

**REPORT TO:** Planning Committee

**MEETING DATE:** Tuesday 4 December 2018

**BY:** Depute Chief Executive  
(Partnerships and Community Services)

**SUBJECT:** Application for Planning Permission for Consideration

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Application No. **18/00843/PM**

Proposal Development of an area for static and touring pitches and associated works

Location **Seton Sands Holiday Village  
Port Seton  
Prestonpans  
East Lothian  
EH32 0QF**

Applicant Bourne Leisure Ltd

Per Katy Clark

RECOMMENDATION Consent Granted

#### PLANNING ASSESSMENT

The application relates to an area of land within Seton Sands Holiday Village. The site is within the countryside as defined by Policy DC8 of the adopted East Lothian Local Development Plan 2018. It is also within the Prestonpans Battlefield as included in the inventory of historic battlefields and a Coal Authority Development High Risk Area.

The holiday village comprises of static caravans, touring caravan and camping pitches. There are onsite entertainment and sport and leisure facilities. The holiday village also includes various areas of open space, a golf course with golf pavilion and a fishing lake.

The application site occupies a central location on the wider holiday village site and is bounded to the north, east and north-west by existing static and touring caravan pitches. To the south, the site is bounded by the holiday village golf course, open space and exercise areas which include a lake to the south west. An existing internal site access road abuts the northern boundary of the application site. A mature landscape/tree strip is located to the immediate west of the application site.

Seton House Gardens and Designed landscape and Seton Castle with terrace and walls, which is listed for its architectural or historic interest (Category A) are located to

the southwest of the application site.

In November 2008 planning permission in principle (Ref: 06/00754/OUT) was granted for the expansion of the holiday village to accommodate 780 static caravan pitches, 100 tourers, a 9-hole family golf course with club house and the relocation, upgrading and expansion of the existing commercial facilities.

In June 2012 application (Ref:11/00975/AMC) was granted for approval of matters specified in conditions of planning permission in principle 06/00754/OUT for the expansion of the holiday village to accommodate an additional 195 static caravans, a 9 hole golf course and associated works (Part Retrospective).

In March 2012, planning permission (Ref: 12/00007/P) was granted for a golf pavilion and associated works.

In October 2017, planning permission (Ref: 17/00597/P) was granted for the erection of a new golf and owners' clubhouse with associated car parking, hardstanding and landscaping, including the formation of a new putting green.

In March 2018, planning permission (Ref: 17/01185/PM) was granted for the variation of condition 2 of approval of matters specified in conditions 11/00975/AMC to remove the requirement for a footpath on the south side of the B1348 road (Links Road) to the east of the Holiday Village access junction.

Planning permission is now sought for the further expansion of the holiday village with the development of an area for static and touring pitches.

The proposed scheme of development has been amended from that originally submitted to address the comments of the Council's Landscape Officer. The proposal as amended is for the erection of 75 static caravan pitches and 10 touring caravan pitches. The proposed pitches would be sited on either side of a new access road that would be formed within the application site and which would provide vehicular access to the pitches from the existing access roads that are located to the north and east of the application site. An area of landscaped tree planting is indicated in the south west corner of the application site, with lower level landscaping within the application site. A pedestrian footpath link is proposed along the eastern boundary of the application site providing a link from the northern boundary to the southern boundary and to the open space area with adventure trail and activity space to the south. A play area is proposed within the north east corner of the application site.

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 South East Scotland Strategic Development Plan (SESplan) and the adopted East Lothian Local Development Plan 2018.

Policy 1B (The Spatial Strategy: Development Principles) of the approved South East Scotland Strategic Development Plan (SESplan) and Policies DC8 (Countryside Around Towns), CH1 (Listed Buildings), CH5 (Battlefields), CH6 (Gardens & Designed Landscapes), DP1 (Landscape Character), DP2 (Design), Policy T1 (Development Location and Accessibility) and T2 (General Transport Impact) of the adopted East Lothian Local Development Plan 2018 are relevant to the determination of the application.

No written representations have been received to the application.

Cockenzie and Port Seton Community Council were consulted on this planning application but did not respond.

The proposed development would be wholly contained within the lands of the existing Seton Sands Holiday Village, which is an established leisure/tourism business use in this part of the East Lothian countryside that provides local employment opportunity as well as contributing to the tourism economy of East Lothian. What is now proposed is a further development of the Holiday Village. It would not result in the loss of any agricultural land. Nor would it prejudice the expansion of the Holiday Village approved by planning permission in principle 06/00754/OUT. On all of these counts the principle of the development now proposed is consistent with Policy DC8 of the adopted East Lothian Local Development Plan 2018.

The occupation of the static caravans on the application site should be restricted to prevent them from being used as permanent residences. Such restriction should be similar to the standard of occupancy control of static caravans that already applies to Seton Sands Holiday Village and to other caravan parks within East Lothian. This matter can be controlled by a condition of a grant of planning permission.

The physical form of the existing Seton Sands Holiday Village is a well-established feature in its countryside location. The expansion and development of the application site for the siting of 75 static caravan pitches and 10 touring caravan pitches, including the formation of the new lengths of access roads would not create a significantly different visual impact than exists at present and would not harm the character or appearance of the landscape of the area. It would not constitute an overdevelopment of the application site. The layout is broadly consistent with the masterplan approved by planning permission in principle 06/00754/OUT, with the southern boundary for caravan use in such a set back position such that the proposed caravans would not appear prominent or intrusive in public views from the south of the site. The proposed landscaped belts along the south west boundary and southern boundaries of the site for the 75 static caravan pitches and 10 touring caravan pitches would help to create an enhanced setting for those caravans that would also lessen their visual impact. On this consideration the proposed development is consistent with Policy 1B of the approved South East Scotland Strategic Development Plan (SESplan) and Policies DC8, DP1 and DP2 of the adopted East Lothian Local Development Plan 2018.

