

**ANGUS COUNCIL**

**DEVELOPMENT STANDARDS COMMITTEE – 17 SEPTEMBER 2024**

**PLANNING APPLICATION – RED LION CARAVAN PARK, DUNDEE ROAD, ARBROATH DD11 2PT**

**GRID REF: 362884 : 740254**

**REPORT BY SERVICE LEADER – PLANNING & SUSTAINABLE GROWTH**

**1. ABSTRACT**

- 1.1 This report deals with planning application No. [24/00352/FULL](#) for the change of use of land to form an extension to an existing caravan park, for the siting of 25 additional caravans, and additional landscaping at Red Lion Caravan Park, Dundee Road, Arbroath DD11 2PT. This application is recommended for conditional approval.

**2. RECOMMENDATION**

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

**3. INTRODUCTION**

- 3.1 The application seeks permission for the change of use of land to form an extension to an existing caravan park for the siting of 25 additional caravans, and additional landscaping at Red Lion Caravan Park, Dundee Road, Arbroath. A plan showing the location of the site is provided at Appendix 1.
- 3.2 The 7500sqm site is within the walled boundary of the existing caravan park and is currently a grassed open area with an equipped play area on its south side. The site is elevated above surrounding land by around 6-7m and sits to the rear/north of the leisure centre and swimming pool building. A stone wall bounds the site to the north, beyond which is an agricultural field with Hospitalfield House and gardens beyond. Land to the southeast, south and southwest of the site is occupied by the caravan park. Residential property on Warslap Avenue is located to the north, with the nearest house at 30 Warslap Avenue located around 37m north of the site, with its garden ground adjacent to the site.
- 3.3 The development would involve the formation of 25 new caravan pitches accessed from a new section of road formed from the southwest. Details of the type of caravans which would be located on the new pitches have been provided and it indicates that the vans would be 12.2m in length, 4m in width and 3.4m high. The plans submitted identify that a 20m wide landscaped area would be formed to the northeast of the site to provide a buffer between housing on Warslap Avenue and the new caravan pitches. A new hedgerow with hedgerow trees would be planted along the northwestern site boundary inside the stone wall, with a hedgerow also planted to the southeast and southwest. There would be intermittent tree planting around the existing playpark. The application form indicates that the foul drainage from the development would be directed to the public sewer and surface water would be managed through sustainable drainage. Waste storage facilities serving the development would be located adjacent to the leisure centre building. Each caravan pitch would have a car parking space formed adjacent to it.
- 3.4 The application has been amended to remove caravan pitches from the northeast of the site and to introduce a planting area in that location to provide a buffer between caravan pitches and the nearest housing. The number of caravan pitches proposed has accordingly reduced from 30 to 25.
- 3.5 The application has been subject of notification and publicity as required by legislation.

#### **4. RELEVANT PLANNING HISTORY**

- 4.1 Planning application [04/01287/FUL](#) for erection of a swimming and leisure complex was determined as "approved subject to conditions" on 17 January 2005.
- 4.2 Planning application [09/01064/FULL](#) for extension of caravan park to adjacent ground for the accommodation of 27 caravans which involves demolishing of existing boundary wall and rebuilding around new perimeter was determined as "approved subject to conditions" on 28 February 2011.
- 4.3 Planning application [22/00129/FULL](#) for installation of new children's play park was determined as "approved subject to conditions" on 23 June 2022.
- 4.4 Planning application [24/00355/FULL](#) for alterations and extension to existing hospitality building to provide a new external appearance, formation of raised terrace, formation of car park and associated landscaping is currently under consideration.

