

Perth and Kinross Council  
Development Management Committee – 16 July 2014  
Report of Handling by Development Quality Manager

**Extension to cattery and office at Causeway Cottage, Scotlandwell, Kinross**

Ref. No: 13/01312/FLL  
Ward No: 8 Kinross-shire

**Summary**

This report recommends approval of this detailed application for an extension to the cattery and office at Causeway Cottage, Scotlandwell.

**BACKGROUND AND DESCRIPTION**

- 1 The application site is a 0.5 ha site at Loch Leven Equestrian Centre which is situated approximately 1km to the south of the village of Scotlandwell and accessed off the adjacent B920 to the east. The site is approximately 0.75 km to the east of Loch Leven. The Scottish Gliding Centre lies immediately to the west of the site. The application site comprises an existing stable block; a riding school/ménage area; an existing cattery and office and the access road into the equestrian centre from the B920.
- 2 This is an application for an extension to the existing cattery to provide 6 extra cat boxes and a flat roof extension to the existing office to provide additional accommodation comprising an office, store, w.c and utility area. The materials for the cattery include profiled sheeting to the roof and timber with mesh screening. The office roof extension will be profiled sheeting with timber cladding to the external walls.
- 3 Due to the proximity of the application site to Portmoak Airfield issues in relation to airfield safeguarding have been raised. An application for a dwellinghouse at this site under application 09/00936/FLL and an application for alterations and re-roofing of an existing stable block under 12/01935/FLL are also presented to this Committee.

**NATIONAL POLICY AND GUIDANCE**

**Scottish Planning Policy 2014**

- 4 The Scottish Planning Policy (SPP) was published on June 23 2014. It sets out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to:
  - the preparation of development plans;
  - the design of development, from initial concept through to delivery; and
  - the determination of planning applications and appeals.

Of relevance to this application are:

- Paragraphs 74 - 83: Promoting Rural Development
- Paragraphs 92 - 108: Supporting Business and Employment.

## **DEVELOPMENT PLAN**

- 5 The Development Plan for the area consists of TAYplan Strategic Development Plan 2012 – 2032 and the Perth and Kinross Local Development Plan 2014.

### **TAYplan Strategic Development Plan 2012 – 2032**

- 6 Under the TAYPlan the principal relevant policy is:-

#### **Policy 3: Managing TAYplan's Assets**

- 7 Safeguarding resources and land with potential to support sustainable economic growth.

### **Perth and Kinross Local Development Plan (PLDP) 2014**

- 8 The application site is within the landward area of the plan where the main relevant policies are:-

#### **ED3: Rural Business and Diversification**

- 9 Favourable consideration will be given to the expansion of existing businesses and the creation of new businesses within or adjacent to existing settlements in rural areas. Outwith settlements, proposals may be acceptable where they offer opportunities to diversify and existing business or are related to a site specific resource or opportunity.

#### **EP13 Airfield Safeguarding**

- 10 Developments will be refused if they are likely to have an impact on the safe operation of aircraft from Portmoak Airfield. Applicants for planning consent within this area may be required to provide an independent assessment of the impact on the safe operation of the existing facility, prepared by a suitably qualified person.

## **OTHER POLICIES**

### **Circular 2/2003 Safeguarding of Aerodromes, Technical Sites and Military Explosives Storage Areas**

- 11 Operators of licensed aerodromes which are not officially safeguarded, and operators of unlicensed aerodromes and sites for other aviation activities (for example gliding or parachuting) should take steps to protect their locations from the effects of possible adverse development by establishing an agreed consultation procedure between themselves and the planning authority or

authorities. One method, recommended by the Civil Aviation Authority to aerodrome licensees, is to lodge a non-official safeguarding map with the planning authority or authorities. Planning authorities are asked to respond sympathetically to requests for non-official safeguarding. Planning permission should not be refused simply because a proposal is one requiring consultation.

