

Perth and Kinross Council  
Development Management Committee – 13 August 2014  
Report of Handling by Development Quality Manager

**Temporary change of use from agricultural land to caravan/campsite at  
Islabank, Auchterarder, PH3 1DU**

Ref. No: 14/00792/FLL  
Ward No: 7 - Strathallan

**Summary**

The report recommends approval of the application as the proposal involves the temporary change of use of the land for a short period of time to cover the duration of the Ryder Cup and that the land will revert back to agricultural use after that period.

**BACKGROUND AND DESCRIPTION**

- 1 The application site is a 4 hectare area of agricultural land at Islabank, Broadfold which is situated 1km to the east of Auchterarder on the south side of the A9 and between the minor public road and the railway line. There are residential properties at Broadfold which are in close proximity to the northern boundary of the site. The Dalry Burn and a wooded area bounds the site to the west. The land rises from the public road to the southern boundary which is adjacent to the railway line. There is an existing access and access track to an area of hardstanding at the north eastern part of the site. The majority of the site consists of grazing land extending southwards to the railway line.
- 2 This is an application for a temporary change of use of agricultural land to caravan/camping use for 7 days from the 24 - 30 September 2014 to take advantage of demand for accommodation during the Ryder Cup at Gleneagles. Access to the site will be via the existing field access. The applicant has confirmed that he will provide toilet and shower blocks for campers and civic amenity skips for litter on an existing area of hardstanding to the north east of the application site. The application site land will revert back to agricultural use after the 7 day period.
- 3 Importantly, the applicant on receipt of planning consent will require to apply for a caravan site licence under the terms of Section 1 of the Caravan Sites and Control of Development Act 1960 and therefore an application should be made to Environmental Health if planning consent is given. In order for a site licence to be issued the site must meet the relevant guidance, including in relation to on site access, car parking, water supply, drainage, sanitation and washing facilities, litter and refuse provisions, electrical installations and storage of liquid petroleum gas.

**NATIONAL POLICY AND GUIDANCE**

**The 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.

5 Of relevance to this application are:

- Paragraphs 92 - 108: Supporting Business and Employment

## **DEVELOPMENT PLAN**

6 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**

7 Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the Tay Plan should be noted. The vision states *“By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice, where more people choose to live, work and visit and where businesses choose to invest and create jobs.”*

### **Perth and Kinross Local Development Plan 2014**

8 The Local Development Plan was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The application site is within the landward area and the principal policies are, in summary:

#### **Policy PM1A - Placemaking**

9 Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. All development should be planned and designed with reference to climate change mitigation and adaptation.

#### **Policy ED3 - Rural Business and Diversification**

10 Favourable consideration will be given to the expansion of existing businesses and the creation of new business. There is a preference that this will generally be within or adjacent to existing settlements. Outwith settlements, proposals may be acceptable where they offer opportunities to diversify an existing business or are related to a site specific resource or opportunity. This is provided that permanent employment is created or additional tourism or

recreational facilities are provided or existing buildings are re-used. New and existing tourist related development will generally be supported. All proposals are required to meet all the criteria set out in the policy.

**Policy ED4B - Caravan Sites, Chalets and Timeshare Development**

- 11 Proposals for new or expanded transit and touring caravan and camping sites will be supported where they are compatible with placemaking policies. There shall be no presumption in favour of residential development if any of the above uses ceases.

**SITE HISTORY**

- 12 10/01449/FLL Erection of a dwellinghouse on adjacent land to the east 29 September 2011 Application Permitted

**CONSULTATIONS**

- 13 **Transport Scotland** No objection
- 14 **Environmental Health** No objections subject to conditions
- 15 **Perth and Kinross Heritage Trust** No objection

**REPRESENTATIONS**

- 16 6 letters of objection have been received raising the following issues:-
  - Would set a precedent for future housing development
  - Landownership issues
  - No detail provided on the number of pitches or on site facilities
  - Drainage issues
  - Flood Risk
  - Safety and security of neighbours
  - Impact on local wildlife
  - Issues of road safety
  - Impact on residential amenity
  - Impact on private water supplies
- 17 These issues which are considered material planning issues are addressed in the Appraisal section of this report.