#### **5. APPLICANT'S CASE**

- 5.1 The applicant has submitted a number of supporting documents which are summarised as follows:
- 5.2 Design Statement - this describes the proposal and suggests that it aligns with development plan policy. It provides information relating to the planning history of the caravan park and notes that a swimming and leisure complex was built in 2004, and a further 27 caravans were added to the west of the park in 2009. In 2022, planning permission was granted for the formation of a children's play park. The statement makes note of archaeological assessment done at the time of the play park installation, and notes that separate ecological and flood risk/drainage reports have been submitted in support of the current application. The statement indicates that the caravans would not be occupied all year round, and only in the summer months from March to September. The statement concludes by suggesting that the proposal presents a positive contribution to the local economy and community, anticipating increased appeal and visitor accommodation.
- 5.3 Landscape Design Statement – provides information relating to the landscape strategy, tree planting, hedge planting and shrubs and ground cover, and maintenance and management. It indicates that the landscape design proposals for Red Lion Caravan Park Extension and associated visitors' car parking around the Leisure Centre seeks to improve biodiversity both within the site and link to the ecology of the surrounding areas for further biodiversity gains. It indicates that the proposals have the clear objective of creating attractive recreational and functional spaces to provide a stimulating and high visual amenity environment for visitors during the stay at the Red Lion Caravan Park.
- 5.4 Ecological Report - has been provided that concludes that there is no evidence of protected species within the site. The report makes a number of recommendations for best practice during development, and for biodiversity gain through the implementation of various measures, including the installation of bat boxes, bird nesting boxes, insect blocks and wildflower meadow areas.
- 5.5 Drainage Feasibility Study – this identifies the existing site drainage arrangements, established soil infiltration capacity, prepared preliminary drainage calculations and through submission of a PDE application to Scottish Water, arrived at a suitable drainage solution for the proposed development. It indicates that foul drainage would be directed to the public sewer and surface water would be managed on site.
- 5.6 A Low to Zero Carbon Technology Assessment - this sets out proposals to reduce energy consumption for the wider development and suggests that the proposed steps could lead to a 36% reduction in annual energy consumption.
- 5.7 The information submitted in support of the application is available to view on the [Public Access](#) system.

## 6. CONSULTATIONS

- 6.1 **Archaeology Service** - no objection subject to the inclusion of a condition requiring the submission of a written scheme of investigation, and the implementation of an agreed programme of archaeological works.
- 6.2 **Environmental Health** - no objection.
- 6.3 **Historic Environment Scotland** – has considered the proposal and potential impact on Hospitalfield House and has no comment.
- 6.4 **Community Council** - There was no response from this consultee at the time of report preparation.
- 6.5 **Roads (Traffic)** – notes that car parking would be provided to serve the new pitches and has no objection to the proposal.
- 6.6 **Scottish Water** - no objection.

## 7. REPRESENTATIONS

- 7.1 12 letters of representation were received from 6 households, all object to the proposal. The letters are provided at Appendix 2 and are available to view on the council's [Public Access](#) website.
- 7.2 In summary terms, the following issues are raised in objection:
- Amenity issues including noise, loss of privacy, vehicle movements, light pollution, cooking odours and dust
  - Impact on setting of Hospitalfield House (Category A listed building)
  - Landscape and visual impacts
  - Adverse impact on the character of the area
  - Proposal contrary to local and national policy
  - Lack of need for extension to caravan park
  - Impact on the environment
  - Impact on wildlife
  - Loss of open space serving caravan park
  - Application contains inaccurate information
- 7.3 The following points are also raised and are addressed as follows:
- **Antisocial behaviour, damage to and trespass on adjacent land** – matters relating to potential unlawful or antisocial behaviour is governed by other legislation and is not a land use planning matter. Similarly, any damage caused to neighbouring property would be a civil matter between the parties involved.
  - **Lack of or inadequate public consultation/ neighbour notification** – the application has been subject to the publicity and consultation required by planning legislation. The application is not a major planning application requiring formal pre-application consultation and associated public consultation events.
  - **Health and safety** – matters relating to health and safety are governed by other legislation. The caravan site extension would require a caravan site license to ensure appropriate caravan spacing standards are met, and any construction activities would be required to accord with relevant health and safety legislation.

