

**THE HIGHLAND COUNCIL**

**NORTH PLANNING APPLICATIONS COMMITTEE – 18  
June 2013**

Agenda Item	6.8
Report No	PLN/065/13

**13/01108/FUL: Erection of bar/leisure building at  
Pitgrudy Caravan Park, Dornoch, IV25 3HY**

**Report by Area Planning Manager**

**SUMMARY**

**Description:** Erection of a residents' leisure building

**Recommendation - GRANT**

**Ward:** 05 – East Sutherland and Edderton

**Development category:** Local

**Pre-determination hearing:** No hearing required

**Reason referred to Committee:** Objections received from 5 or more addresses

**1. PROPOSED DEVELOPMENT**

- 1.1 The detailed application is for the erection of a residents' leisure building on open ground within Pitgrudy Caravan Park.
- 1.2 No pre-application consultation was carried out with the Planning Authority prior to submission of the application.
- 1.3 No new access is proposed. The proposal is to connect to an existing treatment plant serving the caravan site. This is located across the private road to the south of the site.
- 1.4 The agent has submitted a supporting statement outlining details as to how the residents' leisure building will be operated. The building is to provide a social and function facility solely for the residents of the site and operate on a seasonal basis.
- 1.5 The application initially described the proposal as a "bar/leisure building". The description was amended to "residents' leisure building" following discussions with Highland Council Legal Team. The updated description takes account of the intention to restrict the use of the facility to Pitgrudy Caravan Park residents only.

**2. SITE DESCRIPTION**

- 2.1 Pitgrudy Caravan Park is situated to the north of Dornoch just off the B9168 connecting Dornoch to the A9. The proposed site is located within the caravan park, to the south western boundary. The proposed site measures 531 square

metres and is enclosed by large trees directly to the west and smaller trees to the south lining the private road. Immediately across the road is flat, open farmland. The caravan park is on the western edge of the houses at Pitgrudy. To the north of the caravan park is The Pillars, a residential street. Stoneybank House is to the south west of the proposed site.

### 3. PLANNING HISTORY

3.1 None

### 4. PUBLIC PARTICIPATION

4.1 Advertised : Neighbour Notification/Schedule 3

Representation deadline : 10.05.2013

Timeous representations : 4 (3 objections, 1 neutral comment)

Late representations : 2 (2 objections)

4.2 Material considerations raised are summarised as follows:

- Increased noise pollution
- Detrimental to neighbourhood amenity

4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet [www.wam.highland.gov.uk/wam](http://www.wam.highland.gov.uk/wam). Access to computers can be made available via Planning and Development Service offices.

### 5. CONSULTATIONS

5.1 **Environmental Health Officer:** No objections. Potential for noise nuisance as the intention is to operate a bar and café, but kitchen, equipment provision and extract ventilation are not referenced on the plans. The double rear doors on the southern elevation open onto a veranda which could be used for functions. There is a risk that noise generated from inside the bar and customers congregating on the veranda may cause complaints from surrounding properties. The ground is relatively flat and sound is likely to travel.

5.2 **TECS Roads:** No objections. Initial discussions have suggested that TECS Roads would require further parking spaces if the bar/leisure building was to be open to non-site residents.

5.3 **Dornoch Community Council:** No objections

### 6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 **Highland Wide Local Development Plan 2012**

28 Sustainable Design

29 Design Quality and Place Making

43 Tourism

## 6.2 Sutherland Local Plan

4 Natural, Built and Cultural Heritage

6 Designing for Sustainability

## 7. OTHER MATERIAL CONSIDERATIONS

### 7.1 Scottish Government Planning Policy and Guidance

Scottish Planning Policy

### 7.2 Highland Council Supplementary Planning Policy Guidance

Not applicable

### 7.3 Scottish Government Planning Policy and Guidance

Not applicable

## 8. PLANNING APPRAISAL

8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

### 8.3 Development Plan Policy Assessment

Policy 28 (Sustainable Development) of the Highland wide Local Development Plan aims to ensure that development is sustainable and lists the criterion against which the proposal shall be assessed. The applicable criteria in this case are compatibility with public service provision; accessibility; making use of brownfield sites and existing buildings; impact on individual and community residential amenity.

