

Local Review Body

10 September 2020

Application No: 17/00727/P

Sunnyside Farm, East Linton

Applicant's Supporting Documentation

KARELE LETTER IN RESPONSE TO PANNING APPLICATION App No. 17/00727/P REFUSAL

From the beginning we have had problems with the neighbours, planning ect. At the outset of when first transferred our charity work to the present site we were unaware that we would require planning permission for the portocabin as it was a temporary accommodation, once this was pointed out to us we took the decision to enhance the site with facilities to help with the welfare of our horses and clients .

We originally applied for the present cabin, stables to house three horses, a small tack and quite room. We were informed to include the surrounding fields and any temporary field shelters within these areas that we have permission to use. This has since lead to confusion as we were told to include these surrounding fields in the application and therefore it had a change of use implication on our application .

After discussions and meetings we redrew our plans to include these fields in the application however we highlighted that we did not use the fields in question and did not have any bearing on our planning application, and once again we were informed to change the layout as the area was in fact not required.

Through communication with ELC planning department it came to our attention that the existing owner had planning consent for the field and riding school that KARELE were using however planning permission for the new structures only due to this now being a charitable business but the field could be exclude as KARELE did not use this area and once again we needed to change the plan for submission.

There has been further confusion due to car parking and we have been asked to change and rework plans several times to show parking areas for overspill vehicles, with the neighbouring property of Rockrose (who we have a close working relationship with) being suggested to accommodate this purpose, this again confused the planning application and KARELE pointed out that they did not encourage anymore than 3 cars on site at any one time and inform all clients to drop off only with no waiting allowed.

We have tried to accommodate all parking and traffic use requirements with the offer of removing one structure to free up more parking spaces, and undertake any work needed to bring the road and opening up to ELC transportation standards at more expense to the charity, even although there is clear visibility at the road junction splay and has never been a hazard in all the time we have occupied this site.

We also tried to arrange a final meeting to propose our new layouts before any final decision was made, but the appointment was cancelled and we were never afforded our opportunity to table these changes, and that the application was refused on the latest layouts.

Finally we urge the panel to reconsider this appeal and allow us to continue with this very important and beneficial work we have been operating on this site since 2016 and have

gradually built up a clientele that offer a service that benefits vulnerable adults and children through the proven therapy of being involved with horses along with providing volunteering opportunities to teenagers who would otherwise have no interests in animal welfare, also in all the time we have been on site we have never had an incident. We like to think we are contributing to the overall wellbeing of the community, and if the charity were to cease we feel it would be detrimental to the people who have come to rely on us and any future benefits that we may bring through environmental, social and economic sustainability in accordance with East Lothian's Local Development Plan.

Below are some issues highlighting incidents KARELE have endured from the complainants that in some cases may have been deemed unlawful and could have warranted police involvement:-

1. Cabin arrived 2 weeks early and was placed in the arena until we had 1500 ton of soil removed . The cabin touched down and Anne said what are you doing with that . I explained it was early and it would be moved asap . Anne called me a liar , so I ignored her . Cabin was moved 10 days later .
2. Helen came round one morning and asked if we could ask the Grey horse to stop neighing during the night !!!
3. Michael ripped out all the wiring for the spotlights (not ours but the landlord's) as we don't use the arena after 4ish .
4. Anne came round and started to argue with Kaye (horse exerciser) and eventually stated that she was trying to dig into Anne's septic tank .
5. Michael continually walks past with his dogs who defecate in the area's that the children do grooming etc .
6. Each weekend as soon as we start giving the children a little time riding , the electric mowers , strimmers etc start , which is very dangerous !!!
7. On occasions when Michael has spoken he seems to think he has all the power on what we can and can't do !!!
8. From day one Anne told us that she was informed by a source at planning that we would never be granted permission .
9. We have had 2 key's go missing (proof they where there on leaving)
10. One morning on arrival , Abbie discovered dog faeces in the cabin.
11. Michael has protested from day one that we can't park at the end of the arena as that is in front of his house and he can't take a shower on a Saturday at 15.00 . We have tried our best not to use this area .
12. The field gates have been found open in the mornings !!!
13. Anne uses our bin to put dog faeces (bag) in .
14. Younger at risk children have recently said that they felt that they were having their pictures taken and they felt uncomfortable . I said it was probably your imagination and all was well . The landlord showed us some emails that were going around about planning etc in in the emails there was some pictures of cars , tractors including some of the girls !!! James Cunningham went to see Michael and told this had to stop . After talking to some MSP's we were told to take police action but we have been reluctant to now .

15. Having a discussion with Michael , he said if we move the cabin further up the road or in the field he would make all this go away !!!
16. A complaint was sent in about us having foundation work done in the fields . A ELC staff was shown all work that was done and it was foundations for dry standing for the horses .
17. The police were called to check on Covid isolation but any work being done with the horses is in terms with the law (exercise)
18. A new family has moved into No3 and the young girl is constantly feeding our ponies , even after being asked not to !!!
19. The same girl has been seen walking her dog through our fields , again after being asked not to !!!

James Cunningham forwarded some emails that he received showing that we had been refused planning and that all the hoards of people that were still coming to the cabin and this included the photo's of cars , people etc .

