

**ANGUS COUNCIL**

**DEVELOPMENT MANAGEMENT REVIEW COMMITTEE – 8 JULY 2014**

**BARRY DOWNS HOLIDAY PARK, BARRY, CARNOUSTIE**

**REPORT BY THE HEAD OF LEGAL AND DEMOCRATIC SERVICES**

**ABSTRACT:**

The Committee is asked to consider an application for a Review of the decision taken by the Planning Authority in respect of the refusal of planning permission for the erection a new house and boundary wall, application No 13/01149/FULL, at Barry Downs Holiday Park, Barry, Carnoustie.

**1. RECOMMENDATIONS**

It is recommended that the Committee:-

- (i) review the case submitted by the Planning Authority (**Appendix 1**); and
- (ii) review the case submitted by the Applicant (**Appendix 2**).

**2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/SINGLE OUTCOME AGREEMENT/CORPORATE PLAN**

This Report contributes to the following local outcomes contained within the Angus Community Plan and Single Outcome Agreement 2013-2016:

- Our communities are developed in a sustainable manner
- Our natural and built environment is protected and enjoyed

**3. CURRENT POSITION**

The Development Management Review Committee is required to determine if they have sufficient information from the Applicant and the Planning Authority to review the case. Members may also wish to inspect the site before full consideration of the Appeal.

**4. FINANCIAL IMPLICATIONS**

There are no financial implications arising directly from the recommendations in the Report.

**5. CONSULTATION**

In accordance with Standing Order 47(3), this Report falls within an approved category that has been confirmed as exempt from the consultation process.

**NOTE:** No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

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List of Appendices:

Appendix 1 – Submission by Planning Authority  
Appendix 2 – Submission by Applicant

**APPLICATION NO. 13/01149/FULL**

**APPLICANT: SHORELINE MANAGEMENT LTD FOR ERECTION OF NEW HOUSE AND BOUNDARY WALL AT BARRY DOWNS HOLIDAY PARK, WEST COTSIDE, BARRY, CARNOUSTIE, DD7 7SA**

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Angus Council

Application Number:	13/01149/FULL
Description of Development:	Erection of New House and Boundary wall.
Site Address:	Barry Downs Holiday Park West Cotside Barry Carnoustie DD7 7SA
Grid Ref:	352208:733519
Applicant Name:	Shoreline Management Ltd

## Report of Handling

### Site Description

The application site, which measures approximately 6500 square metres in area, is located to the south of the A930 classified road on land that currently forms part of the touring caravan site within the Barry Downs Holiday Park. The north boundary of the site is defined by a grassed earth bund and timber fencing; the east boundary consist of timber fencing that is complemented by additional planting; the south boundary is defined by an access road and the west boundary consists of a timber fence. The site is bound to the north by the A930, to the east by a residential property (The Downs) and part of the touring caravan site; to the south by the touring caravan site and to the west by the access road into the holiday park from the A930. The application site is relatively flat with areas of grass, hardcore and a roadway that provides access to the touring caravan pitches and a recent extension to the holiday park.

### Proposal

The proposal involves the erection of a dwellinghouse. The proposed dwellinghouse has a footprint of approximately 450 square metres and an overall height of 9.45 metres. The external materials consist of white render and stone panelled walls. The ground floor will accommodate a living room, kitchen, dining area, family area, office, utility room and w/c. The first floor will accommodate four bedrooms with the second floor accommodating gym and roof terrace. A flat roofed triple garage with a footprint of 113 square metres and an overall height of 4.3 metres is to be located to the east of the proposed house. Vehicular access to the site will be taken via the south boundary of the site. A new stone wall will be erected at the south boundary of the application site.

The application has not been subject of variation.

### Publicity

The application was subject to normal neighbour notification procedures.

The application was advertised in the Dundee Courier on 27 December 2013 for the following reasons:

- Neighbouring Land with No Premises

The nature of the proposal did not require a site notice to be posted.

### Planning History

08/00416/FUL for Change of Use to Touring Caravan Pitches was Withdrawn on 26 June 2008.

08/01259/FUL for Change of Use from Caravan Storage to Touring Pitches Re-Application was determined as "Approved Subject to Conditions" on 20 November 2008.

11/00759/FULM for Extension to Caravan Park was determined as "Approved Subject to Conditions" on 29 August 2012.

### Applicant's Case

A statement in support of the proposals has been submitted on behalf of the applicant. The statement indicates:

The proposed new house submitted is for the Owner/Director of the Company who run Barry Downs Caravan Park. The proposed house is being built to be the main residence of the applicant who currently lives in the house to the south of the application site and has done for the past 8 years. The proposed house would be an integral part of the site and business and it would not prove an encumbrance or restriction for any consent granted to have a section 75 placed on it to link it to the business. A suitability worded condition could also be attached to consent to achieve the same effect. It is not feasible or desirable for this house and site to be used as a separate dwelling by anyone not linked to the business. It is the intention of the applicant to make Barry the hub of his business interest in Scotland; it is also relevant to note that the applicant's company have other sites in Scotland and the rest of the UK. Over the past 8 years, in excess of £1million has been invested in the caravan park by the applicant's company, with infrastructure, communal facilities and landscaping. If the applicant is given encouragement through success in this Planning Application, the intention is to invest further significant funds over the next 5 years in communal buildings, further site acquisitions, play equipment and landscaping. The proposed house subject of the application is itself of a value in excess of £1million, which would provide much needed work for the Local Building Industry in the coming 12 months.

In relation to the need for an additional house at the caravan park it has been indicated that the park is runs 24 hours a day, 365 days a year and on site presence is essential to serve those who arrive and those who have emergencies. This particular business is a family one and the progression is very much like a farming one. The applicant's son is working with the business full time and currently lives with the applicant and his two sisters on site. He is 19 years of age and it is the intention of the applicant to create a separate house for him (the existing one currently occupied by the Owner/Director of the Company). The applicant would move to the new house and in due course the other existing houses on the site would be extended and adapted for the father and other siblings. It has always been the understanding of the applicant from the moment he purchased the site 8 years ago, that the area would become his and his family's home. It is only since his application that it has become apparent that his aspiration may now not

be possible. The applicant therefore feels he may now have no other option than to relocate. Over the past 12 months there have been:

- o 10 to 15 calls per day relating to out of hours call outs for breakdowns;
- o Arrivals outwith normal hours of 6am - 8pm (7 days per week) requiring booking in;
- o The Applicant has had to respond to emergencies requiring medical attention to the extent even of a death despite resuscitation by the applicant;
- o Emergencies requiring tradesmen consistently on a 24 hour basis.

Barry Downs Caravan Park is already one of Angus's biggest tourist attractions and it is the applicant's aim to enhance that status over the next 5 years and to 'support' the investment in Dundee and Angus to assist with bringing business to the area.

The development pattern in this area illustrates the ribbon settlement nature, which has been established over the last 50 years with some of the identified buildings being much older. If, as we believe it should have been, identified in the local plan as a settlement and given a red line, it would not be regarded as "open countryside". By no stretch of anyone's imagination could the continuous group of 25 dwelling houses, caravan storage yard, stables and riding school, chicken farm and Barry Downs Caravan Park itself be regarded as open countryside. It is a unique one side of the road settlement, well known as such as "Barry Road". It is defined by natural boundary road and fence and is identifiable.

There are prominent buildings in the immediate vicinity, which are higher and more visually exposed than the proposed house. The house proposed has a flat roof at its highest point which is lower than the ridges of other buildings seen in the immediate vicinity.

- o The appearance of the dwelling as submitted has to reflect the quality of the site and business. It is oversimplifying and naïve to simply look at the fact there is a room (gymnasium) at 3rd floor and regard it as 'alien'. If a sloping attic roof had been used with dormers it would still be a 3rd level. There are many similar farmhouses and estate houses in Angus, which use the same arrangement.
- o Incorporate the areas and material quality required as part of client's brief.
- o Provide security and a sense of place for the caravan park entrance. Establish a quality entrance.
- o Use the existing, established tree planting as a veil to the building's crisp, sharp appearance.
- o Repeat colours already present in the Angus Countryside and textured external finishes. Use them in a contemporary way.

The proposed house, as part of the business, has been designed to reflect the quality of the park, the ethos and imagination of the organisation. It is representative as a flagship for the entire business. It is contemporary in shape and fenestration for that reason. It will be in the forefront of environmentally efficient buildings in Angus with solar and water recovery systems. There is no design precedent set by the shape of the house and it is the applicant's right to develop his property in this way. Design is a subjective matter and the fear of something being different is not a valid Planning reason to refuse. No objections have been received from any consultee or member of the public.

## Consultations

Community Council - There was no response from this consultee at the time of report preparation.

Angus Council - Roads - No objections

Scottish Water - No objections

## Representations

There were no letters of representation.

## Development Plan Policies

### Angus Local Plan Review 2009

Policy S1 : Development Boundaries

Policy S3 : Design Quality

Policy S6 : Development Principles (Schedule 1)

Policy SC6 : Countryside Housing New Houses

Policy SC7 : Essential Worker Housing

### TAYplan Strategic Development plan

The application is not strategically significant and the policies of TAYplan are not referenced.

### Other Guidance

Advice Note 5 : Houses in the Open Countryside

The full text of the relevant development plan policies can be viewed at Appendix 1 to this report.

## Assessment

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise.

The application site is not specifically allocated for any purpose and lies outwith a Development Boundary and as such the proposal is assessed in terms of the provisions of Policy S1 criterion (b). This policy indicates proposals on sites outwith development boundaries (i.e. in the countryside) will generally be supported where they are of a scale and nature appropriate to the location and where they are in accordance with the relevant policies of the Local Plan.

The main policy relevant to the determination of a proposal for residential development at this site is Policy SC6: Countryside Housing and the associated requirements of Schedule 2. This site is located in a Category 1 Rural Settlement Unit (RSU). These are generally non-remote areas with stable or increasing populations or where there are no

services of facilities in need of support. The Local Plan indicates that in these areas new housing development outwith settlements should be restricted. Policy SC6 requires the proposal to comply with any of the four key policy tests.

In this case the erection of a house would not round off or consolidate a building group. Whilst there are other buildings in the wider area the application site does not form part of a cohesive group. The site has some characteristics of a 'gap site' as it lies between the curtilage of The Downs and a metalled road (access to the caravan park). However to qualify as a 'gap site' in terms of the Council's policies, a site in a Category 1 RSU must not have a road frontage in excess of 50 metres. This site has a road frontage in the region of 89 metres and accordingly the site is not a 'gap site' in terms of Council policy. The proposal does not relate to redevelopment of redundant rural brownfield site where it would result in the removal of dereliction or result in a significant environmental improvement as the application site is currently in use for touring caravan pitches. The site is not in a Category 2 RSU. As the proposal does not comply with Policy SC6 the principle of a house at this location is contrary to development plan policy.

Notwithstanding the above Policy SC6 requires proposals to comply with Schedule 2: Countryside Housing Criteria. Schedule 2 requires that application sites are self contained and that they comply with the plot size criteria for a Category 1 RSU which is between 800 - 2000 square metres. The application site forms part of a larger area of ground that forms touring caravan pitches and in this respect cannot be considered to be self contained. Approval of an application on this site could establish a precedent for similar development on other areas of the touring caravan site. The plot size measures some 6500 square metres which is considerably in excess of the upper threshold of 2000 square metres which is the maximum plot size permitted in Category 1 RSU areas. On this basis the proposal does not comply with Schedule 2 of the local plan.

The applicant has suggested that the house would be associated with the existing business operation at Barry Downs and I accept that this might be the case. The supporting information indicates the erection of a further dwelling would allow the applicant to vacate his present dwelling which would then be occupied by his son who is partly involved in the operation of the holiday park. Whilst I can appreciate that it would be convenient for the applicant's family to reside at the holiday park the Council's policies on essential worker housing indicate that this is only permitted where it is essential for a worker to reside at their place of work. I understand that the applicant controls two existing dwellings at this location and there is no evidence to suggest that it is essential for the operation of the caravan park to have another dwelling on the site. Accordingly the proposal does not attract any support from Policy SC7.

As the principle of a house is not acceptable it is unnecessary to consider the detail of the proposal but I have provided some assessment for the sake of completeness.

In terms of design, the proposal departs for the traditional form of development that is present in the area and does not comply with the Council's Advice Note 5 that deals with the design of new housing in the countryside. Notwithstanding that, in very general terms, the design is reasonably innovative and has something of a 'beach villa' appearance. In a coastal location I consider that general approach to design acceptable, particularly where the quality of the surrounding architecture could at best be described as mixed, and I have no doubt about the applicants desire to provide a high quality home. However, the building is 3-storeys high and that height (and the resultant mass) is emphasised by the flat roofed nature of the building and its proximity to

the public road. Other buildings in the vicinity are generally single or 1 ½ storeys in height siting under pitched roofs. The proposed building would appear significantly bulkier than any other building in the immediate environs and it would have a significant visual impact when viewed from the roadway.

