

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 09 MARCH 2021

PLANNING APPLICATION - CARAVAN PARK, SEATON ESTATE, ARBROATH, DD11 5SE

GRID REF:
365634 : 742930

SERVICE LEADER – PLANNING & COMMUNITIES

Abstract:

This report deals with planning application No [20/00829/FULL](#) for works for the formation of 34 static holiday caravan stances and associated access roads (partly retrospective) for Crown Parks Ltd at the site Caravan Park, Seaton Estate, Arbroath. This application is recommended for conditional approval.

1. RECOMMENDATION

It is recommended that the application be approved for the reason and subject to the conditions given in Section 10 of this report.

2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN

This report contributes to the following local outcome(s) contained within the Angus Local Outcomes Improvement Plan and Locality Plans:

- Safe, secure, vibrant and sustainable communities
- A reduced carbon footprint
- An enhanced, protected and enjoyed natural and built environment

3. INTRODUCTION

- 3.1 Planning Permission is sought for the works for the formation of 34 static holiday caravan stances and associated access roads at the Caravan Park, Seaton Estate, Arbroath. A location plan is provided at Appendix 1.
- 3.2 The application site encompasses an area of around 0.9HA of land which is located towards the north east corner of the larger Seaton Estate Caravan Site. The site is bound by trees to the north west and north east, existing caravan pitches and access roads at the south and east, and to the south west by an area of land which is subject to a separate application for planning permission for works associated with the formation of 36 static holiday caravan stances (ref. [20/00652/FULL](#)).
- 3.3 The majority of the site and the adjacent area to the south west benefits from an extant planning permission for 89 static holiday caravan stances and associated access roads. The 34 caravan pitches proposed in this application would cover a similar area to the

northern section of land covered by that planning permission.

- 3.4 The site would be arranged in rows and a cul-de-sac pattern ranging from 4 to 6 caravan pitches. Vehicle access would be taken at the south east by three access points from existing roads within the existing caravan site. Foul water would be discharged into the public sewer via a private pumped drainage system already serving the site. This system connects to the public sewer on Seaton Road to the south. It is proposed to manage surface water via ground filtration.
- 3.5 The application has not been subject to an amendment.
- 3.6 The application was subject of neighbour notification and does not require to be advertised.
- 3.7 The application is part-retrospective, in that site preparation works were undertaken prior to the submission of the application for planning permission.
- 3.8 The application is presented to committee for reasons of good governance. While it is not subject of objection it is closely related to, and inter-related with application [20/00652/FULL](#) which requires to be determined by committee and is a separate item on this agenda.

4. RELEVANT PLANNING HISTORY

- 4.1 Planning permission reference No. 658 was approved in March 1976 and allows use of the land for recreation and leisure purposes, including for the siting of caravans. The permission was not subject of any planning condition that limited the area that could be used for the siting of caravans, that restricted the number of caravans that could be located on the land, or that controlled how caravans could be occupied.
- 4.2 The most recent planning permission (ref: [17/00312/FULL](#)) provided for the development of 89 static holiday caravan stances and associated access roads at an area of land that overlaps much of the combined site areas of the current application and the concurrent [20/00652/FULL](#) application. That planning permission remains extant and allowed for a significant amount of tree works including the felling of 40 trees mainly due to poor tree health or safety.
- 4.3 The planning application for the area to the southwest (ref: [20/00652/FULL](#)) is presented this committee for determination. It provides for the formation of 36 caravan pitches and associated access roads.
- 4.4 The Caravan Site Licence for Seaton Estate Caravan Park (AC/03/2019) which includes the application site allows for 306 residential caravans, 304 static holiday caravans and 25 touring caravans. That licence allows holiday caravans within the site to be occupied between 1 March to 31 January.

5. APPLICANT'S CASE

- 5.1 The applicant has submitted a Covering Letter, Arboriculture Report, Tree Restocking Plan, Drainage Impact Assessment and information relating to access roads and removal of bunded earth to the north of the site. Those can be viewed on the [Public Access](#) website but are summarised below.
- 5.2 The Covering Letter provides an overview of the background of the proposal and the

need for phasing the two planning applications across the site to allow time for the preparation of the arboriculture report for the north section.