Being very upset on a few fronts , we contacted Kenny McCaskill who is a supporter of KARELE , then John McMillan and Tom Trotter . Firstly we explained that we had had no letter telling us that planning was refused , explained about emails etc and the long drawn out process of the planning . John kindly took this on and spoke with Stephanie , the Police , East Lothian Environmental Health etc . Police and Environ Health agree that we have been correct in that exercise is OK . John also explained that we had a meeting with Stephanie which she did not show and this is when we would have given her the final drawings for application . Stephanie submitted the wrong plans.

James Cunningham has also spoken to Michael re his behaviour with emails , ripping out his wiring , dog fowling etc and that it was on private land and had to stop as it was becoming very worrying .

We are still considering taking Michaels actions , harassment and behaviour to the Police as we are more concerned re the taking of pictures, but are hoping to move on in a more positive way with all concerned .

The area of the cottages has always been next to a equestrian facility (Sunnyside Livery)including Anne from the cottage's has asked if she could do some volunteering !!! but we have been reluctant due to her behaviour .

Having missed the refusal of planning due to our agent's loss of his father and then the Covid outbreak , we were all very shocked and extremely disappointed as we had not submitted our final plan . Please consider our appeal .

KARELE provide Equine Facilitated Activities to children and youngsters who have Learning Difficulties and or have Social Emotional issues . We have helped lots of young people chase a different path instead of suicide , We help youngsters that have been abused physically and or sexually to regain a balance and to begin the healing process with compassion and positive sensitive support .

We have very positive relations with East Lothian Council , CAHMS , The Action Group , Social Work Dept , New Horizons , Duke of Edinburgh Awards , Princes Trust , Adoption Scotland , Minds at War SANDS to name a few . KARELE are a unique , highly beneficial service in East Lothian and we provide a service that compliments standard services .

We are a small service that run Mon - Sun from 10 - 1500 on a small basis . We have 2 cars most days with about another 6 on a weekend , so not a lot of noise coming from or any extra from the main road . We try our very best to finish by 1500 and have done this from day one .

DP1 Design response:-

KARELE have in their design brief been sympathetic to the surrounding areas using a material pallet of timber that matches other equine buildings within the vicinity, and also from a sustainability perspective can easily be dismantled and recycled. We look to develop the landscape of this small area we are proposing to develop through planting and the erection of a timber fence along the site boundary that would create a barrier for vision and have some acoustic purpose. We are looking to use and improve the otherwise barren and overgrown site that may be open to fly tipping and possible hogweed infestation and will also undertake pest control measures benefiting the neighbouring cottages, and hopefully will enhance the surrounding environment for the future .

DP2 Design response:-

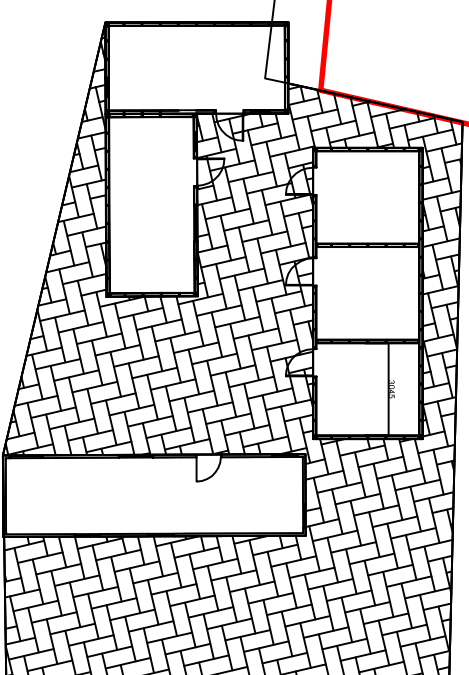
The development itself would not be obtrusive due to its small density within in its surroundings and we have strived for it to be aesthetically similar to look like any other equestrian facilities that are numerous throughout the *Lower Tyne Valley Plain*, and will have little environmental impact through the use of water harvesting equipment the use of solar panels to generate a small electricity requirement. The development itself does not impose any daylight restriction on Sunnyside Cottages and does not overlook these particular buildings. There are also a number of large farm buildings sited carefully within the area and a new horse riding arena that has been given planning permission to be developed to the east of Traprain Law which is larger in scale, and the development of the KARELE site would add to the equestrian facilities in the area helping promote this part of the county as a horse sports centre for the expanding population of Haddington.

T1 Design response:-

The area proposed has no arable value or can be developed for any residential use, it is also hidden from higher land surrounding the Traprain Law and does not put any added stress on the county's infrastructure and can be easily accessible from the A1 or local roads.