The proposal does not give rise to significant issues in terms of Policy S6 of the ALPR but as noted above its visual impact would be significant.

In passing it is relevant to note that the proposal would result in the development of a significant area of the existing touring caravan site. The reduction in area of the touring caravan site would reduce opportunity for visitors with touring caravans to stay in the area.

The application does not comply with the council's policies for new housing in the countryside and as such the development is contrary to the development plan. In this instance there are no material considerations that justify granting a planning permission contrary to the provisions of the development plan.

No legal agreement is required.

## Human Rights Implications

The decision to refuse this application has potential implications for the applicant in terms of his entitlement to peaceful enjoyment of his possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying the decision in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. Any interference with the applicant's right to peaceful enjoyment of his possessions by refusal of the present application is in compliance with the Council's legal duties to determine this planning application under the Planning Acts and such refusal constitutes a justified and proportionate control of the use of property in accordance with the general interest and is necessary in the public interest with reference to the Development Plan and other material planning considerations as referred to in the report.

## Equalities Implications

The issues contained in this report fall within an approved category that has been confirmed as exempt from an equalities perspective.

## Decision

The application is Refused

Reason(s) for Decision:

1. That the proposed development is contrary to Policy SC6 of the adopted Angus Local Plan Review 2009 as the application site does not round off or consolidate a building group; does not constitute a gap site; is not a brownfield site; and is not located in a Category 2 Rural Settlement Unit. In addition the proposal is contrary to Schedule 2: Countryside Housing Criteria as the site is not self-contained and as it exceeds the maximum permitted plot size.



Notes

Case Officer: Ruari Kelly  
Date: 08.05.2014

## Appendix 1

### Development Plan Policies

#### Angus Local Plan Review 2009

##### Policy S1 : Development Boundaries

(a) Within development boundaries proposals for new development on sites not allocated on Proposals Maps will generally be supported where they are in accordance with the relevant policies of the Local Plan.

(b) Development proposals on sites outwith development boundaries (i.e. in the countryside) will generally be supported where they are of a scale and nature appropriate to the location and where they are in accordance with the relevant policies of the Local Plan.

(c) Development proposals on sites contiguous with a development boundary will only be acceptable where there is a proven public interest and social, economic or environmental considerations confirm there is an overriding need for the development which cannot be met within the development boundary.

##### Policy S3 : Design Quality

A high quality of design is encouraged in all development proposals. In considering proposals the following factors will be taken into account:-

- \* site location and how the development fits with the local landscape character and pattern of development;
- \* proposed site layout and the scale, massing, height, proportions and density of the development including consideration of the relationship with the existing character of the surrounding area and neighbouring buildings;
- \* use of materials, textures and colours that are sensitive to the surrounding area; and
- \* the incorporation of key views into and out of the development.

Innovative and experimental designs will be encouraged in appropriate locations.

##### Policy S6 : Development Principles (Schedule 1)

Proposals for development should where appropriate have regard to the relevant principles set out in Schedule 1 which includes reference to amenity considerations; roads and parking; landscaping, open space and biodiversity; drainage and flood risk, and supporting information.

##### Schedule 1 : Development Principles

###### Amenity

(a) The amenity of proposed and existing properties should not be affected by unreasonable restriction of sunlight, daylight or privacy; by smells or fumes; noise levels and vibration; emissions including smoke, soot, ash, dust, grit, or any other environmental pollution; or disturbance by vehicular or pedestrian traffic.

(b) Proposals should not result in unacceptable visual impact.

(c) Proposals close to working farms should not interfere with farming operations, and will be expected to accept the nature of the existing local environment. New houses should not be sited within 400m of an existing or proposed intensive livestock building. (Policy

ER31).

#### Roads/Parking/Access

- (d) Access arrangements, road layouts and parking should be in accordance with Angus Council's Roads Standards, and use innovative solutions where possible, including 'Home Zones'. Provision for cycle parking/storage for flatted development will also be required.
- (e) Access to housing in rural areas should not go through a farm court.
- (f) Where access is proposed by unmade/private track it will be required to be made-up to standards set out in Angus Council Advice Note 17 : Miscellaneous Planning Policies. If the track exceeds 200m in length, conditions may be imposed regarding widening or the provision of passing places where necessary.
- (g) Development should not result in the loss of public access rights. (Policy SC36)

#### Landscaping / Open Space / Biodiversity

- (h) Development proposals should have regard to the Landscape Character of the local area as set out in the Tayside Landscape Character Assessment (SNH 1998). (Policy ER5)
- (i) Appropriate landscaping and boundary treatment should be an integral element in the design and layout of proposals and should include the retention and enhancement of existing physical features (e.g. hedgerows, walls, trees etc) and link to the existing green space network of the local area.
- (j) Development should maintain or enhance habitats of importance set out in the Tayside Local Biodiversity Action Plan and should not involve loss of trees or other important landscape features or valuable habitats and species.
- (k) The planting of native hedgerows and tree species is encouraged.
- (l) Open space provision in developments and the maintenance of it should be in accordance with Policy SC33.

#### Drainage and Flood Risk

- (m) Development sites located within areas served by public sewerage systems should be connected to that system. (Policy ER22)
- (n) Surface water will not be permitted to drain to the public sewer. An appropriate system of disposal will be necessary which meets the requirements of the Scottish Environment Protection Agency (SEPA) and Angus Council and should have regard to good practice advice set out in the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland 2000.
- (o) Proposals will be required to consider the potential flood risk at the location. (Policy ER28)
- (p) Outwith areas served by public sewerage systems, where a septic tank, bio-disc or similar system is proposed to treat foul effluent and /or drainage is to a controlled water or soakaway, the consent of SEPA and Angus Council will be required. (Policy ER23).
- (q) Proposals should incorporate appropriate waste recycling, segregation and collection facilities (Policy ER38)
- (r) Development should minimise waste by design and during construction.

#### Supporting Information

- (s) Where appropriate, planning applications should be accompanied by the necessary supporting information. Early discussion with Planning and Transport is advised to determine the level of supporting information which will be required and depending on the proposal this might include any of the following: Air Quality Assessment; Archaeological Assessment; Contaminated Land Assessment; Design Statement; Drainage Impact Assessment; Environmental Statement; Flood Risk Assessment; Landscape Assessment and/or Landscaping Scheme; Noise Impact Assessment; Retail

Impact Assessment; Transport Assessment.

Policy SC6 : Countryside Housing New Houses

(a) Building Groups – One new house will be permitted within an existing building group where proposals meet Schedule 2 : Countryside Housing Criteria and would round off or consolidate the group.

(b) Gap Sites – In Category 1 RSU's a single new house will be permitted on a gap site with a maximum road frontage of 50 metres; and in Category 2 RSU's up to two new houses will be permitted on a gap site with a maximum road frontage of 75 metres. Proposals must meet Schedule 2 : Countryside Housing Criteria as appropriate.

(c) Rural Brownfield Sites – Redevelopment of redundant rural brownfield sites will be encouraged where they would remove dereliction or result in a significant environmental improvement. A statement of the planning history of the site/building, including the previous use and condition, must be provided to the planning authority. In addition, where a site has been substantially cleared prior to an application being submitted, or is proposed to be cleared, a statement by a suitably qualified professional justifying demolition must also be provided. Proposals should be small scale, up to a maximum of four new houses and must meet Schedule 2 : Countryside Housing Criteria as appropriate.

Exceptionally this may include new build housing on a nearby site where there is a compelling environmental or safety reason for removing but not redeveloping the brownfield site.

Large scale proposals for more than four new houses on rural brownfield sites will only be permitted exceptionally where the planning authority is satisfied that a marginally larger development can be acceptably accommodated on the site and it can be demonstrated beyond reasonable doubt that there are social, economic or environmental reasons of overriding public interest requiring such a scale of development in a countryside location.

(d) Open Countryside - Category 2 RSU's - Development of a single house will be supported where Schedule 2 : Countryside Housing Criteria is met.

**DEVELOPMENT BOUNDARIES**

1.29 Angus Council has defined development boundaries around settlements to protect the landscape setting of towns and villages and to prevent uncontrolled growth. The presence of a boundary does not indicate that all areas of ground within that boundary have development potential.

**Development boundaries:**

*Generally provide a definition between built-up areas and the countryside, but may include peripheral areas of open space that are important to the setting of settlements.*

**Policy S1 : Development Boundaries**

**(a) Within development boundaries proposals for new development on sites not allocated on Proposals Maps will generally be supported where they are in accordance with the relevant policies of the Local Plan.**

**(b) Development proposals on sites outwith development boundaries (i.e. in the countryside) will generally be supported where they are of a scale and nature appropriate to the location and where they are in accordance with the relevant policies of the Local Plan.**

**(c) Development proposals on sites contiguous with a development boundary will only be acceptable where there is a proven public interest and social, economic or environmental considerations confirm there is an overriding need for the development which cannot be met within the development boundary.**

**Public interest:** *Development would have benefits for the wider community, or is justifiable in the national interest.*

*Proposals that are solely of*

*commercial benefit to the proposer would not comply with this policy.*

## DESIGN QUALITY

1.37 High quality, people-friendly surroundings are important to a successful development. New development should add to or improve the local environment and should consider the potential to use innovative, sustainable and energy efficient solutions. A well-designed development is of benefit to the wider community and also

provides opportunities to:

- create a sense of place which recognises local distinctiveness and fits in to the local area;
- create high quality development which adds to or improves the local environment and is flexible and adaptable to changing lifestyles;
- create developments which benefit local biodiversity;
- create energy efficient developments that make good use of land
- and finite resources.

1.38 Design is a material consideration in determining planning applications. In all development proposals consideration should be given to the distinctive features and character of the local area. This includes taking account of existing patterns of development, building forms and materials, existing features such as hedgerows, trees, treelines and walls and distinctive landscapes and skylines.

1.39 The preparation of a design statement to be submitted alongside a planning application is encouraged, particularly for major developments or those affecting listed buildings or conservation areas. Early contact with Planning and Transport is recommended so that the requirement for a design statement can be determined.

**Designing Places - A policy statement for Scotland – Scottish Executive 2001** This is the first policy statement on designing places in Scotland and marks the Scottish Executive's determination to raise standards of urban and rural development. Good design is an integral part of a confident, competitive and compassionate Scotland.

Good design is a practical means of achieving a wide range of social, economic and environmental goals, making places that will be successful and sustainable.

### **PAN 68 Design Statements**

Design Statements should explain the design principles on which the development is based and illustrate the design solution.

The PAN explains what a design statement is, why it is a useful tool, when it is required and how it should be prepared and presented.

The aim is to see design statements used more effectively in the planning process and to

### **Policy S3 : Design Quality**

**A high quality of design is encouraged in all development proposals. In considering proposals the following factors will be taken into account:**

- **site location and how the development fits with the local landscape character and pattern of development;**
- **proposed site layout and the scale, massing, height, proportions and density of the development including consideration of the relationship with the existing character of the surrounding area and neighbouring buildings;**
- **use of materials, textures and colours that are sensitive to**
- **the surrounding area; and**
- **the incorporation of key views into and out of the development.**

**Innovative and experimental designs will be encouraged in appropriate locations.**

**DEVELOPMENT PRINCIPLES**

1.44 The principles in Schedule 1 provide a 'checklist' of factors which should be considered where relevant to development proposals. They include amenity considerations; roads and parking; landscaping, open space and biodiversity; drainage and flood risk, and supporting information. The Local Plan includes more detailed policies relating to some principles set out. Not all development proposals will require to comply with all of the principles.

**Policy S6 : Development Principles**

**Proposals for development should where appropriate have regard to the relevant principles set out in Schedule 1 which includes reference to amenity considerations; roads and parking; landscaping, open space and biodiversity; drainage and flood risk, and supporting information.**

**Schedule 1 : Development Principles****Amenity**

- a) The amenity of proposed and existing properties should not be affected by unreasonable restriction of sunlight, daylight or privacy; by smells or fumes; noise levels and vibration; emissions including smoke, soot, ash, dust, grit, or any other environmental pollution; or disturbance by vehicular or pedestrian traffic.
- b) Proposals should not result in unacceptable visual impact.
- c) Proposals close to working farms should not interfere with farming operations, and will be expected to accept the nature of the existing local environment. New houses should not be sited within 400m of an existing or proposed intensive livestock building. (Policy ER31).

**Roads/Parking/Access**

- d) Access arrangements, road layouts and parking should be in accordance with Angus Council's Roads Standards, and use innovative solutions where possible, including 'Home Zones'. Provision for cycle parking/storage for flatted development will also be required.
- e) Access to housing in rural areas should not go through a farm court.
- f) Where access is proposed by unmade/private track it will be required to be made-up to standards set out in Angus Council Advice Note 17: Miscellaneous Planning Policies. If the track exceeds 200m in length, conditions may be imposed regarding widening or the provision of passing places where necessary
- g) Development should not result in the loss of public access rights. (Policy SC36)

**Landscaping / Open Space / Biodiversity**

- h) Development proposals should have regard to the Landscape Character of the local area as set out in the Tayside Landscape Character Assessment (SNH 1998). (Policy ER5)
- i) Appropriate landscaping and boundary treatment should be an integral element in the design and layout of proposals and should include the retention and enhancement of existing physical features (e.g. hedgerows, walls, trees etc) and link to the existing green space network of the local area.
- j) Development should maintain or enhance habitats of importance set out in the Tayside Local Biodiversity Action Plan and should not involve loss of trees or other important landscape features or valuable habitats and species.
- k) The planting of native hedgerows and tree species is encouraged.
- l) Open space provision in developments and the maintenance of it should be in accordance with Policy SC33.