The proposed building is a simple A-framed structure with a sloping roof pitch of 30 degrees. The building measures 12.9M by 8.8M. The maximum height of the building to the ridge is 4.1M sloping to 2.9M on the eaves. The roof will be a tile effect steel sheet roof finish. The external walls are to be finished in Upvc timber effect cladding. The windows and rainwater pipe will be Upvc.

The front entrance will be from the north west elevation in the caravan park grounds. External decking will be erected to the rear of the bar/leisure building looking out to the south. The small bar area is within a modest scale building. The sensitive siting, design and materials used are compatible with the surrounding area. The proposal is associated with the principal use of the land as a caravan site and it is considered that this is an accessible and logical site to develop; which will have not have a detrimental impact on residential amenity.

Policy 29 repeats this emphasis on good design in terms of compatibility with the local settlement pattern. New development should be designed to make a positive

contribution to the architectural and visual quality of the place in which it is located. The design is representative of the surrounding context and association with the caravan park.

Policy 43 states that proposals for tourist facilities will be assessed as to whether:

- I. The scale of the proposal is proportionate to its location/setting;
- II. The site is within a settlement boundary and whether it will complement existing/allocated tourist facilities within that settlement;
- III. The proposal will increase the length of peoples stay, increase visitor spending or promote a wider spread of visitors;
- IV. The proposals will safeguard, promote responsible access, interpretation and effective management or enhancement of natural, built and cultural heritage features

The principle of the development would facilitate the consolidation and expansion of an established local business, which benefits the local economy and tourist trade. It is considered that the proposal accords with Policy 43 in this regard.

The addition of licensed premises to Pitgrudy Caravan Site would offer an area for guests to congregate. It would not be accurate to construe that an approval would see an increase in anti-social behaviour or nuisance. These particular matters are to be addressed through other mechanisms, applied through the Licensing Board and the management and operation of the premises in consultation with the Police.

#### 8.4 **Material Considerations**

From representations received, community interests and amenity are perceived to be affected by the proposed development. Concerns expressed focus primarily on the potential for noise nuisance and anti-social behaviour as a result of the erection of a residents' leisure building. The agent has confirmed that:

- The purpose of the building is to provide a social and function facility for the residents of the site
- The bar is to be for the sole use of site residents and their guests and signage shall be provided at the building entrance to this effect, should unauthorised use subsequently become an issue further means of control of access shall be considered
- The bar shall only operate during the seasonal opening period of the site and not outwith these periods
- The bar shall operate (during the seasonal period) on a daily basis with daily opening times to be determined
- The facility shall provide additional employment opportunity over and above the current site staff, the number shall vary depending on the functions at any given time
- The bar shall be fully disabled accessible, and this shall include disabled toilet provision

## **Access and Road Safety**

It should be noted that TECS Roads raised concern that the nearby cemetery to the west of the site could be used as an overspill parking area. A number of representations expressed concern about road safety due to the increased numbers of vehicles visiting the residents' leisure building. It has been confirmed that the residents' leisure building is to be for the sole use of site residents and their guests. As such, TECS Roads felt that the increase in traffic would be minimal and therefore road safety will not be affected. The possibility of the local cemetery being used as an overspill car park is negligible.

The supporting statement advises that the residents' leisure building will require additional staff to operate the facility. On further discussion with the agent it was only expected to employ a further 1 or 2 personnel. TECS Roads considered that due to the extra staff an additional 5 spaces would be required within the site. The additional 5 parking spaces also take into account access for deliveries and emergency services. The additional required spaces can be controlled by condition.

TECS Roads also felt that a larger fence running along the southern site boundary of the caravan park would deter customers potentially pulling in on the private road and parking on the grass verge to access the residents' leisure building via the outdoor decking. It has been suggested that landscaping along the southern site boundary could effectively deal with the issue and provides a good opportunity to revamp the area alongside the outdoor veranda.

## **Amenity**

The majority of the representations expressed concern that the amenity of the area would be detrimentally affected. Stoneybank House is approximately 200M to the south west of the site and The Pillars is approximately 320M to the north. A number of residents felt that noise nuisance and anti-social behavior would increase significantly.