Site Boundary

Existing Fencing

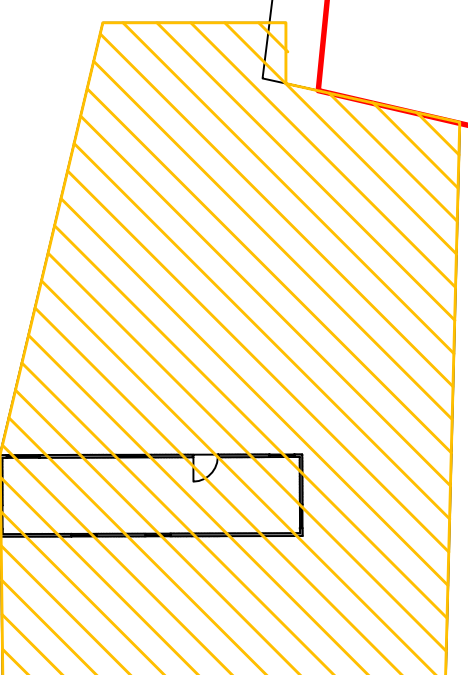


Existing
Outdoor
Riding
School

Existing Fencing

Site Boundary



Existing Fencing



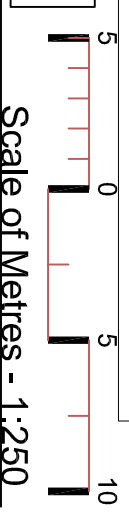
Existing
Outdoor
Riding
School

Existing Site Layout
Scale: 1:250

KEY

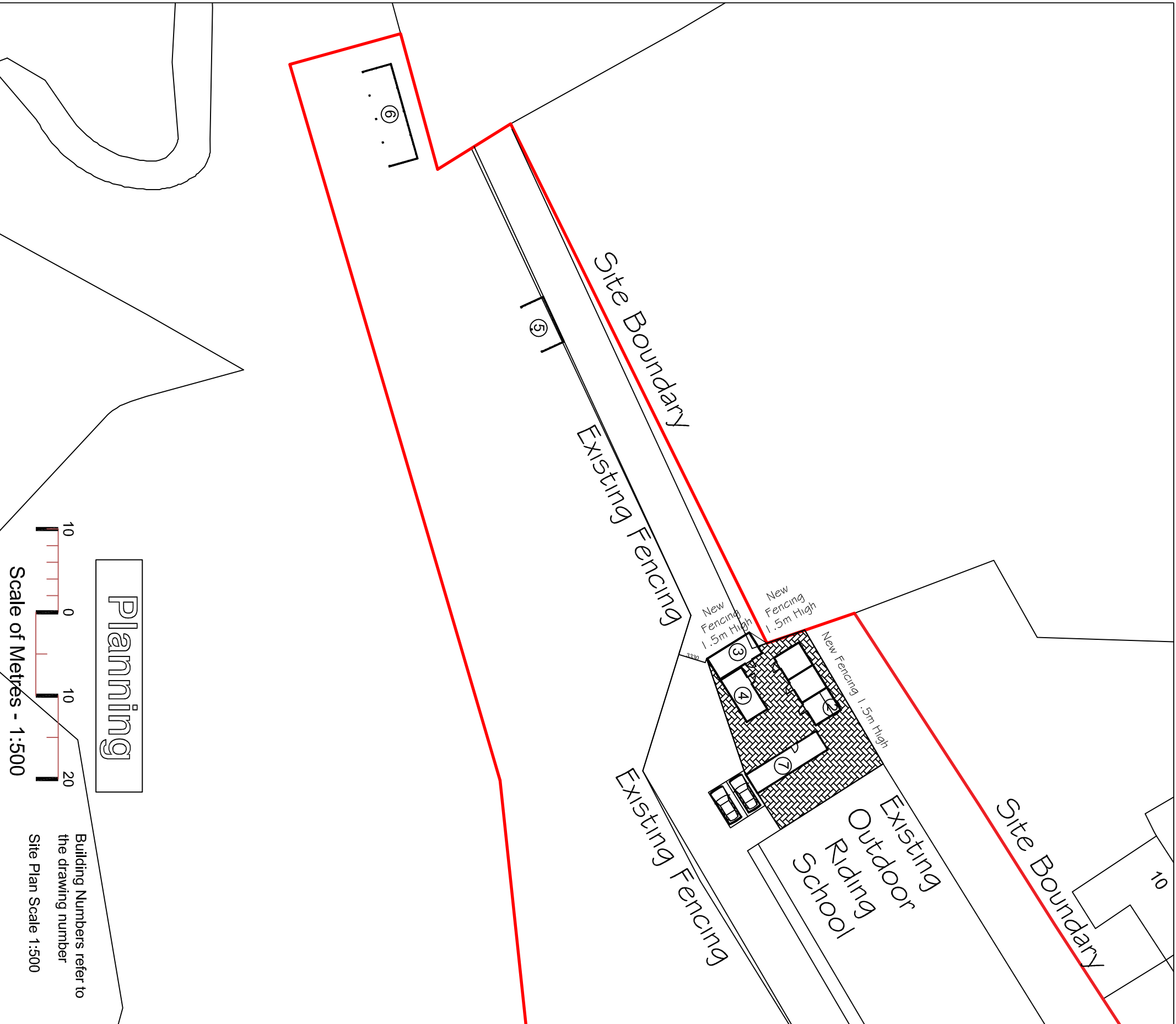
-  Denotes proposed stable area
-  Denotes new hardstanding area