**Drainage and Flood Risk**

- m) Development sites located within areas served by public sewerage systems should be connected to that system. (Policy ER22)
- n) Surface water will not be permitted to drain to the public sewer. An appropriate system of disposal will be necessary which meets the requirements of the Scottish Environment Protection Agency (SEPA) and Angus Council and should have regard to good practice advice set out in the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland 2000.
- o) Proposals will be required to consider the potential flood risk at the location. (Policy ER28)
- p) Outwith areas served by public sewerage systems, where a septic tank, bio-disc or similar system is proposed to treat foul effluent and /or drainage is to a controlled water or soakaway, the consent of SEPA and Angus Council will be required. (Policy ER23).

**Waste Management**

- q) Proposals should incorporate appropriate waste recycling, segregation and collection facilities (Policy ER38).
- r) Development should minimise waste by design and during construction.

**Supporting Information**

- s) (s) Where appropriate, planning applications should be accompanied by the necessary supporting information. Early discussion with Planning and Transport is advised to determine the level of supporting information which will be required and depending on the proposal this might include any of the following: Air Quality Assessment; Archaeological Assessment; Contaminated Land Assessment; Design Statement; Drainage Impact Assessment; Environmental Statement; Flood Risk Assessment; Landscape Assessment and/or Landscaping Scheme; Noise Impact Assessment; Retail Impact Assessment; Transport Assessment.



## New Houses in the Countryside

2.21 The opportunity to build new houses in the Angus countryside has been provided for by successive local plans. Taking account of recent changes to Government policy, the policy continues to allow new housebuilding mainly in locations next to existing houses throughout the rural area. The potential of some available brownfield sites to provide opportunities for net environmental improvement through removal of an eyesore and redevelopment for housing is also recognised, and the policy allows for up to four new houses depending on the size of the site. It should be noted that such sites may also contribute towards diversification of the rural economy, for example through development for business or tourism uses. Policies SC19 : Rural Employment and SC20 : Tourism Development, allow consideration of such proposals. Policy SC6 also continues the provision for single new houses to be built on appropriate sites in the more remote parts of the open countryside.

### Policy SC6 : Countryside Housing – New Houses

**a) Building Groups – One new house will be permitted within an existing building group where proposals meet Schedule 2 : Countryside Housing Criteria and would round off or consolidate the group (page 30).**

**b) Gap Sites – In Category 1 RSUs a single new house will be permitted on a gap site with a maximum road frontage of 50 metres; and in Category 2 RSUs up to two new houses will be permitted on a gap site with a maximum road frontage of 75 metres. Proposals must meet Schedule 2 : Countryside Housing Criteria as applicable (page 30).**

**c) Rural Brownfield Sites – Redevelopment of redundant rural brownfield sites will be encouraged where they would remove dereliction or result in a significant environmental improvement. A statement of the planning history of the site/building, including the previous use and condition, must be provided to the planning authority. In addition, where a site has been substantially cleared prior to an application being submitted, or is proposed to be cleared, a statement by a suitably qualified professional justifying demolition must also be provided. Proposals should be small scale, up to a maximum of four new houses and must meet Schedule 2: Countryside Housing Criteria as applicable (page 30).**

**Exceptionally this may include new build housing on a nearby site where there is a compelling environmental or safety reason for removing but not redeveloping the brownfield site.**

**Large scale proposals for more than four new houses on rural brownfield sites will only be permitted exceptionally where the planning authority is satisfied that a marginally larger development can be acceptably accommodated on the site and it**

#### **Gap Sites:**

*The space between the curtilages of two dwellings or between the curtilage of one dwelling and a metalled road – ie. a stone surface with a hard, crushed rock or stone surface as a minimum. The site should have established boundaries on three sides*

#### **Building Group:**

*A group of at least 3 closely related existing dwellings or buildings capable of conversion for residential use under Policy SC5. The building group will require to have a sense of containment (defined below).*

#### **Sense of Containment:**

*A sense of containment is contributed to by existing, physical boundaries such as landform, buildings, roads, trees, watercourses, or long established means of enclosure such as stone walls. Fences will not normally be regarded as providing a suitable boundary for the purposes of this definition unless they can be demonstrated to define long standing and established boundaries as evidenced by historic OS maps. Any boundaries artificially created to provide a sense of containment will not be acceptable.*

#### **Rural brownfield :**

*Brownfield Sites are broadly defined as sites that have previously been developed. In rural area this usually means sites that are occupied by redundant or unused buildings*

can be demonstrated beyond reasonable doubt that there are social, economic or environmental reasons of overriding public interest requiring such a scale of development in a countryside location.

d) Open Countryside - Category 2 RSUs - Development of a single house will be supported where Schedule 2 : Countryside Housing Criteria is met (page 30).

## Schedule 2 : Countryside Housing Criteria

In addition to taking account of the provisions of the General Policies including Policy S6: Development Principles, and the associated Schedule 1, all countryside housing proposals should meet the following criteria as applicable (except where specific exclusions are set out). Development proposals should :

- a) be on self-contained sites and should not set a precedent or open up further areas for similar applications; (does not apply to proposals for conversion under Policy SC5, rural brownfield sites under Policy SC6(c) or essential worker houses under Policy SC7)
- b) meet the plot size requirements; (does not apply to proposals for conversion under Policy SC5, or new country house proposals under Policy SC8)
- c) not extend ribbon development;
- d) not result in the coalescence of building groups or of a building group with a nearby settlement;
- e) have regard to the rural character of the surrounding area and not be urban in form and/or appearance;
- f) provide a good residential environment, including useable amenity space/private garden ground, and adequate space between dwellings whilst retaining the privacy of adjacent properties. Angus Council's Advice Note 14 - Small Housing Sites provides guidance on minimum standards in relation to private amenity space and distance between dwellings which will be acceptable for proposals involving between one and four dwellings on sites within existing built up areas. In countryside areas it will commonly be expected that these standards should be greater than the minimum having regard to the nature of the location. The extension of property curtilage in relation to proposals for renovation or conversion of existing buildings may be permitted in line with Angus Council's Advice Note 25 – Agricultural Land to Garden Ground.
- g) be acceptable in relation to the cumulative effect of development on local community infrastructure including education provision;
- h) not adversely affect or be affected by farming or other rural business activities(may not apply to proposals for essential worker houses related to the farm or business under Policy SC7);
- i) not take access through a farm court (may not apply to proposals for essential worker houses for farm workers under Policy SC7);

or where the land has been significantly degraded by a former activity.

PAN 73 : Rural Diversification  
Feb 2005

### *Self – contained sites:*

*The whole site must be fully occupied by a single plot which meets the plot size requirements. Sites must not breach field boundaries and should have existing, physical boundaries such as landform, buildings, roads, trees, watercourses, or long established means of enclosure, such as stone walls. Fences will not normally be regarded as providing a suitable boundary for the purposes of this definition unless they can be demonstrated to define long standing and established boundaries as evidenced by historic OS maps. Plots which have been artificially created will not be acceptable.*

### *Plot size requirements:*

*Category 1 RSUs : between 0.08ha (800m<sup>2</sup>) and 0.2ha (2000m<sup>2</sup>)*

*Category 2 RSUs : between 0.06ha (600m<sup>2</sup>) and 0.4ha (4000m<sup>2</sup>)*

*The size of the footprint of the dwelling, including contiguous buildings, will depend on local circumstances including the size of the plot and the character of the surrounding area. Where a plot is created by sub-division of an existing plot, both the original and new plot must comply with the plot size requirements.*

### *Ribbon development :*

*A string of three or more houses along a metalled road – ie. a road with a hard, crushed rock stone surface as a minimum.*

- j) not require an access road of an urban scale or character. The standard of an access required to serve a development will give an indication of the acceptability of the scale of the development in a rural location, e.g. where the roads standards require a fully adoptable standard of road construction with street lighting and is urban in appearance it is likely that the development proposals will be too large; and
- k) make provision for affordable housing in line with Policy SC9 : Affordable Housing.

**Essential Worker Housing**

2.22 The local plan policies provide significant opportunities for new residential accommodation to be provided in rural areas. In addition a new house may be permitted where it is required for the management of land, or for family purposes related to the management of land (retired farmers and/or their spouses), or in relation to another form of rural business where all other options have been investigated and dismissed. These options include the conversion or renovation of an existing property on the same landholding, availability of accommodation in a settlement in close proximity to the location, the existence of a valid planning permission for a dwelling which has not been taken up, and development of a new house on a site which would comply with Policy SC6. These options will have the benefit of not being subject to occupancy conditions.

**Essential Worker:**  
*A full time worker required by the operational needs of a farm or rural business to live in close proximity to their place of work for reasons of security or animal welfare or similar.*

2.23 To obtain support under Policy SC7 it is expected that the agricultural unit will be of a sufficient size to demonstrate long term viability. Small units will not normally be acceptable to justify a house. Where a new business is proposed it may be that temporary accommodation only will be acceptable pending demonstration of the viability of the business venture.

**Policy SC7 : Essential Worker Housing**

**Proposals for a house for an essential worker will only be supported where:**

- a) All alternatives have been demonstrated to be inappropriate, and a new house is the only option;
- b) There is no evidence of houses or plots having been sold off from the landholding in the past five years;
- c) Supporting evidence is provided that there is a functional requirement for the person to live at their place of work, which must be a viable agricultural unit or an existing business which has been established for at least 1 year. Where the proposal is for a house related to a proposed rural business the submission of adequate supporting information will be required, including a business plan, to establish that the business is genuine and viable.
- d) The site forms part of the landholding where the worker is employed.
- e) Schedule 2 : Countryside Housing Criteria is met as applicable (page 30).

**Applicants will be required to enter into a Section 75 Agreement to ensure the property continues to meet the needs of an essential worker.**

**A new house for a retired farmer and/or their spouse may also be permitted where parts a), b) and e) of this policy are met, and the site forms part of the existing landholding.**

**ANGUS COUNCIL**

**COMMUNITIES  
PLANNING & PLACE**

**CONSULTATION SHEET**

PLANNING APPLICATION NO

<b>13/01149/FULL</b>
----------------------

Tick boxes as appropriate

ROADS

No Objection

Interest

(Comments to follow within 14 days)

Date

6	1	14
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**PLEASE DO NOT TAKE AWAY THE LAST SET OF PLANS WHERE POSSIBLE COPIES WILL BE PROVIDED ON REQUEST**

**ELECTRONIC SUBMISSION DRAWINGS TO BE VIEWED VIA IDOX**



23/01/2014

Angus Council  
Angus House Orchardbank Business Park  
Forfar  
Angus  
DD8 1AX

**SCOTTISH WATER**

Customer Connections  
The Bridge  
Buchanan Gate Business Park  
Cumbernauld Road  
Stepps  
Glasgow  
G33 6FB

Customer Support Team  
T: 0141 414 7660  
W: [www.scottishwater.co.uk](http://www.scottishwater.co.uk)  
E: [individualconnections@scottishwater.co.uk](mailto:individualconnections@scottishwater.co.uk)

Dear Sir Madam

**PLANNING APPLICATION NUMBER: 13/01149/FULL**  
**DEVELOPMENT: Carnoustie Barry**  
**OUR REFERENCE: 647683**  
**PROPOSAL: Erection of New House and Boundary wall.**

**Please quote our reference in all future correspondence**

In terms of planning consent, Scottish Water does not object to this planning application. However, please note that any planning approval granted by the Local Authority does not guarantee a connection to our infrastructure. Approval for connection can only be given by Scottish Water when the appropriate application and technical details have been received.

Lintrathen Water Treatment Works currently has capacity to service this proposed development.

In some circumstances it may be necessary for the Developer to fund works on existing infrastructure to enable their development to connect. Should we become aware of any issues such as flooding, low pressure, etc the Developer will be required to fund works to mitigate the effect of the development on existing customers. Scottish Water can make a contribution to these costs through Reasonable Cost funding rules.

A totally separate drainage system will be required with the surface water discharging to a suitable outlet. Scottish Water requires a sustainable urban drainage system (SUDS) as detailed in Sewers for Scotland 2 if the system is to be considered for adoption.

If the connection to public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s). This should be done through a deed of servitude.

Should the developer require information regarding the location of Scottish Water infrastructure they should contact our Property Searches Department, Bullion House, Dundee, DD2 5BB. Tel – 0845 601 8855.

If the developer requires any further assistance or information on our response, please contact me on the above number or alternatively additional information is available on our website: [www.scottishwater.co.uk](http://www.scottishwater.co.uk).