- 5.3 The Arboriculture Report provides an appraisal of mature tree cover at the application site and surrounding areas. The report is supported by a Tree Constraints Plan and Tree Assessment Plan. The report brief is to obtain details of the tree population on site with a view to assessing any arboriculture constraints. Recommendations are provided on matters including tree removal, replanting and the impacts of the laying of hard surfaces and soil compaction on Root Protection Areas. The report summarises that extensive ground works have taken place throughout the site which has resulted in damage to a number of trees. Many of these trees were already in decline due to historic damage and age-related issues. The report indicates that extensive tree safety works are required across the site.
- 5.4 The Tree Restocking Plan provided by the applicant shows four areas of replanting proposed at the south east and north east boundaries of the combined application sites.
- 5.5 The Soft Landscape Proposals & Woodland Restoration Plan identifies trees to be removed, retained and provides for new planting. It indicates that new woodland infill planting consisting of Birch, Cherry and Oak species is proposed in two areas adjacent to the site. A new woodland edge consisting of hazel, cherry, crab apple, dog rose, elder, guelder rose is proposed as well as new specimen tree planting.
- 5.6 The Drainage Impact Assessment provides a site investigation, including excavations and infiltration testing. For foul drainage, the existing foul drainage system would be utilised which pumps foul drainage utilising a private system within the site to the public network to the south. The drainage plan shows that the foul system connects to Scottish Water infrastructure on Seaton Road. A review of the hydraulic capacity of the local sewer pipe network has been carried out and suggests that the system has sufficient capacity for the flows for the additional pitches proposed and notes that the management plan for the foul system provides for a replacement pump for emergency purposes to mitigate risk of plant failure. The Assessment suggests that new roads within the site would be formed from permeable paving allowing natural filtration and roof water from caravans is to be disposed to the ground surface as is the case in the rest of the caravan park.
- 5.7 The Proposed Road System plan shows the road widths and traffic direction for the combined application sites and the surrounding and adjoining roads within the wider Seaton Estate.
- 5.8 The Bund Removal Plan shows the areas of land within the remaining tree line at the north and east of the site that have banded material within them. The plan indicates the bunds will be removed prior to the completion of the combined sites.

6. CONSULTATIONS

- 6.1 **Community Council** - There was no response from this consultee.
- 6.2 **Angus Council - Roads** - Offered no objection in terms of traffic movement, car parking and impacts on highway safety. Roads also offer no objection in relation to flood risk and drainage infrastructure subject to evidence of Scottish Water consent for a foul drainage connection, details of maintenance arrangements for foul infrastructure and requiring details relating to sustainable drainage for surface water.

- 6.3 **Scottish Water** - Offered no objection to the proposal and indicates that there is sufficient capacity for a foul only connection in the public network. It indicates that the applicant would need to submit a pre development enquiry for all new water and waste water connections for additional caravans.
- 6.4 **Archaeology Service** - Offered no objection and indicated no archaeological mitigation is required.
- 6.5 **Environmental Health Service** – Offered no objection to the proposal and indicated the roads within and adjacent to both the application sites comply with the current licence conditions which are derived from the Scottish Government model standards.
- 6.6 **Scottish Forestry** – has requested detailed woodland restoration plans including steps for the removal of banded earth and debris close to retained trees.

7. REPRESENTATIONS

- 7.1 No letters of representation were received.

8. PLANNING CONSIDERATIONS

- 8.1 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.
- 8.2 In this case the development plan comprises:-
- [TAYplan](#) (Approved 2017)
 - [Angus Local Development Plan](#) (ALDP) (Adopted 2016)
- 8.3 The application is not of strategic significance and the policies of TAYplan are not referenced in this report. The relevant policies of the ALDP are provided in Appendix 3 and have been considered in the preparation of this report.
- 8.4 The site forms part of an area of land that benefits from an extant planning permission for 89 static holiday caravan stances and associated access roads ([17/00312/FULL](#)). The application (and associated application [20/00629/FULL](#)) seeks to develop the land with a revised layout, which would result in an overall reduction in the number of caravans from 89 to 70 in that general location. The general principle of providing additional caravan stances at this location has previously been determined to be compatible with development plan policy, subject to appropriate mitigation.
- 8.5 The application site is located within an established caravan site that is located outwith a development boundary. Policy DS1 indicates that, for sites outwith development boundaries, proposals will be supported where they are of a scale and nature appropriate to their location and where they are in accordance with relevant policies of the Angus Local Development Plan (ALDP).
- 8.6 The local development plan indicates that the tourism sector constitutes an important part of the Angus economy as it provides a major source of income, employment and in particular supports rural areas. Policy TC16 indicates that proposals for new or improved tourism related facilities and accommodation outwith development boundaries will be supported where it has been demonstrated that the proposal cannot be located within a development boundary; or there is a justifiable locational requirement for the

development; and the scale and nature of the development is in keeping with the character of the local landscape and pattern of development; and there is no unacceptable impact on the built and natural environment, surrounding amenity, traffic levels, access or infrastructure. Policy TC16 indicates that occupancy conditions will be attached to planning permissions to prevent tourist accommodation being occupied as permanent residential accommodation.