## 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 Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires the planning authority, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 8.3 In this case the development plan comprises: -
- [National Planning Framework 4](#) (NPF4) (2023)
  - [Angus Local Development Plan](#) (ALDP) (2016)
- 8.4 The development plan policies relevant to the determination of the application are reproduced at Appendix 3 and have been taken into account in preparing this report.
- 8.5 The ALDP was adopted in September 2016 while NPF4 was adopted on 13 February 2023. Planning legislation indicates that where there is any incompatibility between the provision of the national planning framework and a provision of a local development plan, whichever of them is the later in date is to prevail.
- 8.6 ALDP Policy DS1 states that within development boundaries, proposals will be supported where they are of an appropriate scale and nature and are in accordance with other policies of the local development plan. The site is located within the development boundary for Arbroath but is not allocated or identified for any specific purpose.
- 8.7 The ALDP indicates that the tourism sector constitutes an important part of the Angus economy as it provides a major source of income and employment. The development strategy for Arbroath seeks to develop tourism facilities and accommodation, particularly along the seafront. ALDP Policy TC16 deals with tourism development and indicates that proposals for new or improved tourism related facilities and tourist accommodation will be directed to sites within development boundaries. It indicates that such facilities will be supported in these locations where the development is of an appropriate scale and nature and is in keeping with the townscape and pattern of development. NPF4 Policy 30 seeks to encourage, promote and facilitate sustainable tourism development. It indicates that development proposals for new or extended tourist facilities or accommodation, including caravan and camping sites, in locations identified in the LDP, will be supported. The policy lists relevant planning considerations which require to be addressed.
- 8.8 The proposal seeks to extend a well-established caravan park in a location within a development boundary. The site is well located to utilise existing facilities serving the caravan park and is in a location which is accessible by sustainable means of travel, with convenient access to services and facilities in the town. This is an area of Arbroath near to the seafront which is characterised by the presence of holiday/caravan park development. There is a reasonable locational justification for the development as an expansion of an established caravan park operation, and the principle of extending the existing caravan park to add 25 new pitches and the associated additional tourism accommodation it offers is supported by the development strategy for Arbroath. Matters relating to the scale of development and its impact on townscape and the pattern of development are addressed below.
- 8.9 The site proposed for development comprises a parcel of land which is elevated above the land level of caravans within the existing site. Most of the caravans within the existing site sit closer to the level of Dundee Road and the site proposed for development sits around 6/7m higher. From some locations around the West Links area and in views from the west on A92/Dundee Road, caravans may become more prominent in views. However, from these locations caravans already form part of the established view. The levels information submitted indicates that caravans would not significantly exceed the height of the ridge of the adjacent leisure centre building and the visualisation from Hospitalfield suggests that the caravans would not significantly project above the existing stone boundary wall when viewed from the northwest. There is housing to the north and northeast of the site (Warslap Avenue) which projects higher than the proposed caravans; and development on Monkbarns Drive and around the Infirmary to the east sits at a similar elevation to the proposed site. The applicant proposes a landscaping scheme which may provide some screening and/or backclothing of the development over time. It is considered that development proposed would not significantly impact on townscape, or the character or pattern of development in the area.

- 8.10 The site is not subject of any national designation for cultural heritage reasons. ALDP land designation A14 lies outside of the application site, but incorporates the agricultural land to the immediate north of the site. Policy A14 indicates that Hospitalfield House and grounds will be protected from development that would be detrimental to the historic character and landscape setting of the property. Hospitalfield House is a Category A listed building, located around 300m northwest of the site, with its grounds within around 150m of the site. The Hospitalfield grounds also contain the category B listed Fernery, and several curtilage-listed structures. Impacts on the setting of Hospitalfield House and other buildings within its curtilage would not be significant. The site is separated from Hospitalfield by agricultural land and the presence of trees around the Hospitalfield curtilage mean that intervisibility between the proposed site and Hospitalfield would be largely limited to those periods when the trees are not in leaf. While the land where the new caravan pitches would be formed is at a higher elevation than existing caravan pitches with the caravan park, levels information suggests that the ground level of the new pitches would be lowered and the caravans would not significantly exceed the ridge height of the existing leisure centre building. The landscaping scheme would introduce tree and hedge planting adjacent to the northwest boundary wall which would also reduce impacts as it matures. Historic Environment Scotland has been consulted in relation to potential impacts on the setting of Hospitalfield and has indicated that it has reviewed the proposal and has no comment. Impacts of the proposed development on the setting of Hospitalfield would not be significant and the proposal does not raise any issues against what Policy A14 seeks to achieve.
- 8.11 The site lies within the archaeology site NO64SW0129, a possible burial area where human remains were discovered in the 1990s. The Archaeology Service has indicated that there is potential for previously unrecorded human remains and/or archaeological features to survive within the proposed development area and have requested a programme of archaeological works, which could be secured by planning condition. Having regard to the advice provided by consultees, the proposal is not considered to give rise to significant impacts on cultural heritage.
- 8.12 The site is not subject of any natural heritage designation. It is currently a grassed area, with a limited number of trees situated adjacent to its northwest boundary wall. The ecological information submitted indicates that all existing trees would be retained, and there is no evidence of protected species within the site. The report makes recommendations for biodiversity net gain through native hedge planting, new tree planting, a wildflower embankment, and the installation of bat, bird and insect boxes mounted on existing trees. There is no evidence to suggest that the proposal would adversely impact on protected sites or species and the proposal incorporates satisfactory proposals for biodiversity enhancement. A planning condition is proposed to ensure the landscaping arrangements and other biodiversity enhancement measures are implemented and maintained.
- 8.13 The proposed caravans would be sited closer to residential property at Warslap Avenue than existing caravans. They would be more visible from that property, particularly from upper levels of the houses. Representations have been submitted from property in that location raising concerns in relation amenity impacts resulting from the proposal. The proposal has been amended to increase the distance between the proposed caravan pitches and the closest property at 30 Warslap Avenue. The closest caravan would be around 55m from the dwelling itself, and around 26m from the nearest part of its garden area. An area of landscaping would be formed between the caravans and the mutual boundary which, over time, would increase screening of the caravans. The property at 30 Warslap Avenue has an extensive garden with some mature planting on its southwest boundary. At the distance involved, and having regard to the amendments proposed by the applicant to increase the distance between the nearest neighbour and the proposed caravans and to provide a landscape buffer, it is considered that impacts on the privacy of that property would not be unacceptable. There would be some disturbance during the construction works to form the caravan pitches, but the impact of construction works would be of relatively short duration, and short-term impacts of that nature are not uncommon within existing built-up areas. There would be the potential for increased noise from occupants of the new caravans, but it is understood that there is a 24-hour on-site management presence to deal with any issues of excessive noise. The proposal would not result in an unacceptable level of amenity impact on neighbouring property.
- 8.14 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. The play area located to the south of the site would be maintained, and the introduction of caravans with the site would increase surveillance of that area. The development would result in the reduction of open spaces within the caravan park itself, but the West Links area is located to the south of the caravan site and the West Common to the east of the caravan park provide ample accessible open space for use by those staying at the site.