Yours faithfully

**Stephen Scully**

Customer Connections Administrator

Tel: 0141 355 <insert extension>

Stephen.Scully@scottishwater.co.uk

AC5

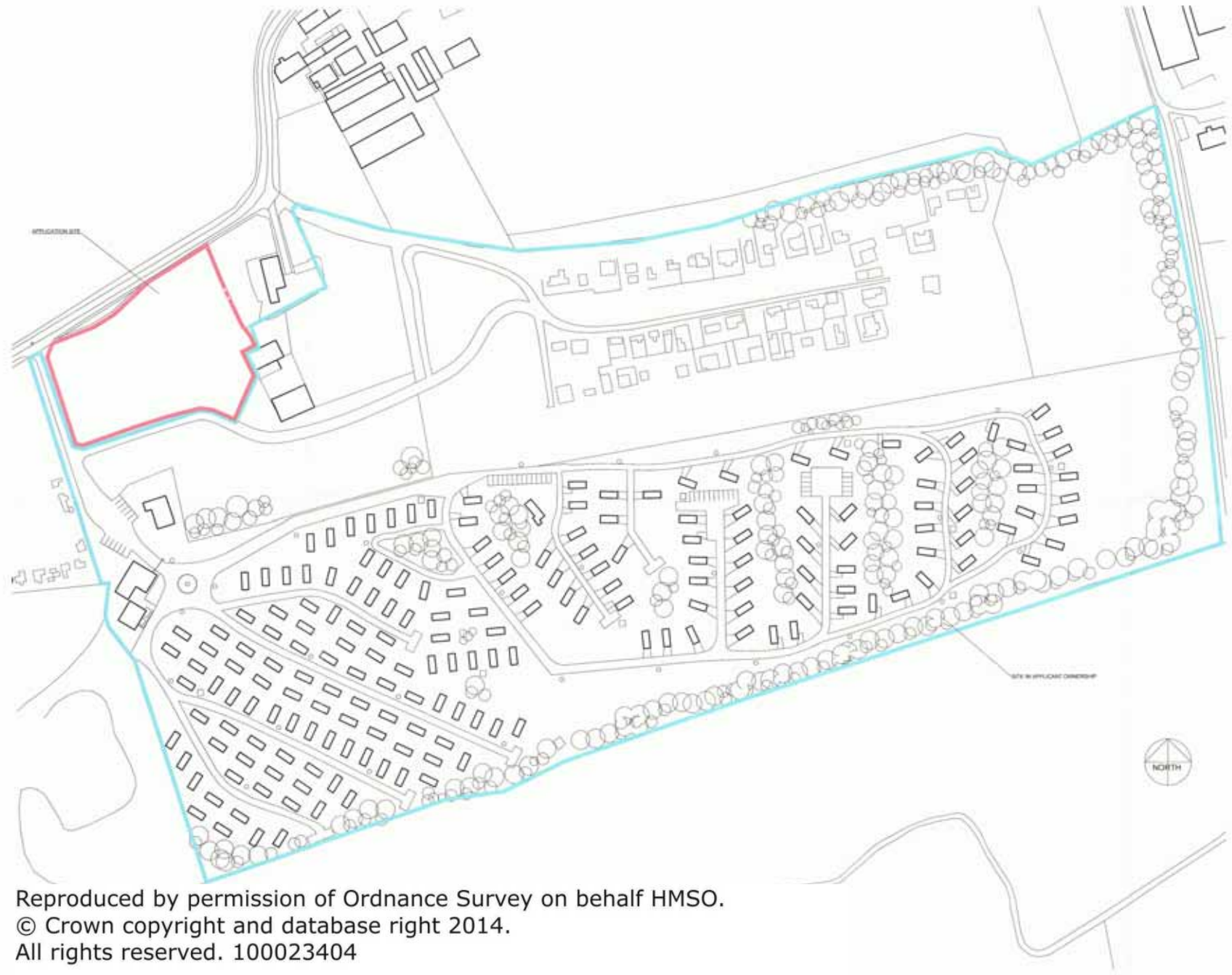


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REVISIONS

D		
C		
B		
A		
Rev	Description	Date

**brinton DESIGNSTUDIO**

46 Dundee Street, Garmouth DE17 7JH  
 Telephone: 01341 888100  
 Facsimile: 01341 888104  
 E-mail: enquiries@brintondesignstudio.co.uk  
 Web: www.brintondesignstudio.co.uk

Client: **SHORELINE MANAGEMENT LTD**

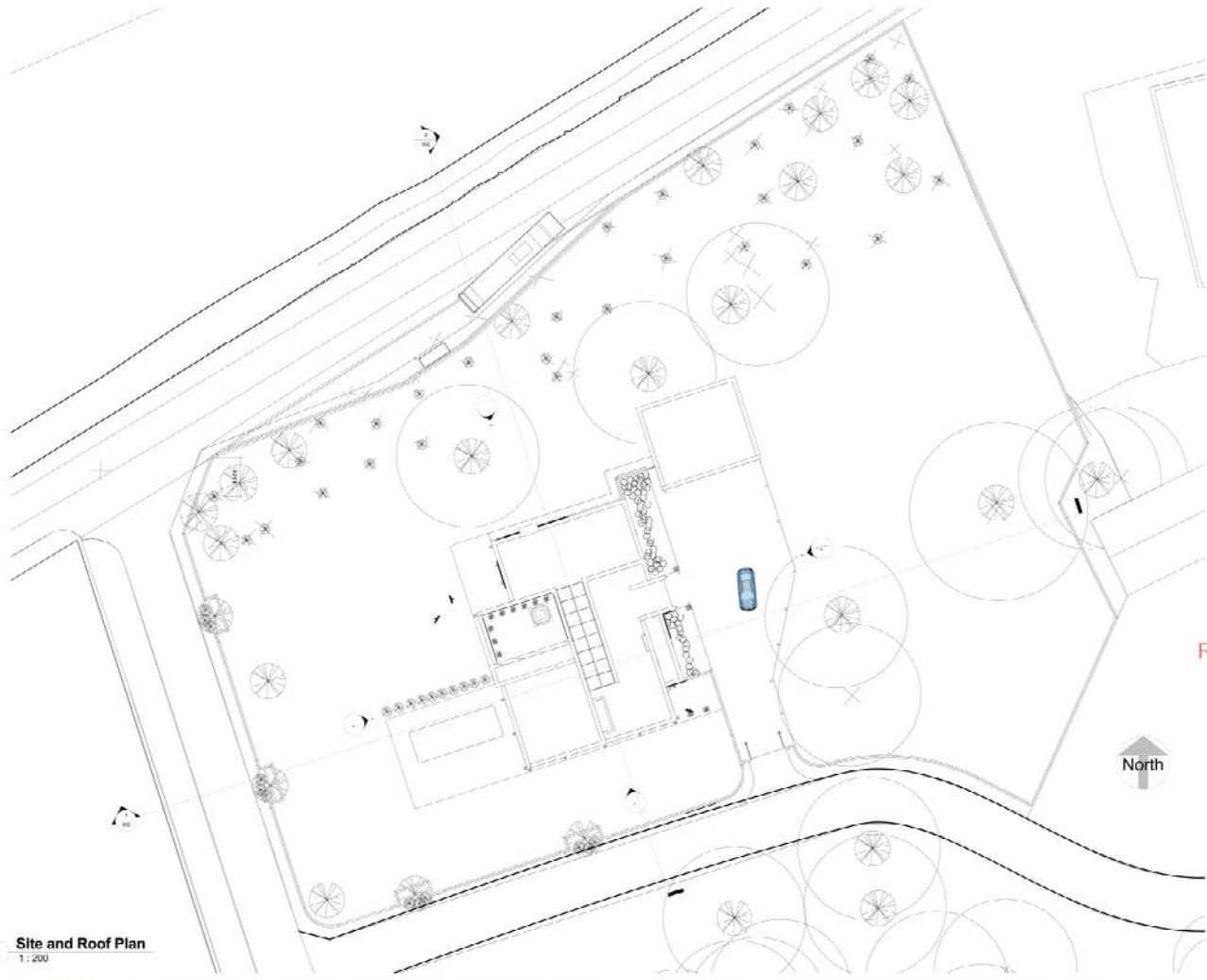
Project: **Barry Down Caravan Park**

Drawing title: **Site Plan**

Job no. 1710 Scale 1:1000

Drawn by: 007 Rev: LF

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Refused



1 Site and Roof Plan  
1:200

No.	Description	Date
1	SHORELINE MANAGEMENT LTD	
2	NEW HOUSE BARRY DOWNS	
3	SITE PLAN	

Scale: 1:200  
1710 D 004

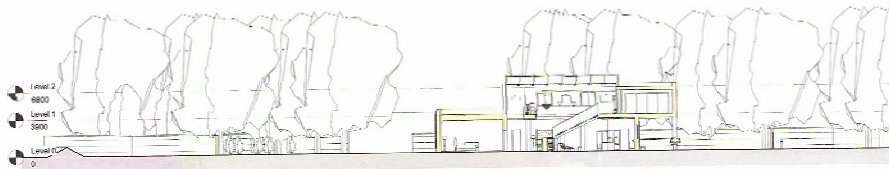
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www.bruntondesign.com  
a: design studio, 25 dunelmahon, camoude, dd7 7ew  
t: 01291 888162 f: 01291 888161  
e: enquiries@bruntondesign.com



**REFUSED**



**1 Section 1**  
1:200



**2 Section 2**  
1:200

**REFUSED**



**3 Section 3**  
1:100



**4 Section 4**  
1:100

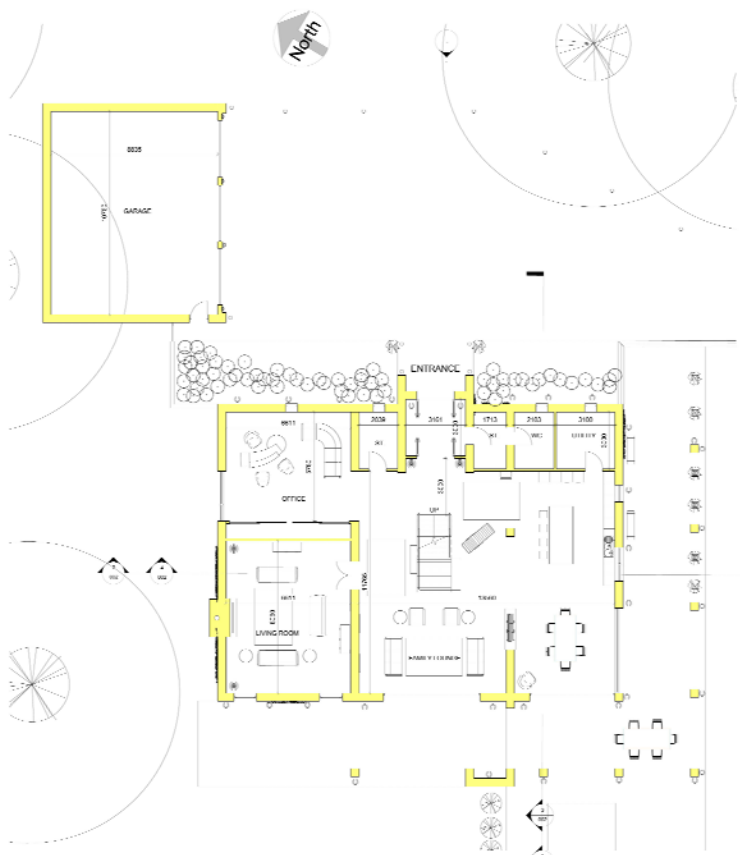
REV	Description	Date

Client: SHORELINE MANAGEMENT I M

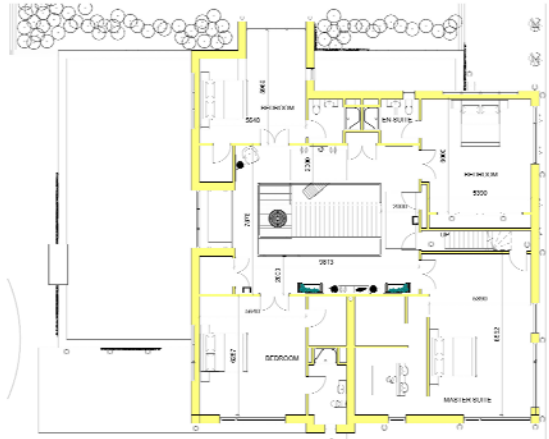
Project: NEW HOUSE BARRY DOWNS

Section: SECTIONS

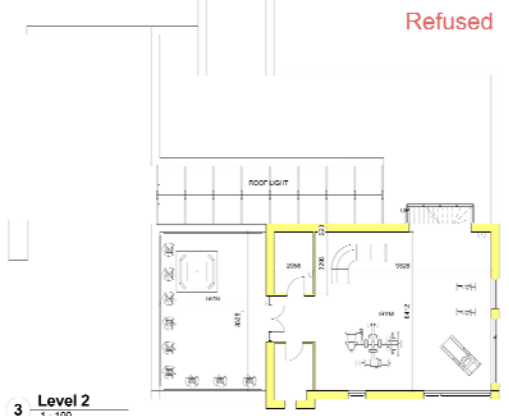
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1 : 100