In their positions, and with the intervening tree belt proposed for the southwest corner of the site, the proposed development would not harm the setting of the listed building of Seton Castle, or the conservation interests of the Seton House Gardens and Designed landscape. On these considerations the proposed development is consistent with Policy 1B of the approved South East Scotland Strategic Development Plan (SESplan) and Policies CH1 and CH6 of the adopted East Lothian Local Development Plan 2018.

The Council's Landscape Officer advises that the site layout plan as amended has taken on board the previous landscape comments and is satisfactory. The Council's Landscape Officer advises that the tree planting should be carried out with a mix of the 'Proposed Tree Planting' and the 'Proposed Pine Tree Planting' as detailed on the submitted 'Detailed Landscape Proposals' plan drawing no.1001 revision B. This matter can be controlled by a condition of a grant of planning permission.

In its position, the proposed development would not harm the privacy or amenity of any neighbouring land use, including nearby residential properties. The Council's Senior

Environmental Health Officer raises no objection to the proposed development.

Condition 6 of planning permission in principle 06/00754/OUT states that no more than 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 masterplan docketed to the planning permission in principle. The reason for that condition was to ensure a satisfactory density of development, and in the interests of preserving the amenity of neighbouring properties.

There are currently 778 static caravan pitches within the existing Seton Sands Holiday Village, therefore the proposed expansion of the site with the further development of 75 static caravan pitches would take the total number of static caravans within the Seton Sands Holiday Village to 853, above the limit imposed by condition 6 of planning permission in principle 06/00754/OUT.

Whilst the proposed development would increase the number of static caravans to 853, some 73 caravans above the limit set out in condition 6 of planning permission in principle 06/00754/OUT, it is nevertheless necessary to consider whether there are material considerations in this case that would justify this limit being exceeded. The proposed scheme of development shows the formation of static caravan and touring caravan pitches with a layout and density within the application site similar to that of the existing static and touring pitch areas within the existing holiday village. Through this assessment of the application, it has been demonstrated that the proposed static caravans would ensure a satisfactory density of development and an acceptable impact on the character and appearance of the area. It would not harm the amenity of neighbouring properties. The proposed development represents an acceptable expansion of an existing established tourist facility in the countryside of East Lothian. In all of this there is sufficient justification to accept the limit set out in condition 6 being exceeded in the manner proposed.

The site is within a Coal Authority Development High Risk Area. In such areas there are existing recorded risks to the ground stability which need to be assessed and mitigated as part of the new development proposals in the interests of public safety. The Coal Authority's Guidance for Scottish Planning Authorities: 2017 clearly states that any planning application for development which intersects the ground in the Development High Risk Area requires a desk based Coal Mining Risk Assessment and once this has been provided, consultation with the Coal Authority. A Coal Mining Risk Assessment Report has been submitted with this planning application and The Coal Authority have been consulted on the application. The Coal Authority notes that the Coal Mining Risk Assessment report is unable to demonstrate that the application site is stable in respect of past shallow coal mining activity. Nevertheless, the Coal Authority note that the proposals would appear to entail only relatively minor groundworks with no permanent structures proposed. As such, in this particular case, the Coal Authority wishes to raise no objection to the planning application.

Historic Environment Scotland have advised that they have no comment to make on the proposal with regards to its location within the designated Prestonpans Battlefield site.

The Council's Road Services raise no objection to the proposed development, being satisfied with the means of access and the amount of car parking proposed and that the proposal would not have an adverse impact on pedestrian or road safety. On this consideration the proposed development is consistent with Policies T1 and T2 of the adopted East Lothian Local Development Plan 2018.

The Scottish Environment Protection Agency raise no objection to the proposals, being satisfied that there would be no unacceptable flood risk from development of 75 static caravan pitches and 10 touring caravan pitches and associated works.

The Council's Senior Structures Officer raises no objection to the proposal subject to the imposition of a condition requiring the submission of a SUDS scheme to the Planning Authority for approval prior to commencement of development on site. This matter can be controlled through a condition of a grant of planning permission.

In conclusion given all of the above and subject to the aforementioned conditions the proposed scheme of development is consistent with Policy 1B of the approved South East Scotland Strategic Development Plan (SESplan) and Policies DC8, CH1, CH5, CH6, DP1, DP2, T1 and T2 of the adopted East Lothian Local Development Plan 2018 are relevant to the determination of the application.

#### CONDITIONS:

- 1 The static holiday caravans within the application site will only be occupied during the following specified periods and outwith these periods they will not be used for any purpose:

- (1) Seven days per week between 1st March and 30th November in any one calendar year, both dates inclusive.

- (2) Weekends (to include Friday night and Monday morning) between 1st December and 23rd December of any one calendar year, both dates inclusive.

- (3) Seven days per week between the 24th December and 7th January of the following year, both dates inclusive.

Reason:

To ensure that the static holiday caravans are not used as permanent residential accommodation.

- 2 No development shall take place until there has been submitted to and approved in writing by the Planning Authority a scheme of landscaping. The scheme shall provide details of: the height and slopes of any mounding on or recontouring of, the site; tree and shrub sizes, species, habitat, siting, planting distances and a programme of planting. The scheme shall include indications of all existing trees and hedgerows on the land, details of any to be retained, and measures for their protection in the course of development.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings 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.

- 3 Prior to the commencement of development, a SUDS scheme shall be submitted for the written approval of the Planning Authority, in consultation with the Scottish Environment Protection Agency, and all work shall be carried out in accordance with the approved scheme.

Reason:

In order to ensure that there is no flood risk to nearby property.