Planning

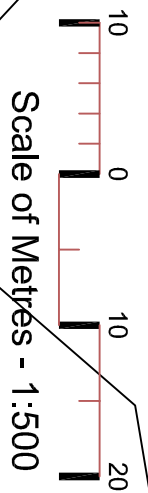


Proposed Equine Facilities for Karele Equine Assisted Therapy

Drawing No 8 of 8 Existing & Proposed Site Plans



Planning



Building Numbers refer to the drawing number
Site Plan Scale 1:500



Site Location Plan
Scale 1:2500



Scale of Metres - 1:1250

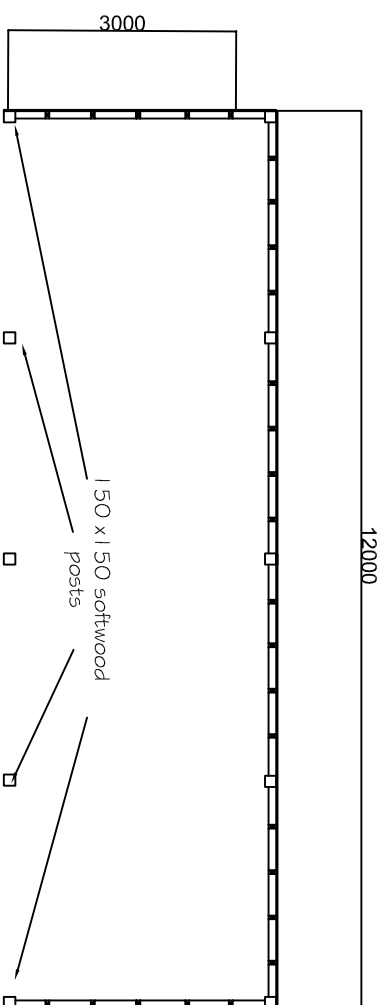
Schedule of Drawings:

- Drawing 1: Location & Site Plans
- Drawing 2: Proposed Stable Block
- Drawing 3: Proposed Tack Room
- Drawing 4: Proposed Quiet Room
- Drawing 5: Proposed Small Horse Shelter
- Drawing 6: Proposed Large Horse Shelter
- Drawing 7: Proposed Howf

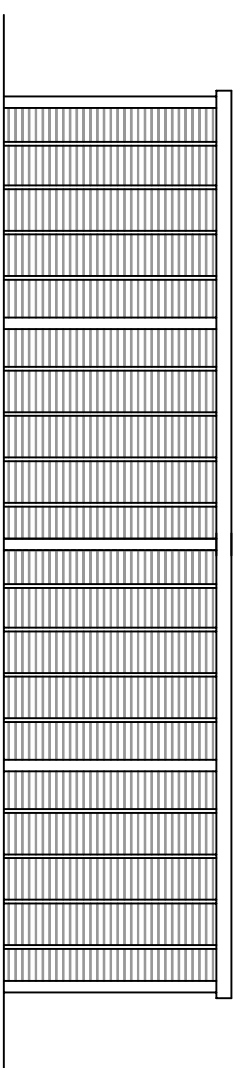
Proposed Equine Facilities for Karele Equine Assisted Therapy

Drawing No 1 of ? Site Location & Site Plans

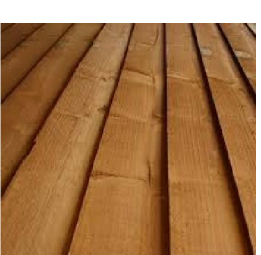
Scale 1:500 & 1:2500



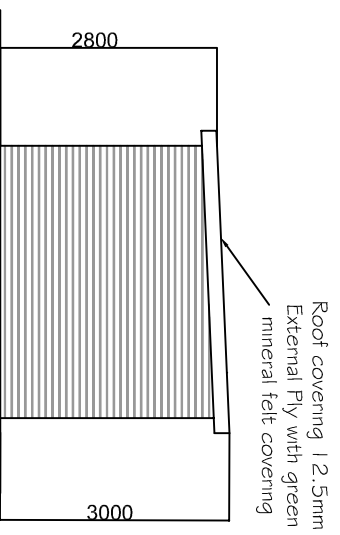
Proposed Floor Plan



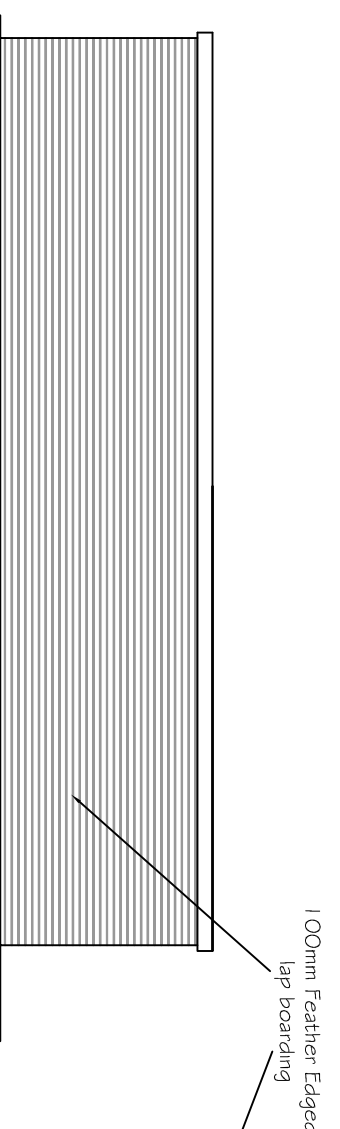
Proposed Front Elevation (Open Fronted)



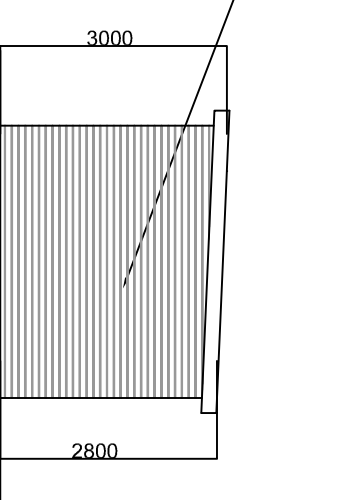
Proposed Cladding Type



Proposed Side Elevation



Proposed Rear Elevation



Proposed Side Elevation

Proposed Equine Facilities for Karele Equine Assisted Therapy.