- 8.7 The site forms part of an existing caravan park and there is a reasonable locational justification for the development as an expansion of an established caravan park operation. The Seaton Estate Caravan Park is reasonably well contained in landscape terms and benefits from established planting around its periphery. It is considered that the site could accommodate the development without any significant adverse impacts on the character of the local landscape or pattern of development subject to controls to protect and enhance the woodland to the north west and north east of the site which provides a landscape framework for the site.
- 8.8 The site is not subject to any designation for natural or built heritage reasons but is identified as an area which contains long established woodland of plantation origin. Policy PV7 seeks to protect and enhance woodland that contributes to amenity and the landscape value of Angus. Woodland around the Seaton Estate is often widely visible in the landscape and provides part of the setting of Arbroath to the north. While a woodland edge along Seaton Road remains, trees which were located within the site have largely been cleared and tree survey information indicates that extensive ground works have taken place throughout the site which has resulted in damage to a number of trees. It indicates that many of these trees were already in decline due to historic damage and age-related issues and suggests re-planting at the site to maintain the character of the area. The woodland restoration plan indicates that around 30 trees require to be removed due to poor health or for safety reasons but proposes new planting to strengthen the woodland edge of the caravan park adjacent to Seaton Road.
- 8.9 While much of the site has already been cleared of woodland, it would not be desirable to see further woodland lost in and around the site over and above that which is necessary in terms of safety and tree health. The woodland areas around the site are important to the character of the area and protection and enhancement of the woodland belt along Seaton Road is particularly important in providing a landscape context for the caravan park. New planting would also offer an opportunity to improve the biodiversity value of the site. Scottish Forestry has been consulted on the application and has requested detailed woodland restoration plans including steps for the removal of banded earth and debris close to retained trees. Planning conditions are proposed to secure precise details of new woodland planting, to ensure the installation of protective tree fencing around retained trees and to ensure the removal of any banded earth covering tree routes. In addition, it is intended to serve a Tree Preservation Order covering the Seaton Estate which would safeguard remaining woodland around the caravan site.
- 8.10 The site contains limited biodiversity value beyond the value provided by remaining trees, most of which are adjacent to the site. Ecological appraisals of the site were submitted as part of the previous planning permission and suggested that it provided limited biodiversity value and that the development of the site for caravans would result in negligible impacts on biodiversity.
- 8.11 There are listed buildings within the Seaton Estate, including the category B listed Seaton House and Former Stables and Coach House but these are located some 300m and 250m respectively from the site and set within the context of the existing caravan park and as such impacts would be negligible. The Archaeology Service

indicated no archaeological mitigation is required and offered no objection to the proposal. The proposal would not result in any unacceptable impacts on the natural or built environment subject to an appropriate level of woodland restoration in the areas adjacent to the site.

- 8.12 The development would be unlikely to give rise to significant amenity impacts on the wider area. The space between the proposed caravans and existing caravans would be comparable to the relationship between other caravans found elsewhere on the site and spacing standards are governed by the caravan site licence. There would be an increase in vehicle movements in the area but the roads service is satisfied that those impacts would not be significant in terms of road traffic and pedestrian safety. The environmental health service has confirmed the proposed roads layout would comply with the current licence conditions which are derived from the Scottish Government model standards. There is provision for waste and recycling storage and collection utilising existing arrangements at the wider site, but that is also a matter which is regulated by the caravan site licence. The site and adjacent area has planning permission for 89 caravan pitches and the proposal would result in an overall reduction in the number of caravan pitches which are formed on the site and consequently amenity impacts should be no greater than those which would be experienced in association with the extant planning permission.
- 8.13 Information submitted with the application indicates that foul drainage associated with caravan pitches would connect to the public sewer and surface water would be managed by natural filtration. The drainage impact assessment suggests that the proposed drainage arrangements are suitable to manage foul and surface water drainage associated within the development and suggests that the site is not subject to flood risk. Foul flows are currently pumped from the site to the south where they connect to the public sewer on Seaton Road. The drainage assessment confirms that a spare pump is kept at the private pumping station for emergency purposes and to mitigate risk associated with plant failure. The foul drainage system benefits from an approved building warrant (ref: [20/00751/NDOM](#)). Neither Scottish Water or the roads service in its capacity as flood prevention authority has objected to the application. Scottish Water has indicated that capacity exists in the waste water treatment works to serve the development and the roads service has recommended planning conditions requiring evidence of Scottish Water approval of a foul connection and amended details relating to the management of surface water within the site. Planning Advice Note 79 deals with water and drainage and paragraph 42 states *'where the applicant has stated their intention to connect to Scottish Water's network, and Scottish Water has not made an objection, there should be no barrier to granting planning permission in relation to water or waste water infrastructure.'*
- 8.14 The proposal is broadly in accordance with development plan policy subject to the proposed conditions including those which are required to ensure that the caravans are used for holiday purposes only and not as a permanent or principle residence.
- 8.15 Finally, the 2017 planning permission for 89 caravan pitches within the site represents a material consideration which carries weight. That permission allows for more caravan pitches in this general location than are sought through this application and the permission is extant. Impacts on the surrounding amenity, traffic levels, access and infrastructure, and built and cultural heritage interests are not considered to be unacceptable or materially different from those that would be experienced if the approved planning permission was implemented.
- 8.16 In conclusion, the proposal provides for additional development, including the formation