Consultation with the Environmental Health Officer raised concern regarding the potential for noise nuisance. As the double rear doors open onto the veranda it was felt that groups gathering outside along with noise generated from inside the residents' leisure building could be the cause of complaint from sources outwith Pitgrudy. As the surrounding ground is relatively flat it is likely that any sound will travel.

As the applicant has confirmed with their supporting statement, the facility is to be for the use of the site residents only. This will be controlled by condition. Any anticipated noise from vehicles is expected to be minimal. There is established screening from trees on the southern and western boundaries which will act to stifle and noise from the residents' leisure building. Conditions will be attached to ensure the long term management of the surrounding trees and that they are properly and maintained.

Any noise from plant, equipment and machinery associated with the building can be controlled by condition. With regards the external decking area, a condition has been attached prohibiting installation of loudspeakers outdoors and the hours of use. It is considered that the conditions attached will adequately deal with concerns regarding noise nuisance.

## Other Considerations – not material

- Road Safety concerns arising from increased traffic
- Access potentially restricted for emergency services
- Increased anti-social behaviour and nuisance

### 8.6 Matters to be secured by Section 75 Agreement

None

## 9. CONCLUSION

9.1 An erection of a residents' leisure building at Pitgrudy Caravan Park as proposed is consistent with Local Plan policy.

Local Plan policy is supportive of tourism related developments and recognises the contribution that tourism makes to the Highland economy. It is considered that the principle of a modest residents' leisure building in a rural location such as this accords with the general drive of development plan policy.

The site is within an established caravan park and the use will contribute to the enjoyment to guests. Given the relationship between the residents' leisure building and the existing caravan site the application is considered satisfactory subject to a condition to limit the time that the outdoor terrace can be used until, to restrict the use of amplified music to minimise the noise impact to surrounding properties.

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

## 10. RECOMMENDATION

**Action required before decision issued** N

**Subject to the above**, it is recommended the application be **GRANTED** subject to the following conditions and reasons / notes to applicant / reasons for refusal:

1. The use hereby approved shall be restricted solely to residents and their guests of the adjacent caravan park known as Pitgrudy Caravan Park

**Reason:** In the absence of appropriate parking and to avoid pedestrian and vehicular safety concerns

2. All plant, machinery and equipment associated with ventilation, air-conditioning, heating and refrigeration services or similar and including fans, ducting and external openings shall be so installed, maintained and operated such that any associated operating noise does not exceed NR 20 when measured or calculated within any noise sensitive premises with windows open for ventilation purposes.

**Reason:** To protect the amenity of neighbours and to avoid a conflict with

neighbouring land uses

3. The outdoor terrace area hereby approved shall not be used after 10pm, and no loudspeakers shall be installed on the terrace.

**Reason:** To protect the amenity of neighbours and to avoid a conflict with neighbouring land uses.

4. No development shall commence until full details of any external lighting to be used within the site and/or along its boundaries and/or access have been submitted to, and approved in writing by, the Planning Authority. Such details shall include full details of the location, type, angle of direction and wattage of each light which shall be so positioned and angled to prevent any direct illumination, glare or light spillage outwith the site boundary. Thereafter only the approved details shall be implemented.

**Reason:** In order to safeguard the amenity of neighbouring properties and occupants.

5. Prior to the first occupation of the development hereby approved, 5 car parking spaces shall be provided within the application site. Thereafter, all car parking spaces shall be maintained for this use in perpetuity.

**Reason:** To ensure that sufficient space is provided within the application site for the parking (and, where necessary, turning) of cars, so they do not have to park within or reverse onto the public road.

6. No development, site excavation or groundwork shall commence until a Tree Planting Plan and Maintenance Programme has been submitted to, and approved in writing by, the Planning Authority. The approved Tree Planting Plan shall be implemented in full during the first planting season following commencement of development, or as otherwise approved in writing by the Planning Authority, with maintenance thereafter being carried out in accordance with the approved Maintenance Programme.