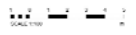


**2 Level 1**  
1 : 100



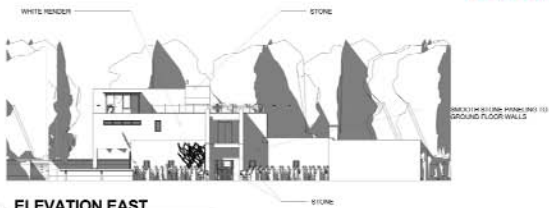
**3 Level 2**  
1 : 100

Refused



NO	Description	Date
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2	NEW HOUSE BARRY DOWNS	
3	PLANS	
1710_D_001		

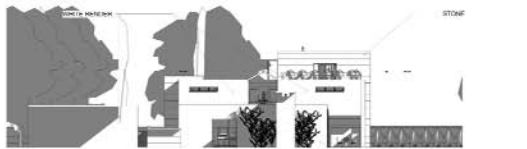
REFUSED



1 ELEVATION EAST  
SCALE 1:100



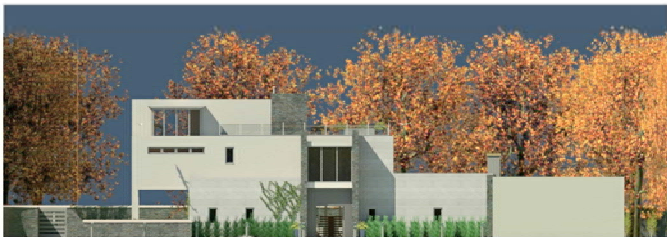
4 ELEVATION WEST  
SCALE 1:100



2 ELEVATION NORTH  
SCALE 1:100



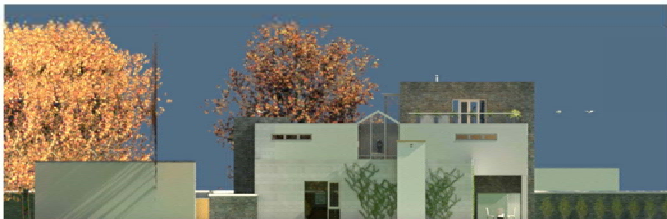
3 ELEVATION SOUTH  
SCALE 1:100



PROPOSED EAST ELEVATION (not to scale)



PROPOSED WEST ELEVATION (not to scale)



PROPOSED NORTH ELEVATION (not to scale)



PROPOSED SOUTH ELEVATION (not to scale)

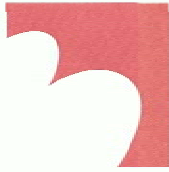
REFUSED

BRUNTON DESIGN  
CHARTERED ARCHITECTS



REV	Description	Date
001	SHORELINE MANAGEMENT LTD	
002	NEW HOUSE BARRY DOWNS	
003	ELEVATIONS	

1710\_D\_003



EXTERNAL VIEW | EAST ELEVATION



EXTERNAL VIEW OF SOUTH AND EAST ELEVATIONS



EXTERNAL VIEW OF PROPOSED HOUSE AND DRIVEWAY



EXTERNAL VIEW | WEST ELEVATION



EXTERNAL VIEW OF WEST AND SOUTH ELEVATIONS



EXTERNAL VIEW OF GATE ENTRANCE TO PROPOSED HOUSE



EXTERNAL VIEW | SOUTH ELEVATION



EXTERNAL VIEW OF WEST AND NORTH ELEVATION



EXTERNAL VIEW OF SOUTH ELEVATION 2



EXTERNAL VIEW | NORTH ELEVATION



EXTERNAL VIEW OF EAST ELEVATION AND HOUSE ENTRANCE

REFUSED

SCANNED  
14 DEC 2023

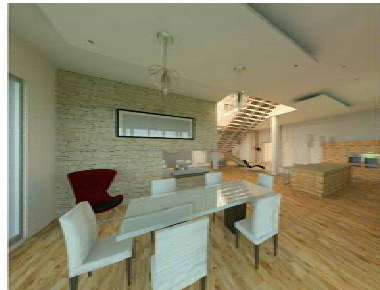
ID	Description	Date
Client	SHORELINE MANAGEMENT Ltd	
Project	NEW HOUSE BARRY DOWNS	
File Name	EXTERNAL VIEWS	
Project Number	1710_D_005	



INTERNAL VIEW | UPPER HALLWAY 1



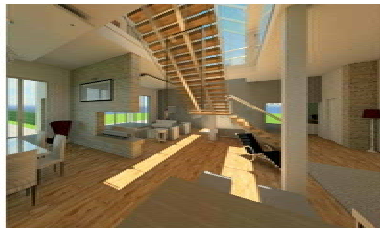
INTERNAL VIEW OF STAIR



INTERNAL VIEW OF DINING AREA 1



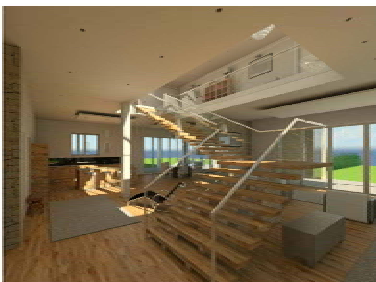
INTERNAL VIEW | UPPER HALLWAY 2



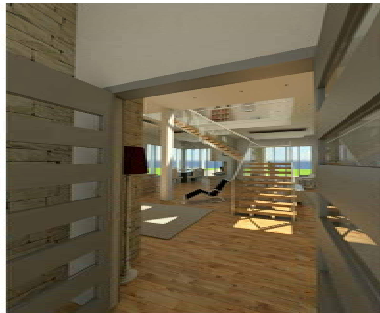
INTERNAL VIEW FROM KITCHEN



INTERNAL VIEW OF DINING AREA 2



INTERNAL VIEW | GROUND FLOOR OPENING PLAN LIVING AREA



INTERNAL VIEW FROM ENTRANCE

Refused

REV	Description	DATE
01	SHORELINE MANAGEMENT LTD	
02	NEW HOUSE DARBY DOWNS	
03	INTERNAL VIEWS	
1710_D_006		







**AC7**



**AC7**



**AC7**





**AC7**



AC7



**AC7**







**AC7**







**ANGUS COUNCIL****TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
(AS AMENDED)  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT  
PROCEDURE) (SCOTLAND)  
REGULATIONS 2013****PLANNING PERMISSION REFUSAL  
REFERENCE 13/01149/FULL**

To **Shoreline Management Ltd**  
**c/o Brunton Design**  
**95 Dundee Street**  
**Carnoustie**  
**Angus**  
**DD7 7EW**

With reference to your application dated 18 December 2013 for planning permission under the above mentioned Acts and Regulations for the following development, viz.:-

**Erection of New House and Boundary wall. at Barry Downs Holiday Park West Cotside Barry Carnoustie DD7 7SA for Shoreline Management Ltd**

The Angus Council in exercise of their powers under the above mentioned Acts and Regulations hereby **Refuse Planning Permission (Delegated Decision)** for the said development in accordance with the particulars given in the application and plans docqueted as relative hereto in paper or identified as refused on the Public Access portal.

**The reasons for the Council's decision are:-**

- 1 That the proposed development is contrary to Policy SC6 of the adopted Angus Local Plan Review 2009 as the application site does not round off or consolidate a building group; does not constitute a gap site; is not a brownfield site; and is not located in a Category 2 Rural Settlement Unit. In addition the proposal is contrary to Schedule 2: Countryside Housing Criteria as the site is not self-contained and as it exceeds the maximum permitted plot size.

The application has not been subject of variation.

Dated this **12 May 2014**

Iain Mitchell - Service Manager  
Angus Council  
Communities  
Planning  
County Buildings  
Market Street  
FORFAR  
DD8 3LG

**SUPPLEMENTARY INFORMATION****NEW OWNER'S HOUSE AT BARRY DOWNS CARAVAN PARK****SHORELINE MANAGEMENT LTD****MR ANDREW YOUNG****Ref 13/01149/FULL****BUSINESS**

The proposed new house submitted for Full Planning Consent in December 2013 is for the Owner/Director of the Company who run Barry Downs Caravan Park and several other parks throughout the United Kingdom.

It is being built to be the main residence of Mr Andrew Young who currently lives in a house on the site in Barry and has done for the past 8 years.

The proposed house would be an integral part of the site and business and it would not prove an encumbrance or restriction for any consent granted to have a section 75 placed on it to link it to the business. A suitability worded condition could also be attached to consent to achieve the same effect. It is not feasible or desirable for this house and site to be used as a separate dwelling by anyone not linked to the business.

It is the intention that the applicant makes Barry the hub of the applicant's business interest in Scotland. The Company currently have various sites in Scotland and the rest of the UK.

Over the past 8 years, Barry Downs have invested over £1 million in the site, with infrastructural, communal facilities and landscaping. If the applicant is given encouragement through success in this Planning Application, the intention is to invest further significant funds over the next 5 years in communal buildings, further site acquisitions, play equipment and landscaping. The proposed house subject of the application is itself of a value in excess of £1 million, which would provide much needed work for the Local Building Industry in the coming 12 months.

**NEED**

The caravan park runs 24 hours a day, 365 days a year and on site presence is essential to serve those who arrive and those who have emergencies.

This particular business is a family one and the progression is very much like a farming one. The applicant's son is working with the business full time and currently lives with the applicant and his two sisters on site. He is 19 years of age and it is the intention of the applicant to create a separate house for him (the existing one).

The applicant would move to the new house and in due course the other existing houses on the site would be extended and adapted for the father and other siblings. It has always been the understanding of the applicant from the moment he purchased the site 8 years ago, that the area would become his and his family's home. It is only since his application that it has become apparent that his aspiration may now not be possible. The applicant therefore feels he may now have no other option other than to re-locate.

The proposed house, as part of the business, has been designed to reflect the quality of the park, the ethos and imagination of the organisation. It is representative as a flagship for the entire business. It is contemporary in shape and fenestration for that reason. It will be in the forefront of environmentally efficient buildings in Angus with solar and water recovery systems.

Over the past 12 months there have been:

- 10 to 15 calls per day relating to out of hours call outs for breakdowns.
- Arrivals outwith normal hours of 6am – 8pm (7 days per week) requiring booking in.
- The Applicant has had to respond to Emergencies requiring medical attention to the extent even of a death despite resuscitation by the applicant.
- Emergencies requiring tradesmen consistently on a 24 hour basis.

Barry Downs Caravan Park is already one of Angus's biggest tourist attractions and its aim is to enhance that status over the next 5 years. Intention is to 'support' the investment in Dundee and Angus and to assist with bringing business to the area.

**LOCAL PLAN**

“Houses in Open Countryside”

The attached ordnance survey plan shows that part of the ribbon settlement, established over the last 50 years with some of the identified buildings being **much** older.

If, as we believe it should have been, identified in the local plan as a settlement and given a red line, it would not be regarded as “open countryside”. By no stretch of anyone’s imagination could the continuous group of 25 dwelling houses, caravan storage yard, stables and riding school, chicken farm and Barry Downs Caravan park itself be regarded as open countryside. It is a unique one side of the road settlement, well known as such as “Barry Road”. It is defined by natural boundary road and fence and is identifiable.

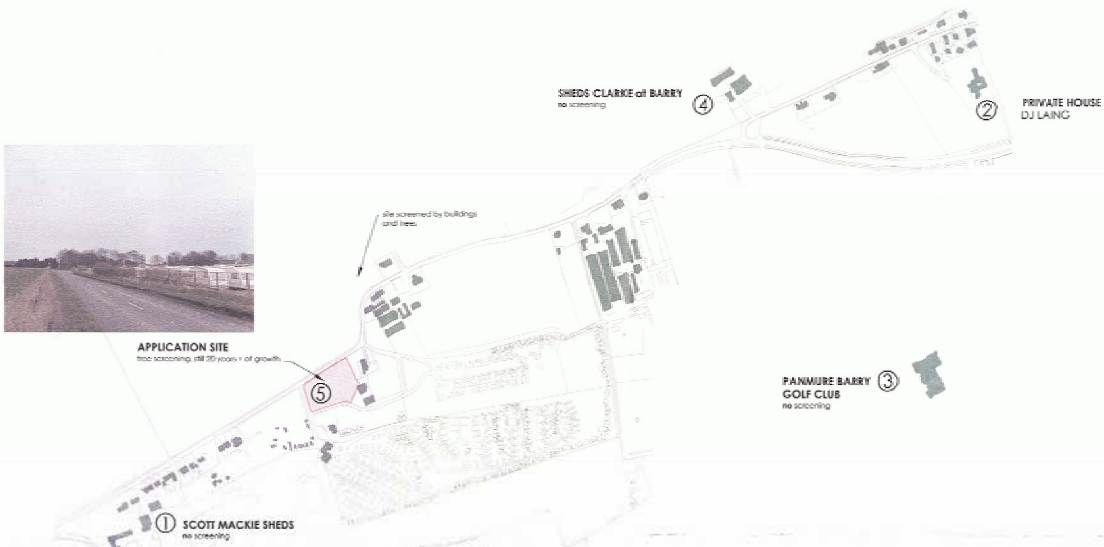
There are prominent buildings in the immediate vicinity, which are **higher** and more **visually exposed** than the proposed house. The house proposed has a flat roof at its highest point which is **lower** than the ridges of other buildings seen in the immediate vicinity.