of new caravan pitches an associated roadway within an established caravan site in a manner that is compatible with development plan policy. Impacts associated with the development can be mitigated by planning conditions, including conditions that would result in replanting of the woodland edge along Seaton Road. There are no material considerations which justify refusal of planning permission.

9. OTHER MATTERS

HUMAN RIGHTS IMPLICATIONS

The recommendation in this report for grant of planning permission, subject to conditions, has potential implications for neighbours in terms of alleged interference with privacy, home or family life (Article 8) and peaceful enjoyment of their possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying this recommendation in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. The conditions constitute a justified and proportional control of the use of the property in accordance with the general interest and have regard to the necessary balance of the applicant's freedom to enjoy his property against the public interest and the freedom of others to enjoy neighbouring property/home life/privacy without undue interference.

10. CONCLUSION

It is recommended that the application be approved for the following reason and subject to the following conditions:

Reason for Approval:

The proposal is in accordance with the development plan as it is compatible with the locational criteria identified in the plan and as it does not give rise to unacceptable impacts on amenity, natural and built environment, road safety or infrastructure, subject to the stated conditions. There are no material considerations that justify refusal of planning permission contrary to the provisions of the development plan.

Conditions:

1. That no works in connection with the development hereby approved shall take place until the following has been submitted to and approved in writing by the Planning Authority:
 - i. A revised landscaping plan that shall include specific details of woodland management, new tree and hedge planting and tree works in the areas within and adjacent to the site extending to Seaton Road to the north west and the track to Mains of Seaton to the north east. Thereafter all landscaping shall be undertaken in accordance with the approved details prior to the end March 2022. Any trees or plants which, in the opinion of the planning authority within a period of 5 years from the commencement of the use, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species;
 - ii. A Tree Protection Plan which shall include measures to safeguard woodland areas, retained individual trees and new planting. No tipping or storage of materials (including green waste) or fires shall be undertaken within woodland areas. Tree protection measures shall be installed prior

to the commencement of works in connection with the planning permission hereby approved and shall remain in situ until the development has been completed to the written satisfaction of the planning authority.

- iii. Timescales for the removal of all bunded material within and adjacent to the site as detailed on Site Plan Drawing Number 5638-C-02 Revision E dated 08/09/2020. Thereafter the earth bunds shall be removed in accordance with the approved timescales.
- iv. Evidence of Scottish Water's approval for a foul drainage connection to serve the proposed development and details of maintenance responsibility for the pipework from the disconnecting manhole (at NO65184240) to the point of connection to the public sewer. No caravan within the site shall be occupied until the planning authority has provided written approval that the maintenance arrangements are acceptable.
- v. Details for the management of surface water drainage associated with the development. For the avoidance of doubt, surface water shall be managed by means of sustainable drainage. Thereafter, no caravan shall be occupied until the approved means of surface water drainage has been installed.

Reason: In order to protect and reinstate trees and woodland with and adjacent to the site in the interests of preserving and enhancing the character and visual amenity of the area; in order to ensure that Scottish Water has approved a connection for the development to the public drainage system and that suitable maintenance arrangements are in place for the foul drainage infrastructure; and in order to ensure that surface water infrastructure is appropriately formed in order to protect the environment and manage flood risk.

- 2. The site hereby approved shall be used for holiday accommodation only and no person shall occupy any caravan or other structure as permanent residential accommodation or as a permanent or principal residence. No caravan or other structure shall be occupied for a period of 4 weeks from 1 January in any year, or for any alternative continuous 4-week period as may first be approved in writing by the Planning Authority. Any such variation shall only apply to all pitches approved by this permission, and not in respect of individual pitches.

Reason: In order to ensure that the pitches that are subject of the application remain available as tourist accommodation and to prevent the formation of permanent residential accommodation in the countryside in conflict with the development plan.

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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APPENDIX 1: LOCATION PLAN
APPENDIX 2: DEVELOPMENT PLAN POLICIES
APPENDIX 3: PLANNING SERVICE PRESENTATION