**Reason:** In order to secure the long term management of the trees and/or woodland.

7. No trees within the application site shall be cut down, uprooted, topped, lopped (including roots) or wilfully damaged in any way, without the prior written permission of the Planning Authority.

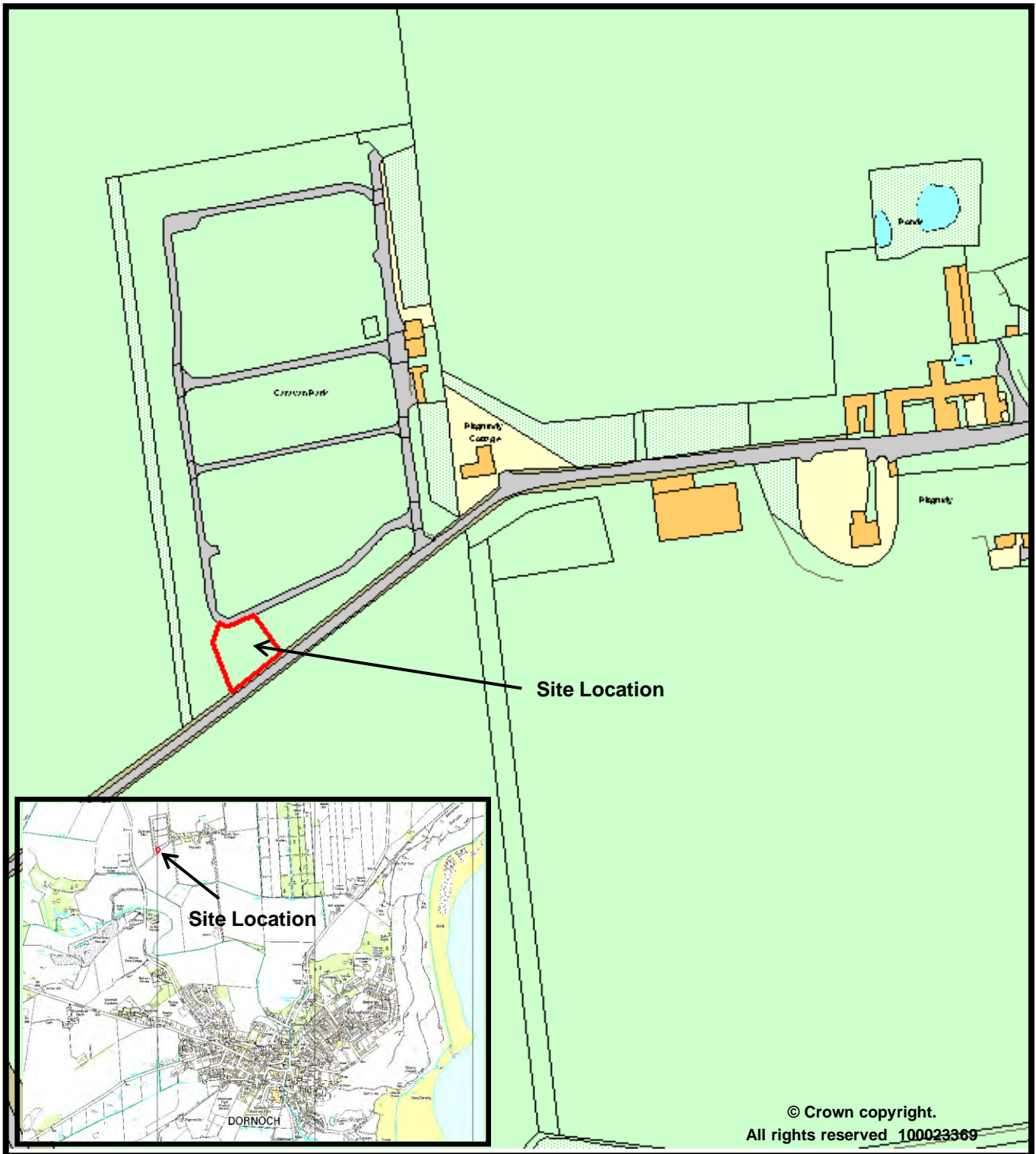
**Reason:** To ensure that retained trees and woodland are properly managed and maintained.