- 8.15 Development plan policy requires consideration of impacts on infrastructure. In terms of flood risk and drainage, available information suggests that the site is not subject to flood risk. Foul drainage would be directed to the public sewer, and surface water would be managed by sustainable means, both of which are compatible with development plan policy. Scottish Water has offered no objection to the proposal. There is existing Scottish Water infrastructure within the site, but this is identified within the drainage report and is would not be impacted upon by the proposed layout. Vehicular access to the site would utilise the existing caravans park access onto the A92/Dundee Road. Access to the new caravan pitches would be taken from the southwest. Each caravan pitch would be served by a car parking space, and there is a car park adjacent to the leisure centre building. The roads service has considered the proposal and has no objection on the grounds of parking, access and traffic generation. There is provision for waste and recycling storage and collection utilising existing arrangements for the wider site, but that is also a matter which is regulated by the caravan site licence.
- 8.16 The proposal does not give rise to significant issue in terms of other relevant development plan policy considerations. 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 principal residence.
- 8.17 In addition to development plan policy, it is relevant to have regard to other material considerations, including the planning matters that have been raised in the letters of representation.
- 8.18 Matters regarding amenity impacts, particularly relating to impact on property at Warslap Avenue, are addressed above. The proposal represents a relatively small-scale extension to an established caravan site on a land within a development boundary. It is considered that the applicant has made a reasonable attempt to reduce amenity impacts on the nearest neighbours without significantly diluting the economic benefits the proposal would offer in relation to increased tourism. The proposal would be visible from neighbouring property, but loss of view is not a material planning consideration and the separation distance between proposed caravans and neighbouring housing is considered to be adequate to safeguard their amenity. The caravan site has an on-site management presence who would be in a position to address any noise complaints from neighbouring households.
- 8.19 Impacts on Hospitalfield House and other cultural heritage assets are not considered to be significant. The supporting information suggests that the caravans would not significantly project above the boundary wall to the northwest and the caravans would be at a similar height to the ridge of the leisure centre building. The development would increase the prominence of caravans in some views, but landscape and townscape impacts are not considered to be significant or unacceptable.
- 8.20 Concern is raised in relation to increased carbon emissions resulting from the proposal. The applicant has submitted information which sets out their plans to reduce energy consumption for the caravan site, which suggests that the steps proposed would reduce annual energy consumption by around 36%. The Red Lion site is well located in respect of sustainable travel opportunities. Arbroath is served by railway and bus services and there is a bus stop adjacent to the site entrance. National Cycle Route One is located on the south side of the railway in West Links, and there are footpath connections along the caravan site frontage connecting to town centre services to the east and the retail park to the west. The location of the site within a settlement which is well served by services and sustainable travel options is inherently a sustainable form of development.
- 8.21 Representations question the need for the proposed development, and suggest it is not justified by current occupancy levels at the existing site. No information has been submitted in relation to existing occupancy levels, or providing detailed information in relation to need. However,