### **Civil Aviation Authority**

- 12 CAP 168 "Licensing of Aerodromes", April 2011;  
CAP 738 "Safeguarding of Aerodromes", December 2006;  
CAP 793 "Safe Operating Practices at Unlicensed Aerodromes", July 2010;

### **British Gliding Association**

- 13 BGA Club Briefing: Aerodrome Safeguarding  
BGA Site Operations Manual, Chapter 12 Airfield Safeguarding.

### **Perth & Kinross Council's Airfield Safeguarding 2012**

- 14 This guidance provides details of designated safeguarding zones for each unlicensed airfield in Perth and Kinross which includes Portmoak, Balado, Strathallan and Errol. Safeguarding assists the Planning Authority to make reasonable decisions in response to local development proposals.

### **SITE HISTORY**

- 15 PK95/0581 An application for the erection of an equestrian centre and house (in outline) at the site was refused in June 1996.
- 16 PK95/1671 Outline consent was approved for the equestrian centre, and for the siting of a residential caravan, in March 1996 against officers' recommendation.
- 17 PK96/1259 Detailed consent for an equestrian centre was granted in October 1996.
- 18 PK97/1154 Consent granted in October 1996 for an amendment to the above consent for an equestrian centre which included the provision of temporary accommodation until February 1999.
- 19 99/00121/FUL An application for an all weather surfaced outdoor school, new vehicular access, an extension to the period for use of temporary accommodation unit and detailed consent for a house was withdrawn before determination.
- 20 99/00766/FUL Application for the formation of an all weather surfaced outdoor school, revised access and amendment to location of isolation box/field shelter was refused in July 1999. In May 2000 the Scottish Minister's Reporter sustained the appeal and granted planning permission. The Reporter concluded that the schooling area would not lead to any more intensive use of

the site, and thereby implications for gliding activities, than would the use of the ground as part of the originally approved equestrian centre.

- 21 99/01521/OUT In March 2000 outline planning permission was refused against recommendation on a site to the east of the current application site for the erection of a house. In December 2000 an appeal against refusal was also dismissed (P/PPA/340/189).
- 22 00/01194/FUL In February 2001 planning consent was refused for the erection of a house and alterations to the site layout at the riding centre, following a recommendation for approval subject to a Section 75 Agreement. This application was submitted following a previous refusal under 99/01521/OUT and sought to provide a new development package with an amended layout and a Section 75 to avoid prejudice to gliding activities by restricting use of fields to the north of the stables.
- 23 05/00385/FLL In June 2005 planning consent was granted for the erection of a house and garage to the 450m to the north of the site near Wellburn on the basis of operational need. The occupancy of this house has not been restricted by condition. It is unclear why this was not conditioned.
- 24 05/00384/FUL In January 2006 planning consent was granted for the erection of a cattery to the west of the current application site and extension to the stables.
- 25 09/00937/FLL In November 2009 erection of replacement stables and an extension to the office was approved.
- 26 09/00936/FLL In January 2010 erection of a dwellinghouse was approved on the application site under the Council's Planning Scheme of Delegation. This consent was subsequently reduced in the Court of Session and has effectively been referred back to the Council for re-determination.
- 27 11/00588/FLL An application for the siting of a temporary static caravan in retrospect at Causeway Cottage is pending consideration. Withdrawn February 2014.
- 28 12/01935/FLL Alterations to stable block at Causeway Cattery and equestrian Centre. Pending decision.
- 29 13/01858/FLL Erection of a dwellinghouse and garage (as an alternative location to the dwellinghouse proposed under application ref 09/00936/FLL) Pending decision.

## **CONSULTATIONS**

- 30 **Scottish Gliding Union (SGU)** – Objection
- 31 **Scottish Water** – No objection

## REPRESENTATIONS

32 One letter of objection was received from the Scottish Gliding Centre where the main issues raised were.

- Further intensification of development at the cattery
- Incompatibility with the operations of adjoining businesses

## ADDITIONAL STATEMENTS

33	Environment Statement	Not required
	Screening Opinion	Not required
	Environmental Impact Assessment	Not required
	Appropriate Assessment	Not required
	Design Statement / Design and Access Statement	None
	Independent Aviation Assessment	Submitted

## APPRAISAL

### Policy

34 Sections 25 and 37(2) of the Town & Country Planning (Scotland) Act 1997 (as amended) requires the determination of the proposal to be made in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise. The determining issues here are whether the proposals comply with Development Plan policy or if there are other material considerations, which justify a departure from policy.