- The appearance of the dwelling as submitted has to reflect the quality of the site and business. It is oversimplifying and naïve to simply look at the fact there is a room (gymnasium) at 3<sup>rd</sup> floor and regard it as ‘alien’. If a sloping attic roof had been used with dormers it would still be a 3<sup>rd</sup> level. There are many similar farmhouses and estate houses in Angus, which use the same arrangement.
- Incorporate the areas and material quality required as part of client's brief.
- Provide security and a sense of place for the caravan park entrance. Establish a quality entrance.
- Use the existing, established tree planting as a veil to the building's crisp, sharp appearance.
- Repeat colours already present in the Angus Countryside and textured external finishes. Use them in a contemporary way.

There is no design precedent set by this houses' shape and it is the applicant's right to develop his property in this way. Design is a subjective matter and the fear of something being different is not a valid Planning reason to refuse. No objections have been received from any consultee or member of the public.

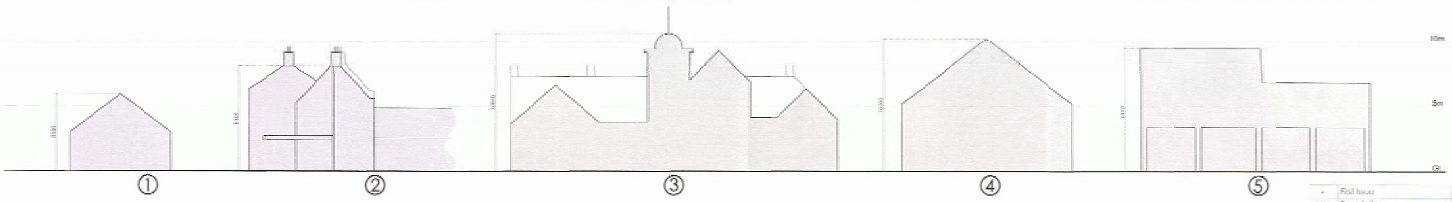
**Brunton Design Studio, March 2014**





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PRELIMINARY



REV	Description	Date	PREPARED BY
client:			Andrew Young
project:			NEW NORTH NEW HOUSE: SARRE DOWN CARAVAN YARD
drawing no:			1710_D_008A

**DEVELOPMENT MANAGEMENT REVIEW COMMITTEE**

**APPLICATION FOR REVIEW**

**BARRY DOWNS HOLIDAY PARK, BARRY, CARNOUSTIE**

**APPLICATION NO 13/01149/FULL**

**APPLICANT'S SUBMISSION**

- ITEM 1.** Notice of Review Form
- ITEM 2.** Copy of Supplementary Plan Profiles and Business Case/Explanation  
Previously sent to the Planning Authority
- ITEM 3.** Plans and Elevations of Proposed House and Location Plan  
  
001 / 002 / 003 / 004 / 005 / 006 / 007 / 008A

## NOTICE OF REVIEW

Under Section 43A(8) Of the Town and Country Planning (SCOTLAND) ACT 1997 (As amended) In Respect of Decisions on Local Developments

The Town and Country Planning (Schemes Delegation and Local Review Procedure) (SCOTLAND) Regulations 2008

The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2008

**IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.**

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://eplanning.scotland.gov.uk>

1. Applicant's Details		2. Agent's Details (if any)	
Title	MR	Ref No.	1710
Forename	ANDREW	Forename	RODGER
Surname	YOUNG	Surname	BRUNTON
Company Name	SHORELINE MANAGEMENT LTD	Company Name	BRUNTON DESIGN STUDIO
Building No./Name	BARRY DOWNS CARAVAN	Building No./Name	95
Address Line 1	PARK	Address Line 1	DUNDEE STREET
Address Line 2	WEST COTSIDE	Address Line 2	
Town/City	BARRY CARNOUSTIE	Town/City	CARNOUSTIE
Postcode	DD7 7SA	Postcode	DD7 7EW
Telephone		Telephone	01241-858153
Mobile		Mobile	07740 621534
Fax	-	Fax	01241-858154
Email	-	Email	rodger@bruntondesign.com
3. Application Details			
Planning authority	ANGUS COUNCIL		
Planning authority's application reference number	13/01149/FULL		
Site address	<div style="border: 1px solid black; padding: 5px; min-height: 80px;">           BARRY DOWNS CARAVAN PARK            WEST COTSIDE            BARRY CARNOUSTIE         </div>		
Description of proposed development	<div style="border: 1px solid black; padding: 5px; min-height: 40px;">           ERECTION OF NEW HOUSE AND BOUNDARY WALL         </div>		

Date of application

18.12.13

Date of decision (if any)

12.5.14

Note. This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

**4. Nature of Application**

- Application for planning permission (including householder application)
- Application for planning permission in principle
- Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)
- Application for approval of matters specified in conditions

**5. Reasons for seeking review**

- Refusal of application by appointed officer
- Failure by appointed officer to determine the application within the period allowed for determination of the application
- Conditions imposed on consent by appointed officer

**6. Review procedure**

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

- Further written submissions
- One or more hearing sessions
- Site inspection
- Assessment of review documents only, with no further procedure

If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

TO FULLY EXPLAIN THE APPLICANT'S CASE THAT THE SITE IS NOT IN THE OPEN COUNTRYSIDE.

**7. Site inspection**

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- Can the site be viewed entirely from public land?
- Is it possible for the site to be accessed safely, and without barriers to entry?

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

THE PARK IS A WORKING AREA WITH MOVING VEHICLES. SOME CARAVAN OWNERS DO NOT LIKE TO SEE 'STRANGERS' UNACCOMPANIED ACCESS AT ANY TIME

### 8. Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

THE APPLICATION HAS BEEN REFUSED BECAUSE OF AN INFLEXIBLE INTERPRETATION OF THE LOCAL PLAN. THERE IS NO PRECEDENT TO BE SET.

- THERE WERE NO OBJECTIONS FROM ANY MEMBER OF THE PUBLIC
- NO OBJECTIONS FROM ANY STATUTORY CONSULTEE
- THERE ARE NO OBJECTIONS FROM PLANNING DEPARTMENTS AS TO THE APPEARANCE OF THE PROPOSED HOUSE.
- THERE ARE NO OVERLOOKING OR PRIVACY ISSUES

THE PLANNING DEPARTMENT SAID THEY COULD SEE WHY WE THINK THE SITE IS NOT "IN THE OPEN COUNTRYSIDE" BUT THEY ARE TIED WITH THE LOCAL PLAN.

WE HOPE THAT THE REVIEW PANEL CAN SEE THE MERITS OF ALLOWING THIS OWNERS HOUSE TO BE BUILT WHICH WILL GIVE WORK TO THE LOCAL BUILDING INDUSTRY AND ALLOW THE APPLICANT TO COMMIT TO LIVING PERMANENTLY HERE WITH HIS BUSINESS

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes  No

If yes, please explain below a) why your are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

Blank area for explanation of new material raised.

**9. List of Documents and Evidence**

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

• LOCATION PLAN, PLANS AND ELEVATIONS OF PROPOSED HOUSE  
• COPY OF SUPPLEMENTARY PLAN PROFILES AND BUSINESS CASE/EXPLANATION PREVIOUSLY SENT TO THE PLANNING AUTHORITY

DRAWINGS SUBMITTED 007 / 008A / 001 / 002 / 003 / 004 / 005 / 006

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

**10. Checklist**

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

- Full completion of all parts of this form
- Statement of your reasons for requesting a review
- All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

**DECLARATION**

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:  Name:  Date:

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

**SUPPLEMENTARY INFORMATION****NEW OWNER'S HOUSE AT BARRY DOWNS CARAVAN PARK****SHORELINE MANAGEMENT LTD****MR ANDREW YOUNG****Ref 13/01149/FULL****BUSINESS**

The proposed new house submitted for Full Planning Consent in December 2013 is for the Owner/Director of the Company who run Barry Downs Caravan Park and several other parks throughout the United Kingdom.

It is being built to be the main residence of Mr Andrew Young who currently lives in a house on the site in Barry and has done for the past 8 years.

The proposed house would be an integral part of the site and business and it would not prove an encumbrance or restriction for any consent granted to have a section 75 placed on it to link it to the business. A suitability worded condition could also be attached to consent to achieve the same effect. It is not feasible or desirable for this house and site to be used as a separate dwelling by anyone not linked to the business.

It is the intention that the applicant makes Barry the hub of the applicant's business interest in Scotland. The Company currently have various sites in Scotland and the rest of the UK.

Over the past 8 years, Barry Downs have invested over £1 million in the site, with infrastructive, communal facilities and landscaping. If the applicant is given encouragement through success in this Planning Application, the intention is to invest further significant funds over the next 5 years in communal buildings, further site acquisitions, play equipment and landscaping. The proposed house subject of the application is itself of a value in excess of £1 million, which would provide much needed work for the Local Building Industry in the coming 12 months.

## **NEED**

The caravan park runs 24 hours a day, 365 days a year and on site presence is essential to serve those who arrive and those who have emergencies.

This particular business is a family one and the progression is very much like a farming one. The applicant's son is working with the business full time and currently lives with the applicant and his two sisters on site. He is 19 years of age and it is the intention of the applicant to create a separate house for him (the existing one).

The applicant would move to the new house and in due course the other existing houses on the site would be extended and adapted for the father and other siblings. It has always been the understanding of the applicant from the moment he purchased the site 8 years ago, that the area would become his and his family's home. It is only since his application that it has become apparent that his aspiration may now not be possible. The applicant therefore feels he may now have no other option other than to re-locate.

The proposed house, as part of the business, has been designed to reflect the quality of the park, the ethos and imagination of the organisation. It is representative as a flagship for the entire business. It is contemporary in shape and fenestration for that reason. It will be in the forefront of environmentally efficient buildings in Angus with solar and water recovery systems.

Over the past 12 months there have been:

- 10 to 15 calls per day relating to out of hours call outs for breakdowns.
- Arrivals outwith normal hours of 6am – 8pm (7 days per week) requiring booking in.
- The Applicant has had to respond to Emergencies requiring medical attention to the extent even of a death despite resuscitation by the applicant.
- Emergencies requiring tradesmen consistently on a 24 hour basis.

Barry Downs Caravan Park is already one of Angus's biggest tourist attractions and its aim is to enhance that status over the next 5 years. Intention is to 'support' the investment in Dundee and Angus and to assist with bringing business to the area.



## LOCAL PLAN

"Houses in Open Countryside"

The attached ordnance survey plan shows that part of the ribbon settlement, established over the last 50 years with some of the identified buildings being **much** older.

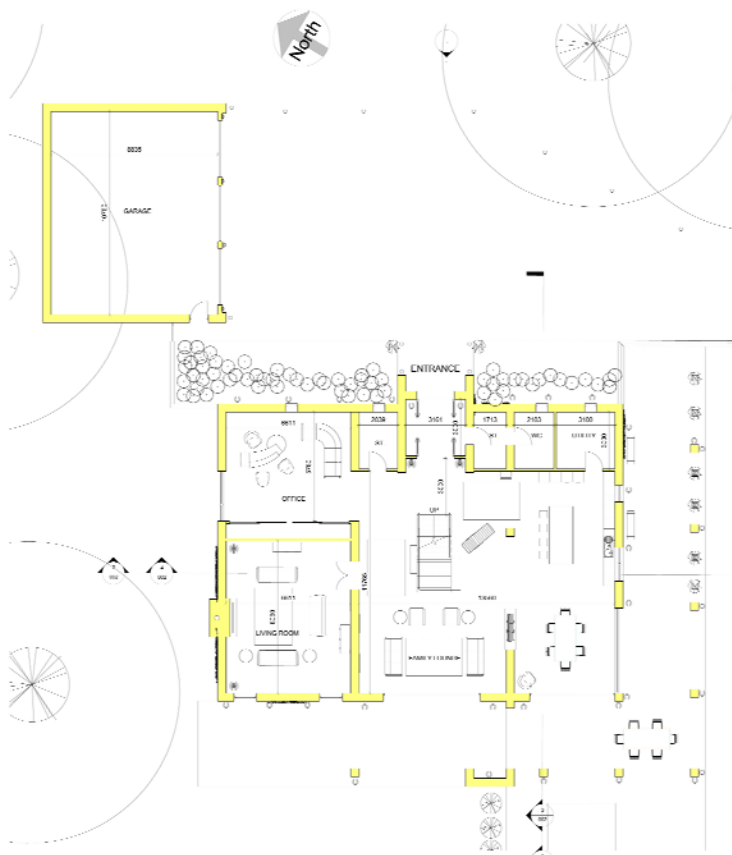
If, as we believe it should have been, identified in the local plan as a settlement and given a red line, it would not be regarded as "open countryside". By no stretch of anyone's imagination could the continuous group of 25 dwelling houses, caravan storage yard, stables and riding school, chicken farm and Barry Downs Caravan park itself be regarded as open countryside. It is a unique one side of the road settlement, well known as such as "Barry Road". It is defined by natural boundary road and fence and is identifiable.