Signature: Dafydd Jones  
Designation: Area Planning Manager North  
Author: Roddy Dowell  
Background Papers: Documents referred to in report and in case file.  
Relevant Plans: Plan 1 – Location Plan L(EX)001  
Plan 2 – Proposed Bar Elevations and Layout L(PL)002



## Appendix – Letters of Representation

Name	Address	Date Received	For/Against
Mr Richard Mayle	The Pillars, Dornoch	05.05.2013	Against
Mr David Hill	Stoneybank House, Poles Road, Dornoch	06.05.2013	Against
Mr M. Hayes	The Pillars, Dornoch, IV25 3HY	07.05.2013	Against
Frank Hirst	12 Castel Street, Dornoch, IV25 3SW	07.05.2013	Neutral
Mrs M. Douglas	Thisteldo, 8 The Pillars, Dornoch, IV25 3HY	13.05.2013	Against
Gordon Lawson	4 The Pillars, Dornoch, IV25 3HY	13.05.2013	Against



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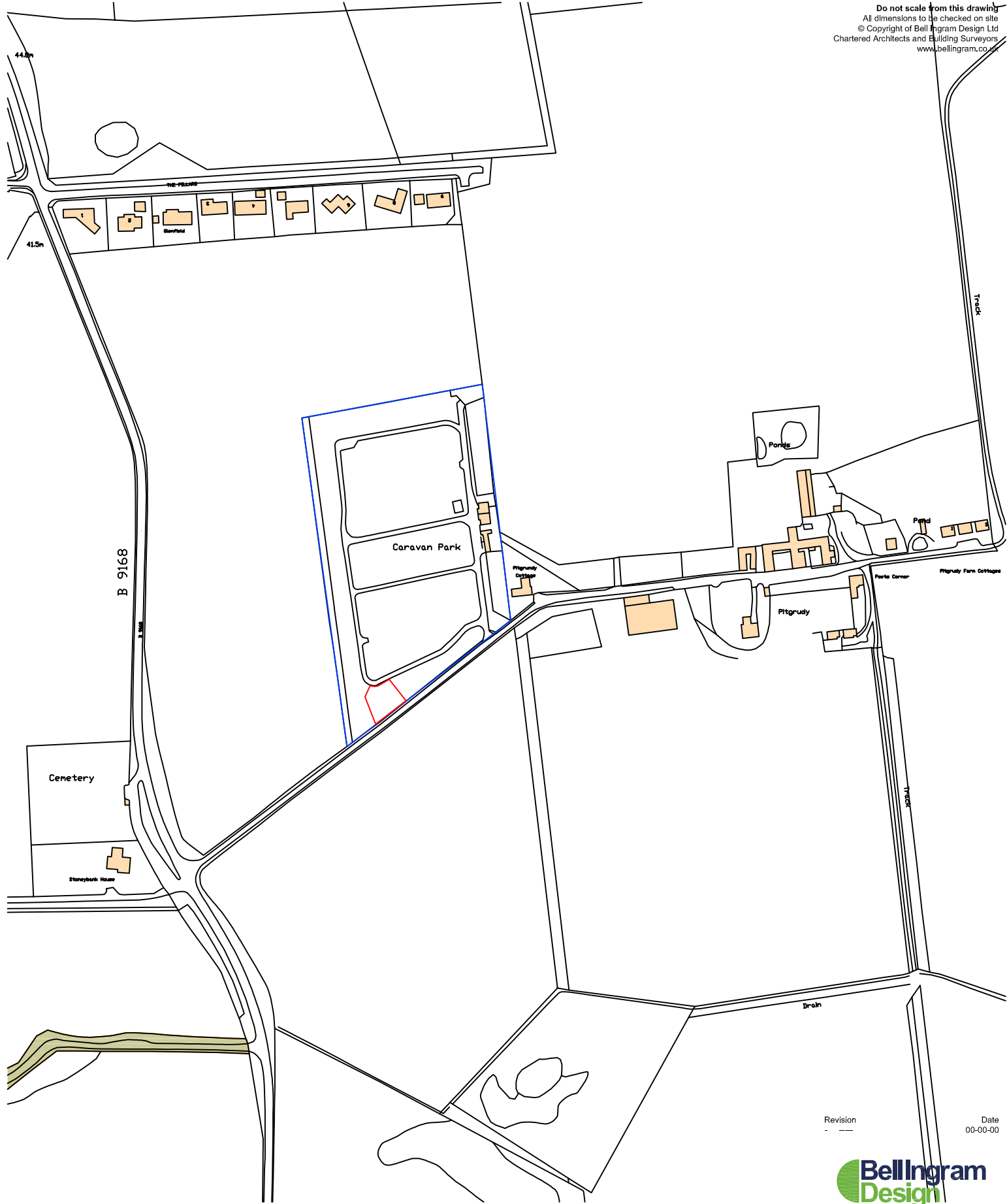
Planning & Development  
Service