### Policy – Aviation Safety

35 The primary issue to be addressed is whether the proposed extension to the cattery and office is likely to have an impact on the safe operation of aircraft from Portmoak Airfield in terms of Policy EP13 Airfield Safeguarding of the Perth and Kinross Local Development Plan (PLDP) 2014.

36 The SGU have objected to the proposed extension to the cattery and office on the basis that it would have a detrimental impact on the operational safety of Portmoak Airfield. In order to assess this the Council commissioned an independent aircraft safety report carried out by Dr Mark Eddowes of Eddowes Aviation Safety Ltd. Both the applicant and the SGU had agreed that Dr Eddowes was considered an impartial consultant and that they had no dealings with him in the past. The conclusions reached in Dr Eddowes assessment are outlined below. The full assessment is detailed in Appendix 1. Main conclusions reached can be summarised below:-

“The proposed cattery extension (13/01312/FLL) involves some infill between the existing buildings parallel to the western boundary between the Causeway

Cattery and Equestrian Centre site and Portmoak Airfield, plus at the north end, a slight extension of the office to the north and to the west. With the exception of the extension to the north, from the perspective of an aircraft on approach from the East, the building lines are contained within the existing ones. The extension on the north side is towards existing buildings and, from the perspective of an aircraft on approach, amounts to the infill by 3.4 m of a gap between the current cattery and stable block. The extended cattery building is no higher than the existing building and would not penetrate an appropriately specified approach surface. Overall, the change to the effective obstacle environment associated with the cattery extension from the perspective of undershoot risk will be minor and will not materially impact on the safety and efficiency of operations at Portmoak Airfield.”

- 37 With regard to the issue of intensification raised by the SGU Dr Eddowes concluded:-

“Intensification of use is not necessarily a threat to operations where this takes place within the existing footprint of development at the Causeway Cattery and Equestrian Centre. In this case, the footprint includes both the width of the developed area that accommodates obstacles and the height of those obstacles. As noted above, the proposed alterations to the cattery and the extension to the adjacent office block are within the existing footprint. Accordingly, it is concluded that there would be no material increase in the risk of collision during approach operation arising from the proposed cattery extension.”

### **Scale and Design**

- 38 The scale and design of the extension to the cattery and the office will reflect the existing buildings and the external materials proposed will complement these. As a result of this the proposal will not have any detrimental impact on the character or appearance of the existing building group.

### **Landscape and Visual Amenity**

- 39 The proposed extension to the cattery and office within the existing building grouping will not have any additional adverse visual impact on the wider area or surrounding countryside.

### **Road Safety**

- 40 The access to the application site would be via an existing access off the public road. There are no objections to the proposed extensions on road safety grounds.

### **Pipeline**

- 41 The application site is within the consultation zone for a nearby Shell pipeline, however, the proposed extensions will not affect the integrity or status of the pipeline operator in this vicinity.

### **Economic Benefits**

- 42 The expansion and improvement of the existing premises will be advantageous in supporting the viability of the business into the future.

### **Sustainability**

- 43 New development should meet local needs and enhance access to land, employment facilities, goods and services. The proposed extension and improvements are considered to be acceptable in terms of maintaining the sustainability of the existing business at Causeway Cottage.

### **LEGAL AGREEMENTS REQUIRED**

- 44 Not required.

### **DIRECTION BY SCOTTISH MINISTERS**

- 45 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, regulations 30 – 32 there have been no directions by the Scottish Government in respect of an Environmental Impact Assessment screening opinion, call in or notification relating to this application.

### **CONCLUSION AND REASON FOR RECOMMENDATION**

- 46 As outlined above the Council have commissioned an Aviation Safety Report carried out by Dr Mark Eddowes where it was concluded that the proposed extension to the cattery and office was found to be acceptable in terms of airfield safeguarding. The scale and design of the proposal is acceptable. The expansion and improvement of the existing business at Causeway Cottage is supported through Development Plan policy on Rural Business and Diversification and therefore recommended for approval.