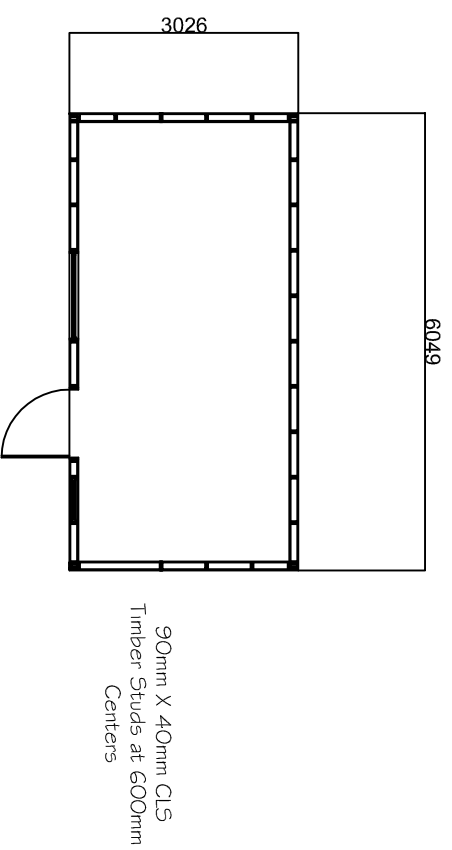
Drawing 6 of 7 Proposed Large Open Fronted Horse Shelter

Scale 1 : 100 Rev A

Planning



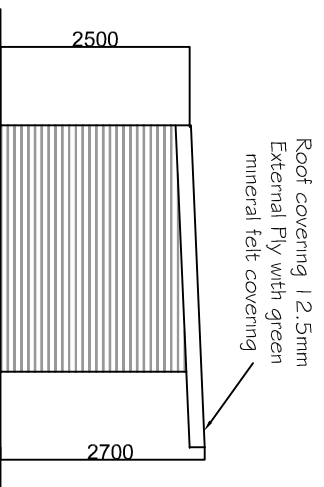
Scale of Metres - 1:100



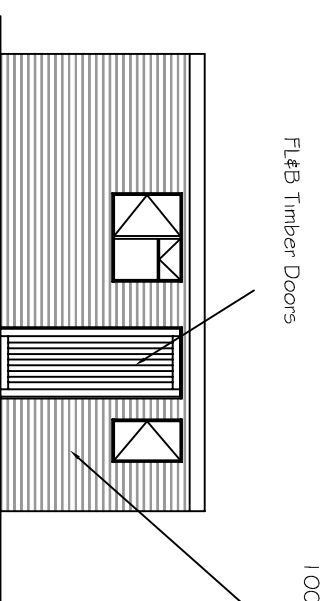
Proposed Floor Plan



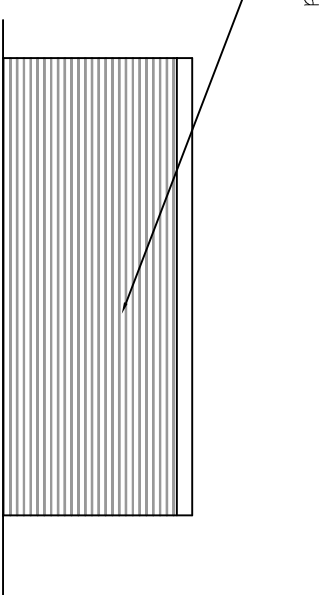
Proposed Cladding Type



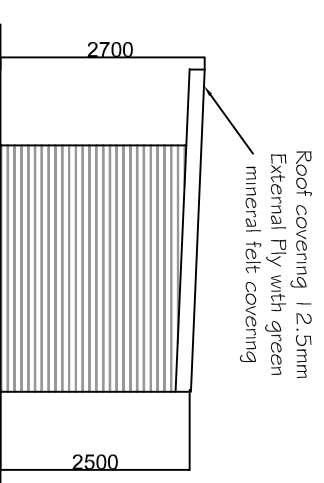
Proposed Side Elevation



Proposed Front Elevation



Proposed Rear Elevation



Proposed Side Elevation

Proposed Equine Facilities for Karele Equine Assisted Therapy.