**13/01108/FUL**

Erection of bar/leisure building at Pitgrudy Caravan Park,  
Dornoch.

**Date: 28 May 2013**



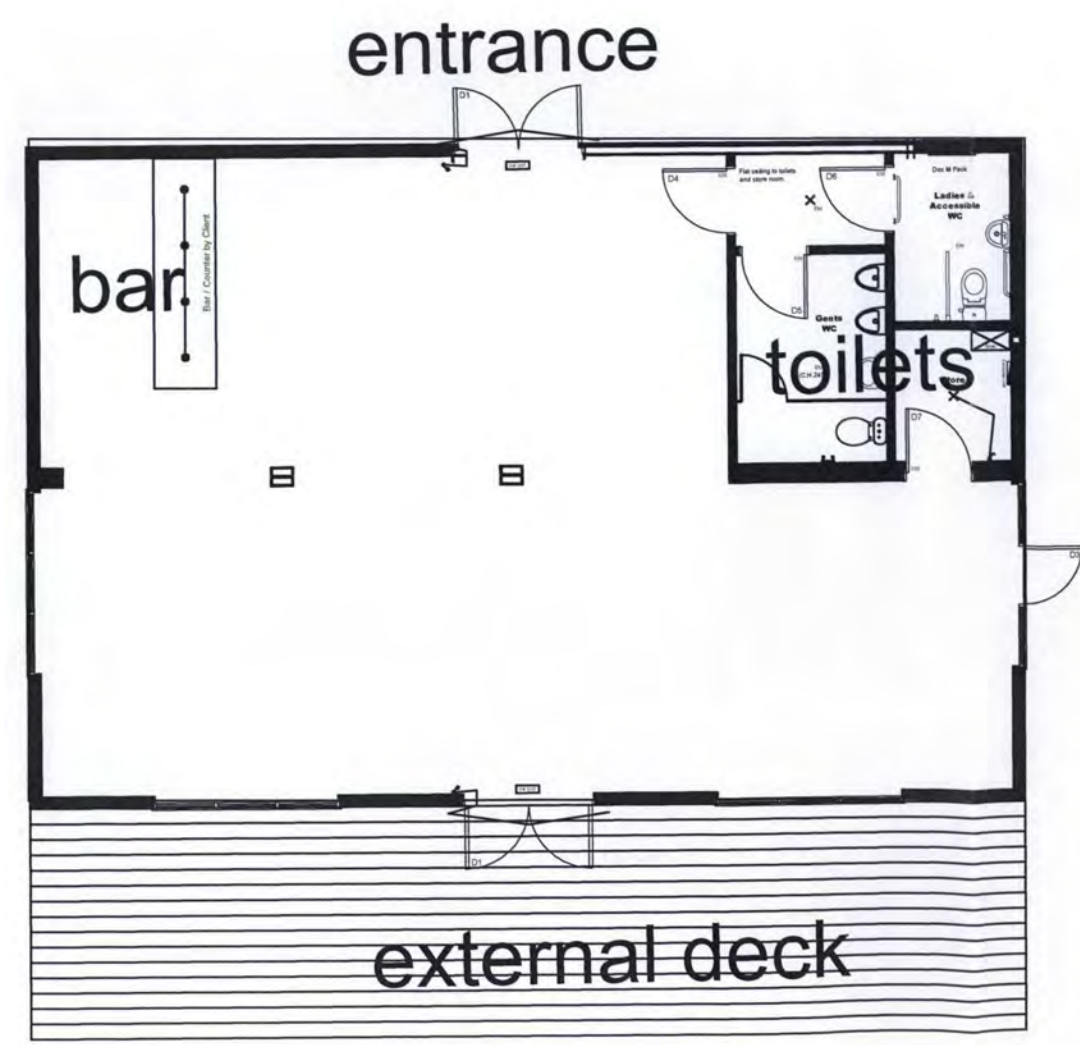
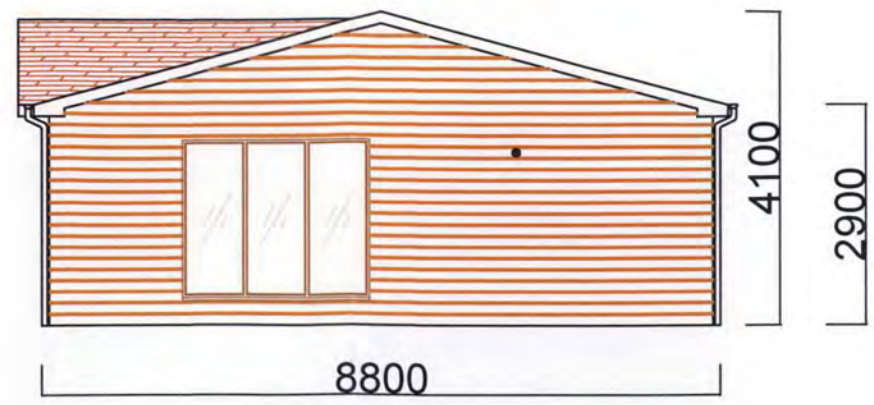
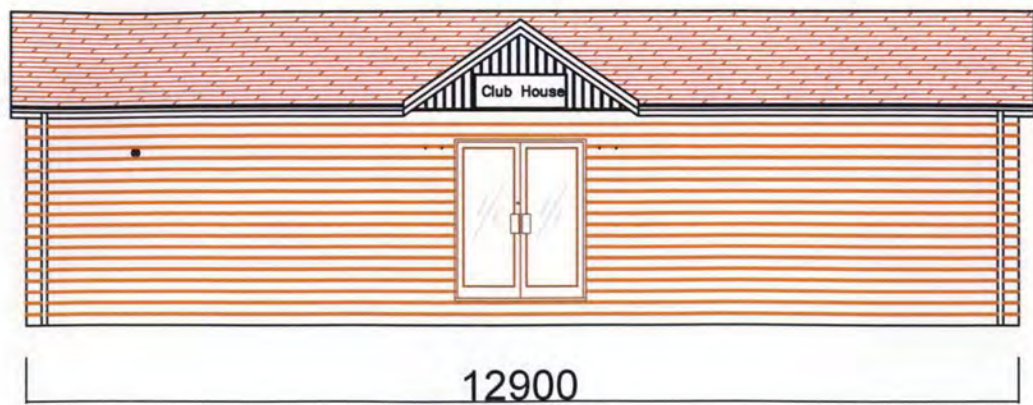


Revision - --- Date 00-00-00



Client Mr A Durrant			
Project Pitgrudy Caravan Park			
Title Location Plan			
Branch Inverness		Telephone 01463 717 799	
Drawn JMF	Date Mar 2011	Drg Size A3	Checked ---
Job No. D5424		Scale 1:2500	
Drg No. L(EX)001			Rev ---





PLANNING & DEVELOPMENT SERVICE  
 DATE RECEIVED  
 - 5 APR 2013

Revision A dimensions added Date 03.04.13



Client Austin Durrant			
Project Pitgrudie caravan site			
Title Proposed Bar Elevations & Plan			
Branch Inverness		Telephone 01463 717 799	
Drawn JMF	Date Mar 2013	Drg Size A3	Checked ---
Job No. D5424		Scale 1:100	
Drg No. L(PL)002			Rev A