within the ownership of the Wilsons and the capital generated would be spent on the approved clubhouse improvements.
- Improving facilities for developing children's golf, getting children involved in sport at an early age clearly offers a number of health and social benefits.
- Without the enabling housing there is no realistic prospect of the temporary structures being removed and the future of the club would be in doubt.
- By offering the proposed facilities the sustainable future of the course could be assured.

QUESTIONS TO THE DEVELOPMENT MANAGEMENT MANAGER

- Q** Mention was made in the Agent's report of the economic benefits this application could bring to the community. If the success of the application will rest on a business case, why are details of this not included in the Officer's report?
- A** The financial benefits cannot be addressed at this stage. Details will be included in the report which goes before Council on 26 June. It will then be for Members to decide what weight to put on the financial and business case at the Council meeting.
- Q** The Officer's report states that the Council's Economic Development Manager had raised concerns over the applicant's financial assessment submitted with the planning application. What were these concerns?
- A** (Convener) This information will be included in the report going to Council on 26 June.

QUESTIONS TO NEIL SUTHERLAND (Agent) and JIM WILSON (Applicant)

- Q** The Officer's report states that the planning authorities have a role in protecting, preserving and enhancing gardens and designed landscapes of national importance which are included in Historic Scotland's Inventory of Gardens and Designed Landscapes. How will the applicant ensure that the proposed development doesn't prejudice the position here?
- A** (Agent) The application is in principle, and plans show where the houses can go as a grouping without compromising the landscape.
- Q** Two other golf clubs in East Lothian raised funds for their clubhouses without enabling development.
- A** (Applicant) I cannot comment on the business affairs of other golf clubs.
- Q** Is there a distinction between links golf courses and other golf courses in terms of popularity or are all golf courses equally attractive to tourists?
- A** (Applicant) When parties come from all over, they want to play links courses, but they also want to experience a variety of courses during their 4/5 day stay so there is not really a differential.
- Q** Do you have any figures on the number of visitors you would hope to attract?

- A** (Applicant) We have 3-4,000 per year at the moment. We have had Germans, Swedes and Dutch in the last 3 days. It is difficult to project a figure as the outcome depends upon word of mouth, reputation and advertising
-

OTHER PRESENTATIONS IN SUPPORT OF THE APPLICATION

HAMISH LONG (on behalf of Castle Park Golf Club members)

Presentation

Mr Long informed the Committee that he was a founder member of Castle Park Golf Club. He stated that the present facilities were not fit for purpose and the enabling development was essential to subsidise the alteration and extension of the existing clubhouse. East Lothian was marketed as the cradle of Scottish Golf and he quoted from *Golf in Scotland 2012* which mentioned courses in south east Scotland, including Castle Park.

Key points

- Golf based tourism an important part of tourism in East Lothian
- Visitor numbers – 70 visiting groups this year, average of 30 golfers per group
- Golfing at Castle Park was affordable
- Subscription lowered from last year and membership numbers increased
- Minimum enabling housing development proposed
- No room within the existing clubhouse for ladies or children's facilities, the remodelling would allow more effective use of the course by local schools and enable the promotion of women's golf
- 3 proposed chalets would accommodate visiting golf parties

He stated that Historic Scotland had made no objection. He concluded that the development proposed was essential, the club had to progress; if permission was not granted there were concerns for the future of the golf club.

There were no questions.

PRESENTATIONS AGAINST THE APPLICATION

HELEN ROBERTSON (on behalf of Gifford Community Council)

Presentation

- Major development in conflict with the local plan
- Significant visual impact
- Intrusive to the landscape
- Additional traffic concerns
- Little or no benefit to wider community

There were no questions.

RALPH SMITH

Presentation

Mr Smith indicated that he had lived at Castlemains for 20 years. He stated that the proposal did not comply with the development plan, it was inconsistent with policies designed to protect open countryside - the starting point for this development could not be more contrary.

Main issues

- Significant urbanisation of rural area
- The enabling policy does not apply as the primary use, the golf course, already exists
- Queries regarding pre application drawings
- If granted a precedent could be set by encouraging other businesses to lodge similar applications for enabling housing to upgrade existing facilities
- Castle Park Golf Club's main selling point is the parkland and unspoilt scenery – this development would devalue its main asset

Funding issues

- Public not allowed to see funding proposals
- Enabling development policy not a substitute for normal development funding
- Present owner could have been factored in replacement costs into price
- 3 areas of land peripheral to the course were sold in October 2006, 1 of these is the proposed location for the housing development, the sum could have paid for the cost of an extension

There were no questions.

HELEN ROBERTSON

Presentation

Mrs Robertson informed Members that she had lived in the area for 25 years. She was totally opposed to this excessive development of 10 new dwellings in this beautiful landscape between Gifford and the Hopes Reservoir; such a development would be entirely out of character for this area.

Re proposal for 3 chalets

- No justification for the 3 chalets
- There is not a lack of suitable accommodation nearby
- Hotels in Gifford and Haddington and several quality Guest Houses in the area
- In addition good local taxi services

Geographical location

- Effect of weather on the viability of golf course
- Potentially significant periods of inactivity during the winter months
- Position above sea levels provided for Haddington, Gifford and Castle Park Golf Club

There were no questions.