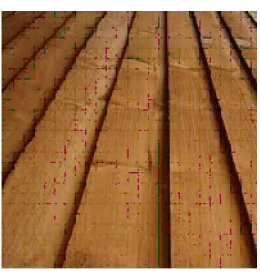
Drawing 4 of 7 Proposed Quite Room

Scale 1 : 100 Rev A

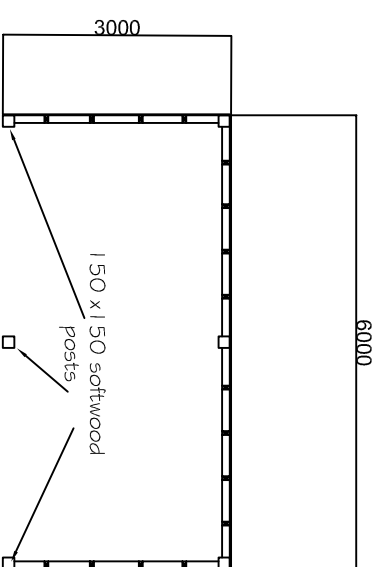
Planning



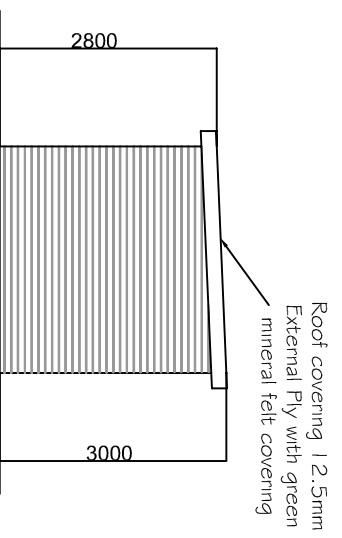
Scale of Metres - 1:100



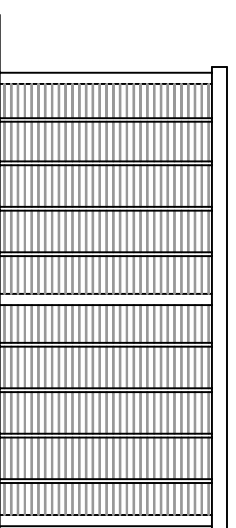
Proposed Cladding Type



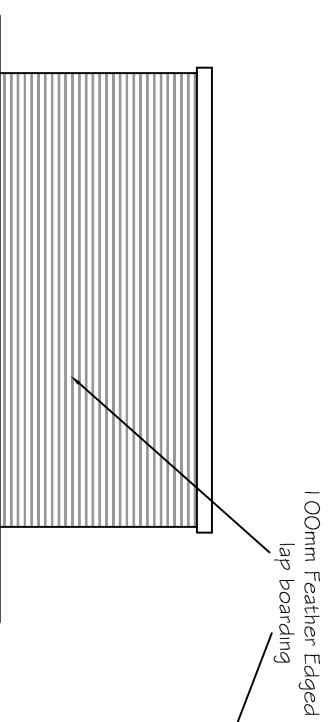
Proposed Floor Plan



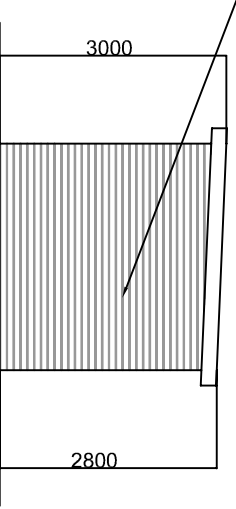
Proposed Side Elevation



Proposed Front Elevation (Open Fronted)



Proposed Rear Elevation



Proposed Side Elevation

Proposed Equine Facilities for Karele Equine Assisted Therapy.

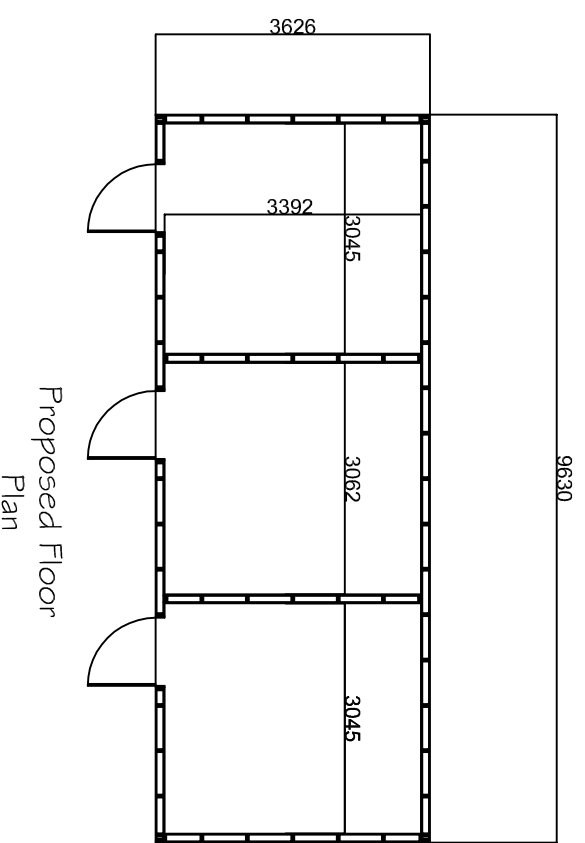
Drawing 5 of 7 Proposed Small Open Fronted Horse Shelter