**ADDITIONAL STATEMENTS**

18	Environment Statement	Not required
	Screening Opinion	Not required
	Environmental Impact Assessment	Not required
	Appropriate Assessment	Not required
	Design Statement / Design and Access Statement	Not required
	Report on Impact or Potential Impact	Not required

## **APPRAISAL**

### **Policy**

- 19 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.
- 20 As a temporary change of use from agricultural land to a camping/caravan site for 7 days to take advantage of the demand for accommodation during the Ryder Cup it is considered that the proposal is acceptable in principle for this short period provided all other relevant planning matters can be met. These other issues are considered below. The proposal will not set a precedent for residential use and as stated under Policy ED4B of the Local Development Plan there will be no presumption in favour of residential development after the proposed temporary caravan/camping use ceases. Separately from any planning consent the applicant will require to apply for a caravan site licence under the Caravan Sites and Control of Development Act 1960 in order to carry out the proposed development.

### **Residential Amenity**

- 21 There have been issues raised in terms of impact on neighbouring residential amenity. Environmental Health have no objections to the proposal subject to the applicant making an application for a caravan site licence where the applicant must demonstrate that the site meets the appropriate guidance which is aimed at providing a satisfactory level of amenity for both the site users and neighbouring residential properties. In site planning terms in order to protect neighbouring residential amenity it is considered that no caravans or tents shall be positioned in the 2 smaller field parcels 1 and 3 to the north of the site. This can be covered by a condition on any consent and would result in any caravans or tents being placed at an acceptable distance from the residential properties..

### **Traffic and Road Safety**

- 22 The Council's Traffic and Road Safety team had indicated some concerns regarding this proposal. They have noted that the site access would need to be upgraded geometrically to accommodate vehicles and towed caravans (broadly a Type C access would be required, although the construction specification could perhaps be lowered due to the temporary nature of the site) and adequate visibility achieved with the road side vegetation/hedging being cut back to accommodate this. There is no recent significant recorded accident history in the vicinity of the site. This would be covered by a condition on any consent.
- 23 In addition, it was noted that the section of road to the west of the site would not be suitable for the type of traffic generated by the development, although to the east it is adequate. It is recommended that for any approval traffic and road

safety will require a formal traffic management plan to be put in place to ensure that traffic is routed to and from the site to the east.

- 24 It has also been highlighted that people staying at this site will not be able to directly access Gleneagles for the Ryder Cup as all spectators have to arrive via pre-arranged transport – e.g. the park and ride sites at Balado, Perth and Stirling or via train to Gleneagles Station (spectators can't access the site via Gleneagles Station unless they arrive by train). However, it is understood that there is the possibility that the applicant could arrange a formal coach service to/from their site via Ryder Cup Travel Services. All of this will require to be confirmed with a traffic/travel management plan conditioned as part of any consent.
- 25 Transport Scotland has no objections in terms of impact on the trunk road network.

### **Drainage**

- 26 The temporary drainage facilities for the site will require to be approved through the application for the caravan site licence and will require to comply with the relevant building standards regulations. Sanitary and washing facilities shall be provided in approved weather proofed buildings of durable construction on an approved scale with separate accommodation for male and female. The siting of these facilities should be restricted to the hard standing area to the north east of the site and details shall be submitted for approval prior to the occupation of the site.

### **Flood Risk**

- 27 There were concerns raised on possible flood risk from the proposal, however in consultation with the Council's Flooding Section as the Local Flood Prevention Authority they have confirmed that there is no objection to the proposal on flood risk grounds.

### **Private water supplies**

- 28 Concerns were raised by neighbours on the impact of the proposal on private water supplies. In consultation with Environmental Health they have stated that in order to ensure water supply and water quality a safeguarding condition is recommended on any consent in order to protect the amenity of neighbouring properties. Any private water supply for the development will need to comply with the Water Scotland Act 1980 (Section 63) and the Private Water Supplies (Scotland) Regulations 2006.