There are prominent buildings in the immediate vicinity, which are **higher** and more **visually exposed** than the proposed house. The house proposed has a flat roof at its highest point which is **lower** than the ridges of other buildings seen in the immediate vicinity.

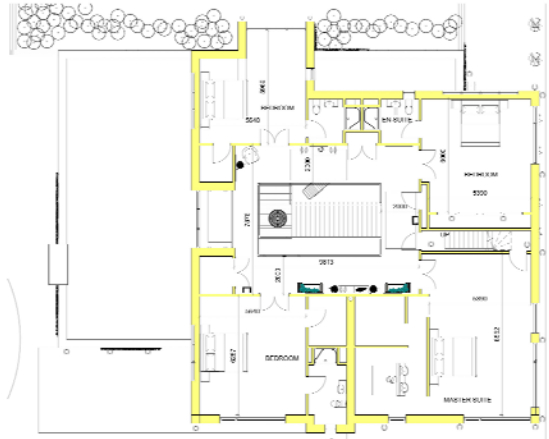
- The appearance of the dwelling as submitted has to reflect the quality of the site and business. It is oversimplifying and naïve to simply look at the fact there is a room (gymnasium) at 3<sup>rd</sup> floor and regard it as 'alien'. If a sloping attic roof had been used with dormers it would still be a 3<sup>rd</sup> level. There are many similar farmhouses and estate houses in Angus, which use the same arrangement.
- Incorporate the areas and material quality required as part of client's brief.
- Provide security and a sense of place for the caravan park entrance. Establish a quality entrance.
- Use the existing, established tree planting as a veil to the building's crisp, sharp appearance.
- Repeat colours already present in the Angus Countryside and textured external finishes. Use them in a contemporary way.

There is no design precedent set by this houses' shape and it is the applicant's right to develop his property in this way. Design is a subjective matter and the fear of something being different is not a valid Planning reason to refuse. No objections have been received from any consultee or member of the public.

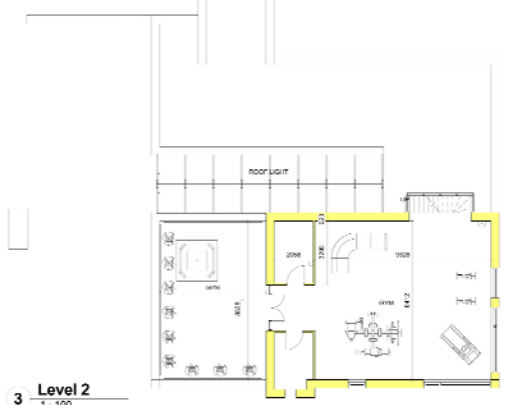
**Brunton Design Studio, March 2014**



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2 Level 1  
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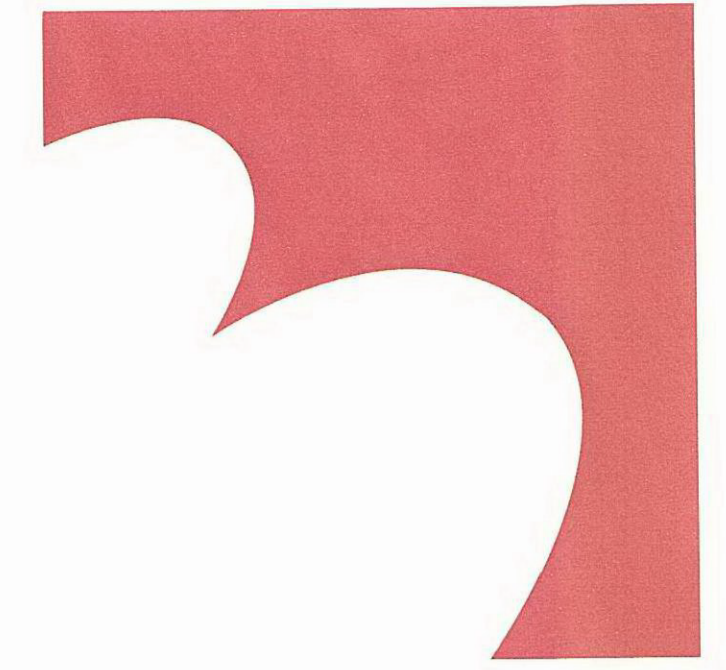


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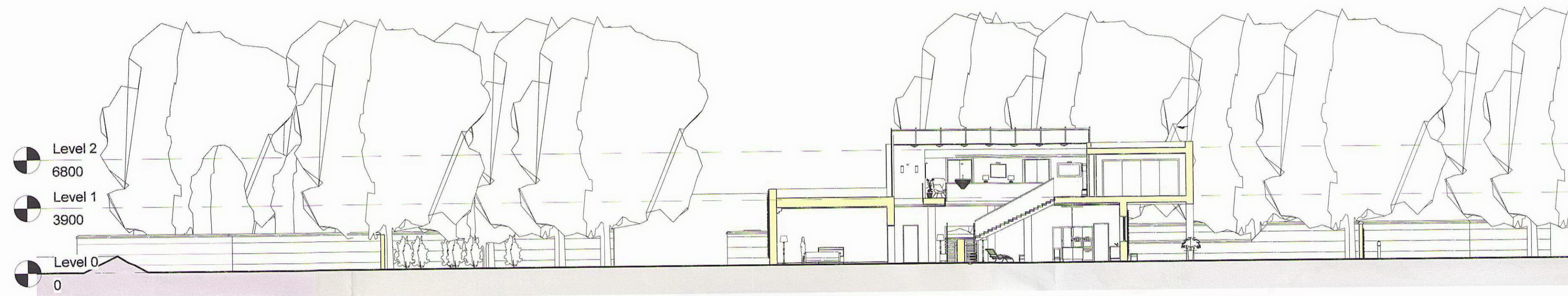


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NO.	DESCRIPTION	DATE															
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NEW HOUSE BARRY DOWNS																	
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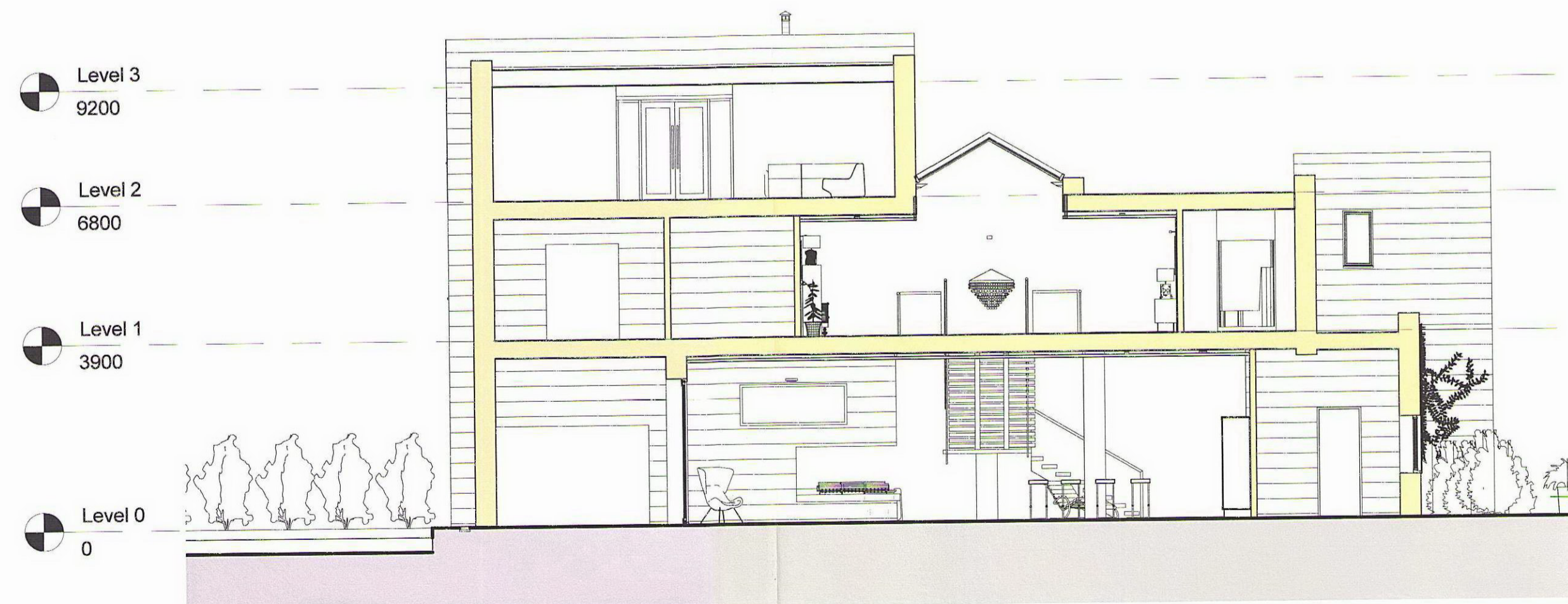
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 • design studio 25 dunstons square, camouls, dd7 7ew  
 • 0141 821133 • 0141 821134  
 • info@bruntondesign.com



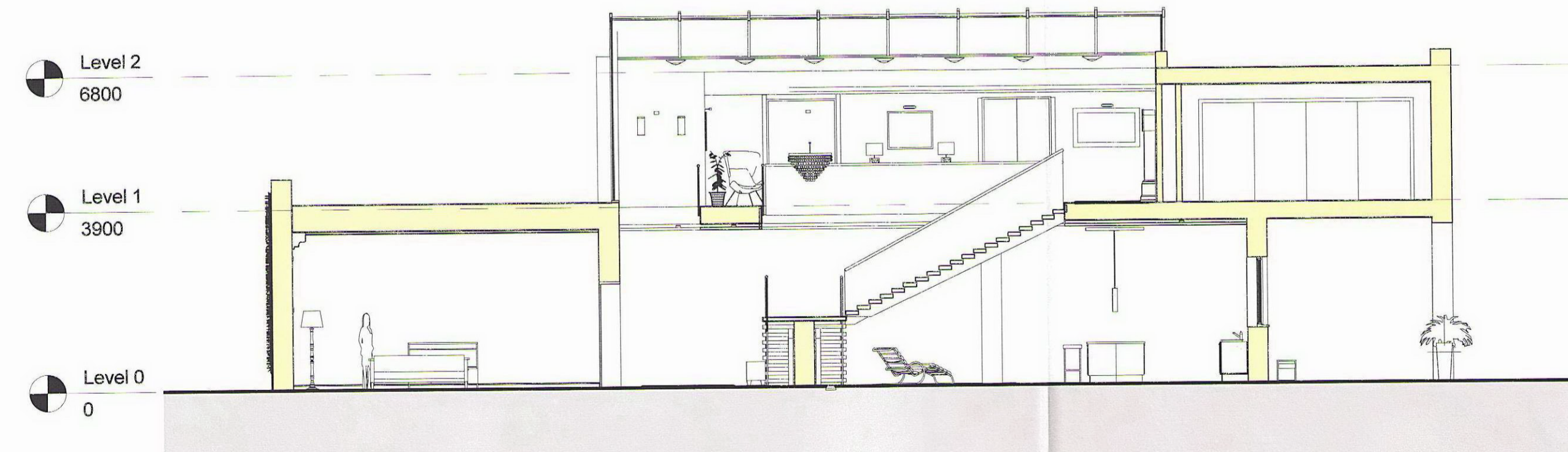
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**2 Section 2**  
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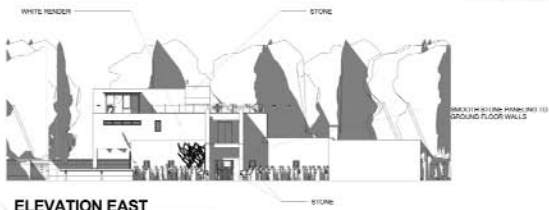
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**4 Section 4**  
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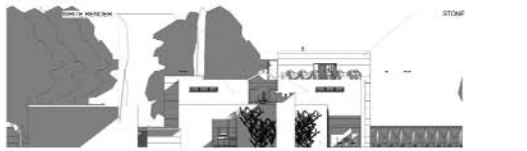
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Project: NEW HOUSE BARRY DOWNS		
Sheet Name: SECTIONS		
Drawing Number: 1710_D_002		