development plan policy does not require evidence of need and the development strategy for Arbroath explicitly seeks to develop tourism facilities and accommodation, particularly along the seafront. The applicant's supporting information indicates that offering more accommodation on an already attractive site will benefit the tourist industry in the area and while the economic benefit of the proposal is not quantified, it is reasonable to assume that more visitors will increase tourism spend in the area.

- 8.22 In conclusion, the proposal provides for a small-scale extension to an established caravan site in a location within a development boundary and in a manner that is compatible with development plan policy. Impacts associated with the development can be mitigated by planning conditions, including conditions to ensure that the landscape strategy is implemented and maintained. Regard has been given to public comments and amendments have been made to the proposal to reduce impacts on neighbouring amenity. The proposal complies with development plan policy and there are no material considerations which justify refusal of planning permission.

## **9. OTHER MATTERS**

### **HUMAN RIGHTS IMPLICATIONS**

- 9.1 The decision to grant permission/consent, 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 decision 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**

- 10.1 It is recommended that the application be approved subject to conditions for the following reasons, and subject to the following condition(s):

### **Reason(s) for Decision:**

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. The development to which this permission relates must be begun not later than the expiration of three years from the date of its grant.

*Reason: In order to clarify the duration of this permission in accordance with the requirements of the Town and Country Planning (Scotland) Act 1997 (as amended) and to ensure that it will lapse if not implemented within that period.*

2. No works in connection with the development hereby approved shall commence unless an archaeological written scheme of investigation (WSI) has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be occupied or brought into use unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete



accordance with the approved details.

*Reason: To safeguard and record the archaeological potential of the area.*

3. All landscaping and maintenance proposals shall be carried out in accordance with the details contained within the Ironside Farrar Landscape Red Lion Caravan Park General Arrangements Caravan Extension dated 29.02.24 and shall be completed during the planting season immediately following the commencement of development. Any planting which, in the opinion of the Planning Authority within a period of five years from the completion of development, is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

*Reason: To ensure appropriate landscape planting carried out timeously, in order to protect the amenity of the area.*

4. The biodiversity improvements described within the Ecological Report dated 24/05/24 (version2) by Direct Ecology Limited and shown on the Ecology Site Plan 852-PL-203 Rev B shall be implemented alongside the landscaping proposals and completed no later than the end of the planting season immediately following the commencement of development.

*Reason: To deliver biodiversity gain in accordance with NPF4 Policy 3.*

5. Prior to the occupation of any of the caravans hereby approved, surface water drainage shall be installed in accordance with the proposals shown in the Drainage Feasibility Study by Fairhursts dated September 2024.

*Reason: To ensure appropriate surface water drainage is in place.*

6. The caravan pitches hereby approved shall be used for holiday accommodation only and no person shall occupy any caravan or other structure within the site as permanent residential accommodation or as a permanent or principal residence. No caravan located within the application site shall be occupied by the same individual or group of individuals for a period exceeding a total of 12 weeks in any 26-week period. The operator of the site shall maintain a register of guests (including the name, address, dates of arrival and departure) of those staying at the site. On request, this guest register shall be made available to the Council as planning authority for inspection.

*Reason: In order to ensure that no permanent residence is formed at the site as this would be contrary to the council's policies for tourism development and residential caravans.*

7. No more than 25 caravan pitches shall be formed within the application site. No caravan shall be sited closer to Warslap Avenue than is identified on the plans hereby approved; and the highest part of any caravan within the site shall not exceed 3.5m above ground level.

*Reason: In order to ensure impacts associated with the development remain as is proposed in the application, as that is the basis on which the application has been assessed.*

**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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**DATE: 9 SEPTEMBER 2024**

APPENDIX 1: LOCATION PLAN  
APPENDIX 2: LETTERS OF REPRESENTATION  
APPENDIX 3: DEVELOPMENT PLAN POLICIES