### **Landscaping and visual amenity**

- 29 Due to the temporary nature of the proposal it is considered that the proposal will not have any significantly adverse impact on the character or appearance of the countryside at this location.

### **Biodiversity**

- 30 There were some concerns raised by neighbours on the impact the temporary use would have on wildlife. In consultation with the Council's Biodiversity Officer it was considered that the field itself will not be a problem for nesting birds when the Ryder Cup is on, although it is suggested that no works likely to disturb ground nesting birds should take place before the 31 August. This will be covered by condition. It is also recommended by condition that no lighting should be directed towards trees on or adjacent to the site, particularly along the west boundary by the Dalry Burn due to the likelihood of bats roosting or foraging in this area.

### **Cultural Heritage**

- 31 In consultation with Perth and Kinross Heritage Trust it has been confirmed that the proposed development site lies within an area that is considered to have archaeological potential. The area contains a wealth of prehistoric archaeological sites, including the remains of a large burial monument and a defended settlement. Both of these sites, now ploughed out and surviving as sub-surface deposits, are recognised as nationally significant monuments with scheduled status (MPK7175, MPK6345. However given the temporary nature of the proposed development and the lack of any significant ground breaking works required to accommodate the caravan/camping site there is no requirement for any archaeological evaluation in this case.

### **Developer Contributions**

- 32 Given the temporary nature of the proposal there are no requirements for any developer contributions in this case.

### **Economic Benefits**

- 33 The provision of this temporary caravan/camping site will attract Ryder Cup spectators into the local area and increased spending on local goods and services.

### **Sustainability**

- 34 Due to the short term nature of the proposal there will be no significant sustainability issues arising as a consequence.

### **LEGAL AGREEMENTS**

- 35 None.

### **DIRECTION BY SCOTTISH MINISTERS**

- 36 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, 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 REASONS FOR RECOMMENDATION**

- 36 It is considered that in planning policy terms the proposed temporary change of use of the farm field for caravan/camping use is acceptable. In this case the applicant will require to apply for a caravan site licence from Environmental Health under the terms of Section 1 of the Caravan Sites and Control of Development Act 1960. The terms of this licence will cover issues of amenity both within the application site and to neighbouring land and property. The proposal is considered to be acceptable subject to conditions and is recommended for approval.

## **RECOMMENDATION**

- A** Approve the application subject to the following conditions:

### **Conditions:-**

- 1 Planning consent is hereby granted for a temporary period from 24 September to 30 September 2014 for caravan and camping use on the site. After 30 September 2014 caravan and camping use on the site shall cease and any ancillary structures and fencing shall be removed and the site cleared within 14 days of this date and the land shall revert back to agricultural use, all to the satisfaction of the Planning Authority.

Reason – In accordance with the terms of the application.

- 2 Prior to the occupation of the site on 24 September 2014 the applicant shall upgrade the site access geometrically to accommodate vehicles and towed caravans and visibility shall be improved with the cutting back of roadside vegetation in consultation with and for the approval of the Council as Roads Authority.

Reason - In the interests of pedestrian and traffic safety

- 3 Prior to the occupation of the site on 24 September 2014 the applicant shall submit in writing a formal Traffic Management Plan (TMP) in consultation with and for the approval of the Council as Roads Authority. The TMP shall include measures to be put in place to ensure that traffic is routed to and from the site to the east, as the section of road to the west is not suitable for the approved development. The TMP shall include details of the travel arrangements to and from the site to the Ryder Cup in accordance with the agreed travel protocol for the event. The approved Traffic Management Plan measures shall be implemented prior to occupation of the site.

Reason - In the interests of pedestrian and traffic safety

- 4 No caravans or tents shall be sited in field parcels 1 and 3 as indicated on drawing number 14/00792/4 to the north of the site.

Reason – In the interests of neighbouring residential amenity.