### **RECOMMENDATION**

#### **A Approve the application subject to the following conditions and reasons:**

- 1 The proposed development must be carried out in accordance with the approved plans, unless otherwise provided for by conditions imposed on the planning consent.

Reason - To ensure that the development is carried out in accordance with the plans approved.

#### **B JUSTIFICATION**

- 1 The proposal is considered to comply with the Development Plan and the material considerations available add weight to a recommendation of approval.

## **C INFORMATIVES**

- 1 This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See Section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)).
- 2 Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 3 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.

Background Papers: 1 letter of representation  
Contact Officer: Mark Williamson – Ext 75355  
Date: 23 June 2014

**Nick Brian**  
**Development Quality Manager**

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## **Appendix 1: Aviation Consultant's Report from Dr Mark Eddowes on behalf of the Council**

### **Application 13/01312/FLL: Cattery Extension**

#### **3.1 NATURE OF THE PROPOSAL**

- 3.1 The SGU provides the following useful summary of the proposal in the letter of objection dated 28 October 2013:

*The applicant proposes to intensify the cattery use of the site by adding 6 more boxes as infill between the existing buildings parallel to the western boundary between the Causeway Cattery and Equestrian Centre site and Portmoak Airfield plus, at the north end of the cattery, a slightly larger office and re-arrangement of the existing internal space to provide a waiting room, a WC and a utility room.*

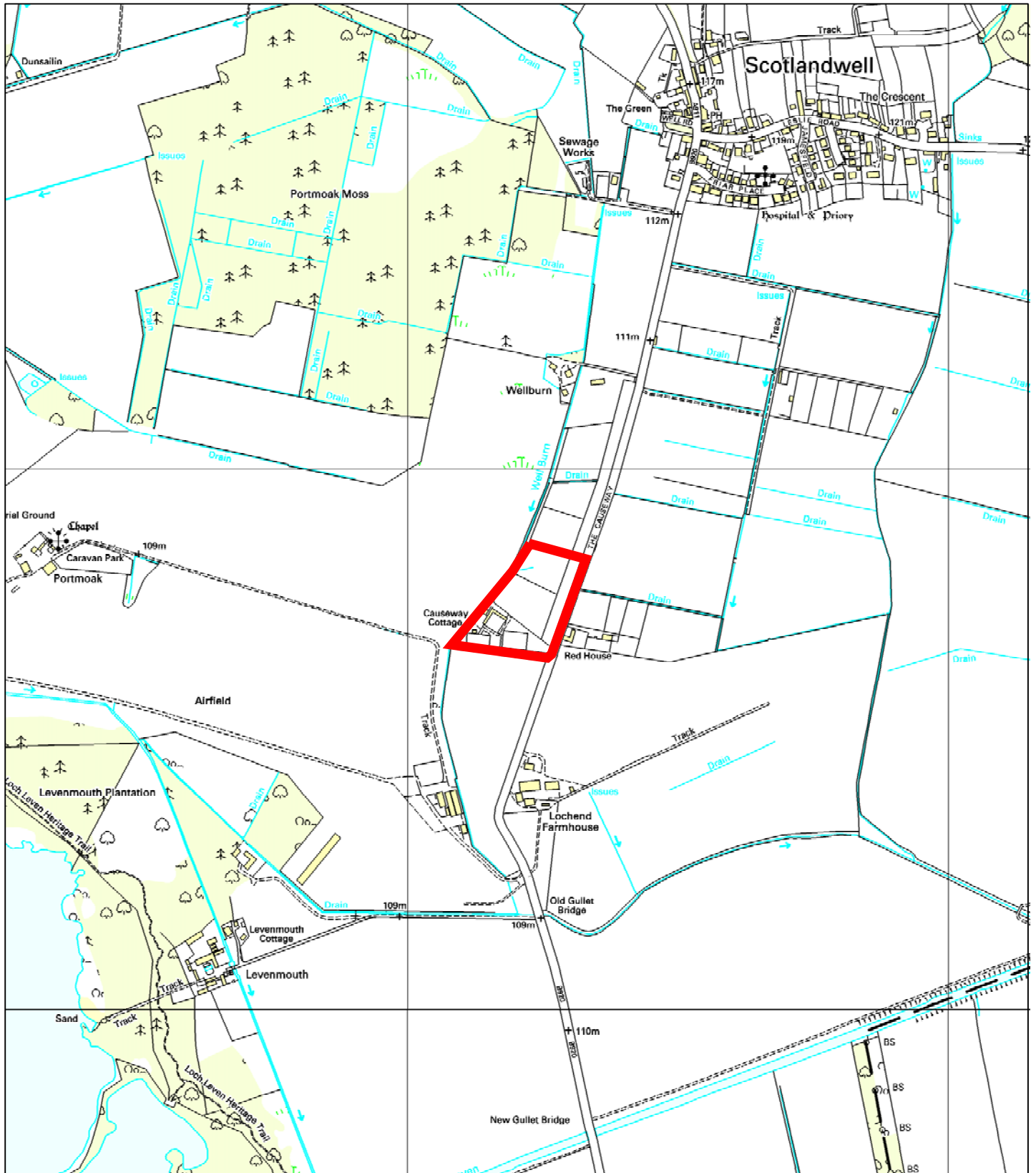
- 3.2 Review of the available drawings supporting the application indicates that the additional infilling boxes will be aligned with the existing boxes and will therefore not extend the width or height of the building from the perspective of approach operations from the East. The proposed enlargement of the office involves an extension to the West, towards the airfield boundary and an extension to the North. The extension to the West will follow the existing mono-pitch roof line which slopes down towards the airfield. This element of the proposal will therefore not extend the height of the building from the perspective of approach operations from the East. The extension to the North will increase the overall building width along a line broadly aligned with the airfield boundary by 3.4 m, perpendicular to the direction of approach from the East. This extension is towards an existing area of development at the site which currently accommodates the stable block, the car parking area and the office/store immediately to the West of the stable block. The roof line of this element of the extension follows that of the existing building downwards towards the airfield boundary to the West.