Scale 1 : 100 Rev A

Planning

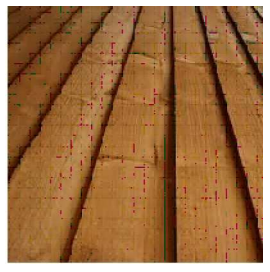


Scale of Metres - 1:100

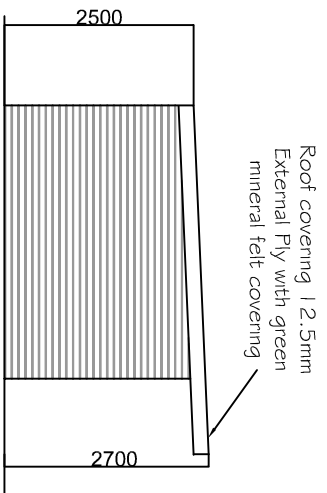


Proposed Floor Plan

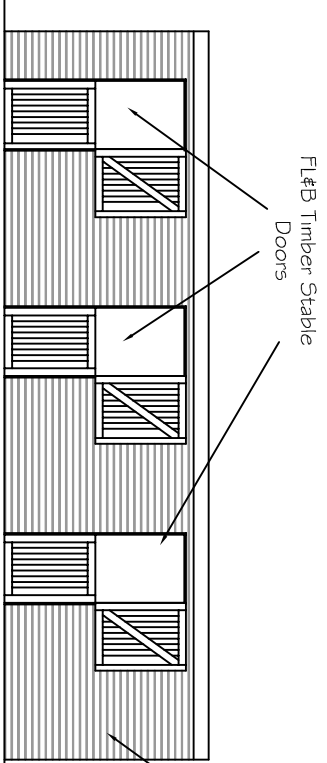
90mm X 40mm CLS
Timber Studs at 600mm
Centers



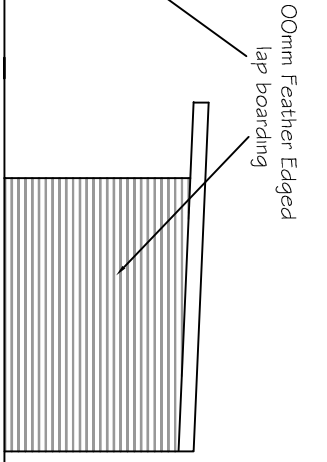
Proposed Cladding Type



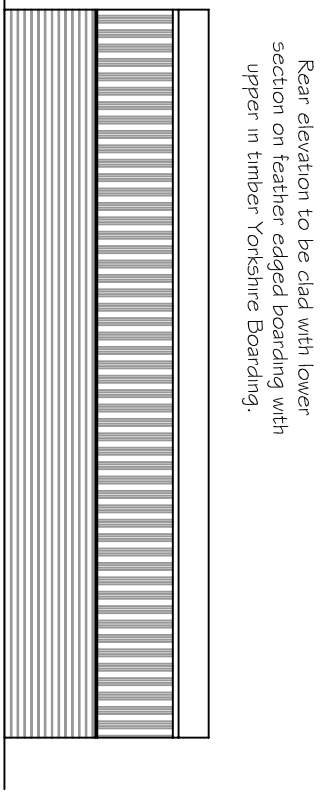
Proposed Side Elevation



Proposed Front Elevation



Proposed Side Elevation



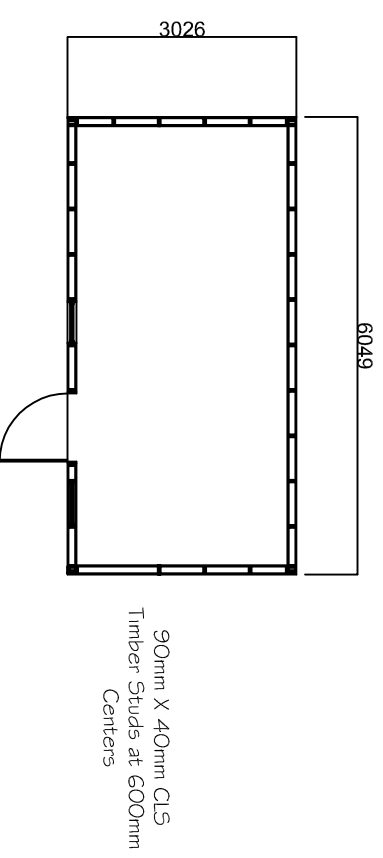
Proposed Rear Elevation

Planning



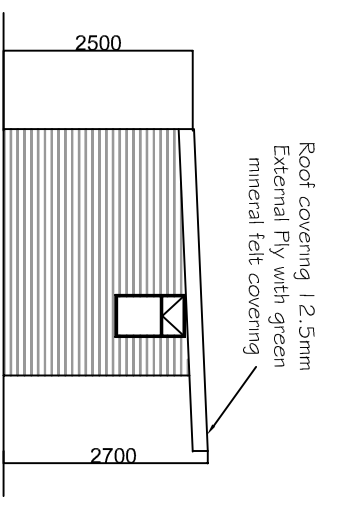
Scale of Metres - 1:100

Proposed Equine Facilities for Karele Equine Assisted Therapy.
Drawing 2 of 7 Proposed Stable Block
Scale 1 : 100 Rev A