- 5 Prior to commencement of site works, details of the location and measures proposed for the safeguarding and continued operation, or replacement, of any septic tanks and soakaways / private water sources, private water supply storage facilities and/or private water supply pipes serving properties in the vicinity, sited within and running through the application site, shall be submitted to and approved in writing by the Council as Planning Authority. The approved protective or replacement measures shall be put in place before the site works commence and shall be so maintained throughout the period of construction.

Reason – In the interests of private water supplies.

- 6 No works in relation to the approved development likely to disturb ground nesting birds should take place before the 31 August 2014, in consultation with and to the satisfaction of the Planning Authority.

Reason – In the interests of biodiversity

- 7 No lighting associated with the approved development shall be directed towards trees on or adjacent to the site, particularly along the west boundary by the Dalry Burn due to the likelihood of bats roosting or foraging in this area, to the satisfaction of the Planning Authority.

Reason – In the interests of biodiversity

- 8 All toilet/washing and waste disposal facilities and any other temporary structures required for the development shall be located on the existing hardstanding area and full details of the extent and position of the toilet/washing and waste disposal facilities and temporary structures shall be submitted for the prior approval in writing of the Planning Authority.

Reason – In the interests of neighbouring residential amenity.

## **B JUSTIFICATION**

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan

## **C PROCEDURAL NOTES**

None

## **D INFORMATIVES**

- 1 The applicant should ensure that any existing wayleaves for maintenance or repair to existing private water supply or septic drainage infrastructure in the development area are honoured throughout and after completion of the development.



- 2 If connection to the public mains proves to be impractical the following should be noted if a private water supply is utilised.

The applicant shall ensure the private water supply for the development complies with the Water Scotland Act 1980 (Section 63) and the Private Water Supplies (Scotland) Regulations 2006. Detailed information regarding the private water supply, including the nature, location and adequacy of the source, any storage tanks/ pipework and the filtration and disinfection treatment proposed to ensure provision of an adequate and consistently wholesome water supply shall be submitted to Perth and Kinross Council Environmental Health in line with the above act and regulations.

- 3 The applicant shall consult with SEPA to confirm the requirements for any private waste water treatment provisions and licencing under the CAR Regulations.
- 4 The applicant should be advised that a revised caravan site licence may be required in terms of Section 1 of the Caravan Sites and Control of Development Act 1960 and therefore an application should be made to Environmental Health if planning consent is given. In order for a site licence to be issued the site must meet the following guidance.

#### *Site Boundaries*

- a. The site boundary shall be clearly discernible on the ground by fencing or as otherwise defined to the satisfaction of the Licensing Authority. The minimum distance between any caravan and the site boundary shall not be less than 3 metres.

#### *Carriageways and Footpaths*

- b. The site should be designed to provide access for fire appliances. Where practicable no caravan standing or toilet block should be more than 90 metres from a road; and common buildings and facilities should be connected to a road by a footpath of at least 0.75 metres wide and with a hard surface. Roads should be not less than 3.7 metres wide. Carriageways must be adequately surfaced to carry vehicles up to 11.2 tonnes which may be permitted to use the site. Adequate turning space shall be provided at the end of a cul-de-sac. Gateways shall be a minimum of 3.1 metres wide and have a minimum height clearance of 3.7 metres. There shall be no overhead cables less than 4.5 metres above the ground across roads. Warning notices regarding overhead electric lines should be displayed at the site entrance and on the supports for the lines.  
Emergency vehicle routes within the site must be kept clear of obstruction at all times

#### *Car Parking*

- c. One car only may be parked between adjoining caravans provided that the doors to the caravan are not obstructed. Suitably surfaced parking spaces should be provided to meet the additional requirements of visitors. No parking area which provides for more than 10 cars shall be nearer than 18 metres from any part of any caravan. Car parks provided for 10

cars or fewer shall be a minimum distance of 10 metres from any part of any caravan.