#### **3.2 SAFETY AND OPERATIONAL IMPACTS**

- 3.3 The SGU's objection to the proposal, as set out in the letter of 28 October 2013, is as follows:

*"The SGU remains concerned about the continuing flow of planning applications on this already contentious site, and objects to the further intensification of the development at the cattery now proposed. If intensification of use such as this is permitted, that will only lead to heightened incompatibility between the operations of adjoining businesses. You will appreciate that, having operated here safely and satisfactorily for decades before the Council granted the initial equestrian centre permission to Mrs Dick, the SGU feels aggrieved that incremental intensification of her activities could put airfield operations under threat."*

- 3.4 As noted in Paragraph 3.2, with the exception of the extension to the North, the building lines from the perspective of approach operations are within those of the existing cattery and associated office. The extension to the North is located towards other existing buildings and, from the perspective of approach operations from the East, essentially represents the partial infill of a gap of around 5 m between the current northern limit of the cattery office and the southern limit of the stable block. The buildings are below the height of the approach surface previously identified as being appropriate for safeguarding approach operations. Overall, the change to the effective obstacle environment from the perspective of undershoot risk will therefore be minor, amounting to a 3.4 m infill of the gap between the existing 24.84 m wide cattery and office and the 32.9m wide stable block.
- 3.5 In accordance with the comments made earlier in Paragraph 2.19, intensification of use is not necessarily a threat to operations where this takes place within the existing footprint of development at the Causeway Cattery and Equestrian Centre. In this case, the footprint includes both the width of the developed area that accommodates obstacles and the height of those obstacles. As noted earlier in paragraph 3.4 above, the proposed alterations to the cattery and the extension to the adjacent office block are within the existing footprint. Accordingly, it is concluded that there would be no material increase in the risk of collision during approach operation arising from the proposed cattery extension.



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Scale  
1:10000



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Scale  
1:2500