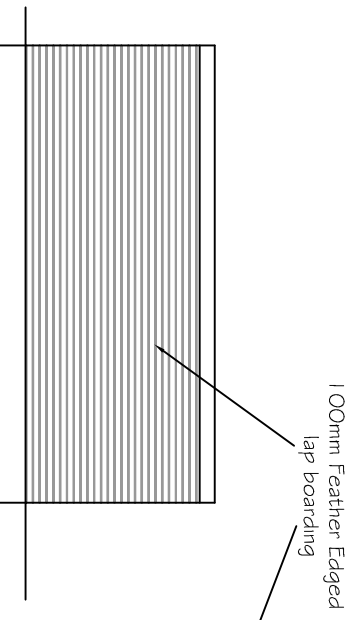


Proposed Cladding Type

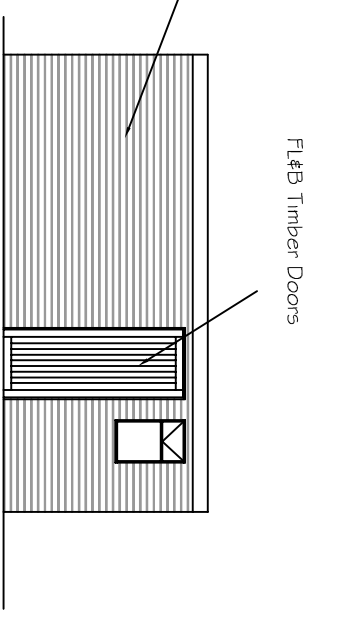
Proposed Floor
Plan



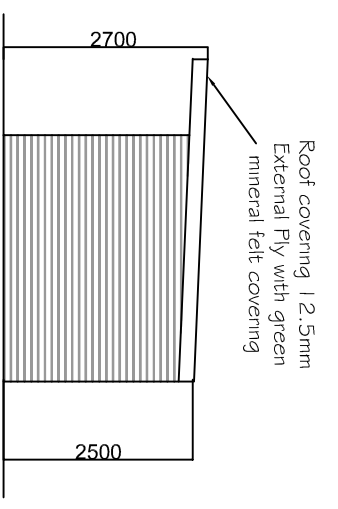
Proposed Side Elevation



Proposed Front Elevation



Proposed Front Elevation



Proposed Side Elevation

Proposed Equine Facilities for Karele Equine Assisted Therapy.

Drawing 3 of 7 Proposed Tack Room

Scale 1 : 100 Rev A

Planning



Scale of Metres - 1:100

App No. 17/00727/P

**EAST LoTHIAN COUNCIL
DECISION NOTICE**

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
TOWN AND COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2008**

**Kerele Equine
c/o Psas
Per Peter Stanton
14 Aubigney Row
Haddington
East Lothian
EH41 3TG**

APPLICANT: Kerele Equine

With reference to your application registered on 20th March 2018 for planning permission under the above mentioned Acts and Regulations for the following development, viz:-

Change of use of agricultural land for the keeping of horses, erection of stable block, horse shelters and associated outbuildings, formation of riding arena and associated works (Part Retrospective)

**at
Sunnyside Farm
East Linton
Haddington
East Lothian**

East Lothian Council as the Planning Authority in exercise of their powers under the above-mentioned Acts and Regulations hereby **REFUSE PLANNING PERMISSION** for the said development.

The reasons for the Council's refusal of planning permission are:-

- 1 It has not been demonstrated that the activities and operation of the equine charity business operating from the site does not and would not have a detrimental impact on the amenity of the neighbouring residential properties of Nos. 4 - 6, 7, 8, and 10 Sunnyside Cottages, accordingly, on these matters of privacy and amenity the proposed and retrospective

development the subject of this application conflicts with Policies DP1 and DP2 of the adopted East Lothian Local Development Plan 2018.

- 2 It has not been demonstrated that the equine charity business could be provided with a safe means of vehicular access and a satisfactory provision of on-site parking and turning, accordingly, on these matters of road safety matters and provision of on-site parking and turning the proposed and retrospective development the subject of this application conflicts with Policies T1 and T2 of the adopted East Lothian Local Development Plan 2018.

The report on this application is attached to this Decision Notice and its terms shall be deemed to be incorporated in full in this Decision Notice.

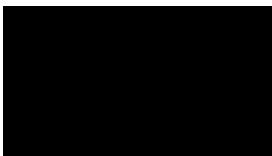
Details of the following are given in the application report:

- the terms on which the Planning Authority based this decision;
- details of any variations made to the application in terms of Section 32A of the Town and Country Planning (Scotland) Act 1997.

The plans to which this decision relate are as follows:

<u>Drawing No.</u>	<u>Revision No.</u>	<u>Date Received</u>
LOCATION PLAN	-	15.08.2017
DWG 2 OF 7	-	21.09.2017
DWG 3 OF 7	-	21.09.2017
DWG 4 OF 7	-	21.09.2017
DWG 7 OF 7	-	21.09.2017
DWG 5 OF 7	-	11.10.2017
DWG 6 OF 7	-	11.10.2017
SITE PLAN	-	08.11.2017
REV D	-	13.06.2019

27th March 2020



Keith Dingwall
Service Manager - Planning

NOTES

If the applicant is aggrieved by the decision to refuse permission for the proposed development, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to the Clerk to the Local Review Body, Committee Team, Communications and Democratic Services, John Muir House, Haddington, East Lothian EH41 3HA.

If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the Planning Authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.