**1 ELEVATION EAST**  
SCALE 1:100



**4 ELEVATION WEST**  
SCALE 1:100



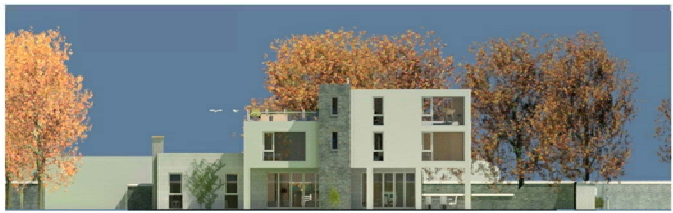
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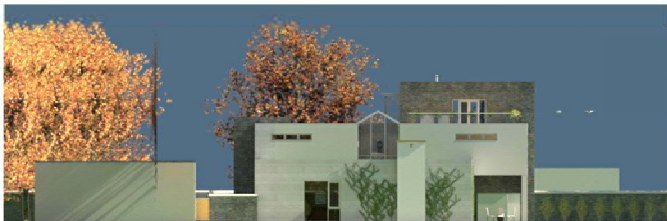
**3 ELEVATION SOUTH**  
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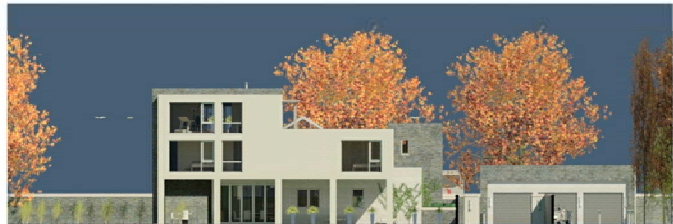
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RENDERED WEST ELEVATION (not to scale)



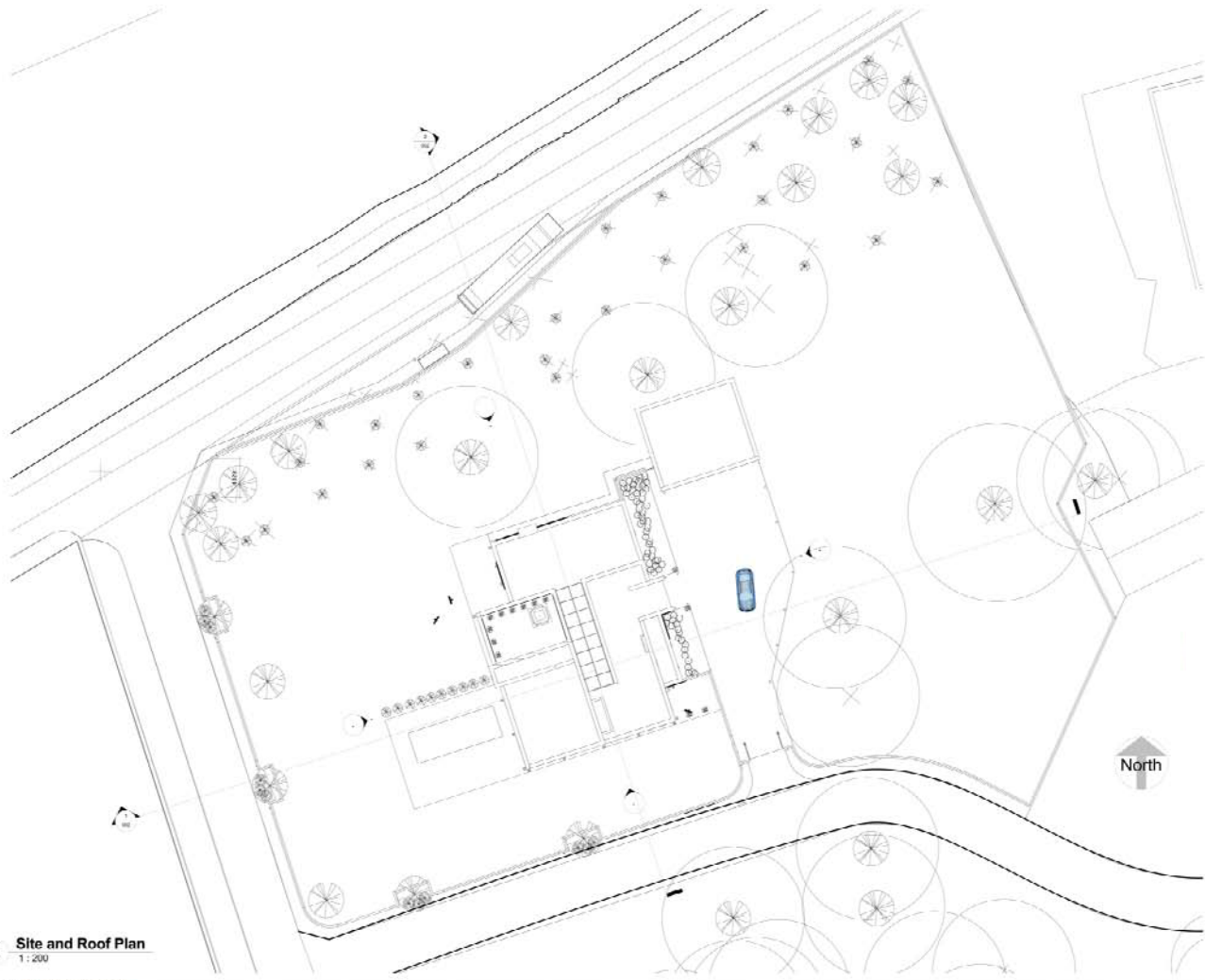
RENDERED NORTH ELEVATION (not to scale)



RENDERED SOUTH ELEVATION (not to scale)



REV	Description	Date
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PROJECT		
NEW HOUSE BARRY DOWNS		
DRAWING		
ELEVATIONS		
1710_D_003		



**1 Site and Roof Plan**  
1 : 200



Rev	Description	Date

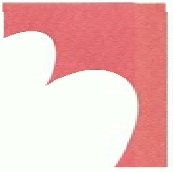
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Project: NEW HOUSE  
BARRY DOWNS

Document: SITE PLAN

Scale: 1:200

Sheet Number: 1710 D 004



EXTERNAL VIEW | EAST ELEVATION



EXTERNAL VIEW OF SOUTH AND EAST ELEVATIONS



EXTERNAL VIEW OF PROPOSED HOUSE AND DRIVEWAY



EXTERNAL VIEW | WEST ELEVATION



EXTERNAL VIEW OF WEST AND SOUTH ELEVATIONS



EXTERNAL VIEW OF GATE ENTRANCE TO PROPOSED HOUSE



EXTERNAL VIEW | SOUTH ELEVATION



EXTERNAL VIEW OF WEST AND NORTH ELEVATION



EXTERNAL VIEW OF SOUTH ELEVATION 2



EXTERNAL VIEW | NORTH ELEVATION



EXTERNAL VIEW OF EAST ELEVATION AND HOUSE ENTRANCE

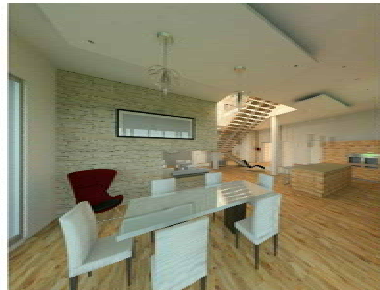
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DRAWING TITLE: EXTERNAL VIEWS		
Drawing Number: 1710_D_005		



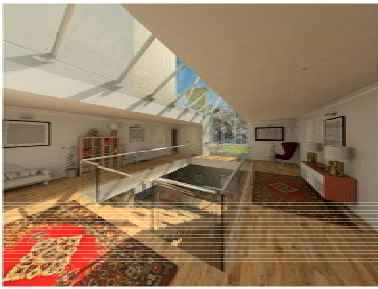
INTERNAL VIEW | UPPER HALLWAY 1



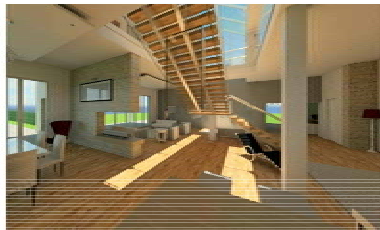
INTERNAL VIEW OF STAIR



INTERNAL VIEW OF DINING AREA 1



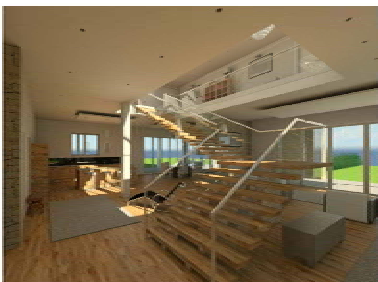
INTERNAL VIEW | UPPER HALLWAY 2



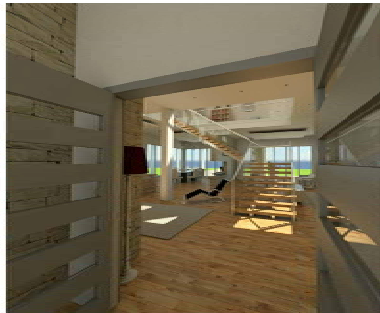
INTERNAL VIEW FROM KITCHEN



INTERNAL VIEW OF DINING AREA 2



INTERNAL VIEW | GROUND FLOOR OPENING PLAN LIVING AREA



INTERNAL VIEW FROM ENTRANCE

REV	Description	DATE
01	SHORELINE MANAGEMENT LTD	
02	NEW HOUSE DARBY DOWNS	
03	INTERNAL VIEWS	
1710_D_006		



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REVISED

D		
C		
B		
A		
Rev	Description	Date

brinton  
DESIGNSTUDIO

88 Dundee Street, Carmarthen SA31 7JH  
 Telephone: 01291 888100  
 Facsimile: 01291 888104  
 E-mail: enquiries@brintondesignstudio.co.uk  
 Web: www.brintondesignstudio.co.uk

Client: **SHORELINE MANAGEMENT LTD**

Project: **Barry Down Caravan Park**

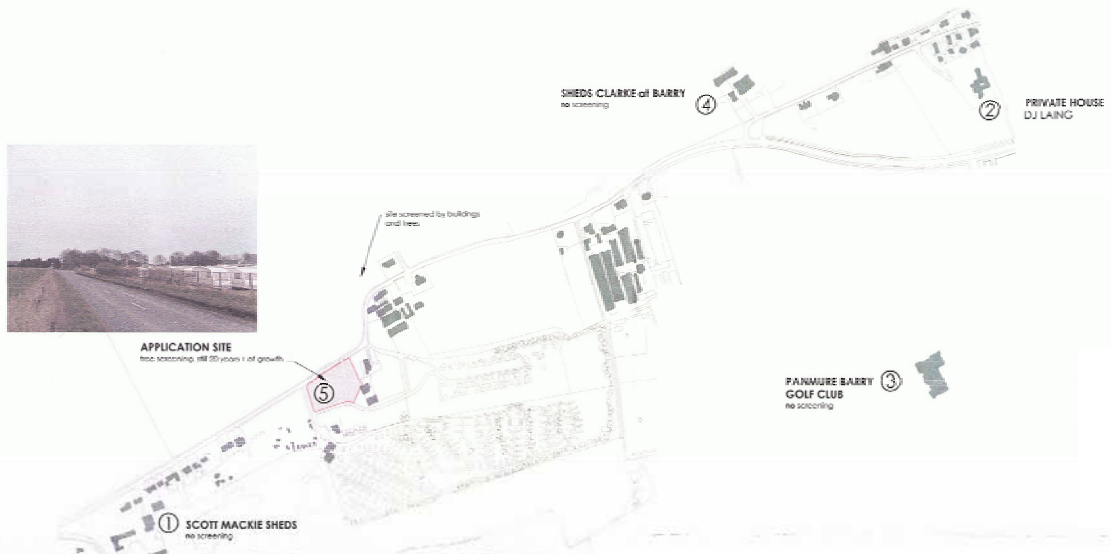
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Job no: 1710      Scale: 1:1000

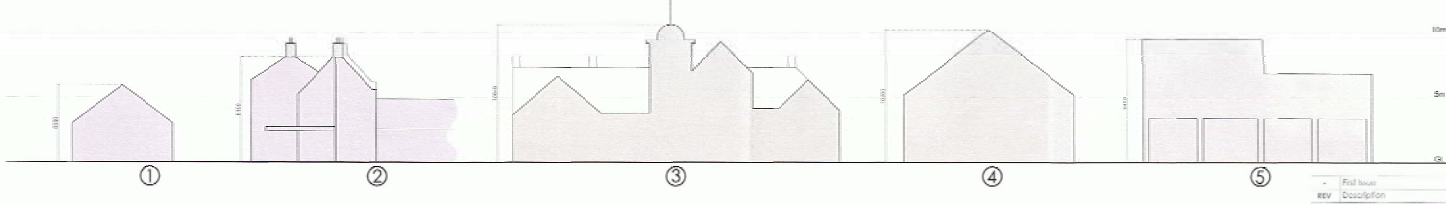
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REV	Description	Date	PREPARED BY
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project:			NEW NORTH NEW HOUSE: SARRE DOWNS CARAVAN YARD.
drawing no:			1710_D_008A