#### *Water Supply*

- d. A water supply complying with the appropriate British Standard and Scottish Water Byelaws currently in force, or where applicable the Private Water Supply (Scotland) Regulations 2006, shall be provided on the site. Water supply to caravans and supply points shall be supplied through pipes not less than 12.5mm in diameter and approved by the Local Authority. At each supply point there shall be a draw off tap at reasonable level discharging over a suitable paved area, and drained to a gully which shall not be used for the disposal of waste water. Water supply points shall be so situated that no caravan is more than 90 metres away from the water supply point. Adequate precautions shall be taken (or cause to be taken) to protect all service water pipes between the connection to the Local Authority main and fittings within the caravans, all to the satisfaction of the Local Authority.

#### *Drainage, Sanitation and Washing Facilities*

- e. An adequate drainage system approved by the Local Authority and complying with the relevant Building Standards (Scotland) Regulations, shall be provided for the complete and hygienic disposal of foul, rain and surface water.  
Sanitary and washing facilities shall be provided in approved weather proofed buildings of durable construction on the following scale with separate accommodation for each sex.  
Women - 2 WCs per 30 caravans  
Men - 1 WC and 1 urinal (or 2 WCs) per 30 caravans  
1 wash hand basin with hot and cold water shall be provided for each WC and urinal.  
For each sex, a shower or bath with hot and cold water shall be provided per 25 caravans.  
Provision must be made in the women's toilet accommodation for the hygienic disposal of sanitary dressings.  
The position of the sanitary and washing facilities on the site shall be approved by the Local Authority.  
Laundry facilities with hot and cold water shall be provided and internal and external clothes drying facilities shall be provided.  
The toilet facilities shall be capable of being easily cleaned.  
Adequate frost precautions shall be taken to ensure that the sanitary and washing facilities are functional throughout the year.  
A properly designed and constructed disposal point for chemical closets shall be provided. This point shall be provided with a water supply and equipment for flushing containers and shall be clearly marked as not for drinking purposes.

#### *Litter and Refuse Provisions*

- f. Common refuse receptacles made of non-absorbent material and with a close fitting lid shall be provided, housed within a properly constructed store and situated to the satisfaction of the Local Authority.

Satisfactory arrangements shall be made for the emptying and cleansing at least once a week of these receptacles.

#### *Electrical Installations*

- g. If pitches are provided with mains electricity from a central supply point it must be sufficient in all respect to meet the reasonable demands of the caravans thereon, the cables shall be laid in such a way as to minimise the risk to people tripping or having similar accidents. Any electrical installations other than Electricity Supplier works and circuits shall be installed in accordance with the requirements of the Institution of Electrical Engineers Regulations for the Electrical Equipment in Buildings (the I.E.E. Wiring Regulations) currently in force (and if relevant to the standard acceptable for the purposes of the current Electrical Supply Regulations) and be properly maintained. Electrical Installations shall be inspected not less than once in every 12 months (or in the case of underground installation 3 years) or in such longer periods as may be recommended by a person who should be one of the following: -

- A professionally qualified Electrical Engineer
- A member of the Electrical Contractors Association
- A member of the Electrical Contractors association of Scotland
- A certificate holder of the National Inspection Council for Electrical Installation Contracting
- Or a qualified person acting on behalf of one of these (in which case it should be stated for whom he is acting).

Within one month of such an inspection, the person carrying it out shall issue an inspection certificate in the form prescribed in the I.E.E. Wiring Regulations. The certificate shall be obtained by the site operator and displayed with the site licence. The site operator should meet the cost of the inspection and report.

#### *Recreational Area*

- h. A reasonable amount of space should be available on the site or recreational purposes which shall be located so as to minimise noise nuisance to caravans or adjacent residents.

#### *Storage of Liquid Petroleum Gas*

- i. Liquid Petroleum Gas (LPG) supplied from tanks shall comply with current Regulations and guidance notes. Exposed gas bottles or cylinders shall not be within 6 metres of an adjoining caravan. LPG installations shall conform to the current British Standards and Code of Practices for domestic butane and propane gas burning installations.

#### *Notices*

- j. Notices must be displayed on the site indicating the action to be taken in the event of an emergency. They shall show where the Police, Fire

Brigade, Ambulance and local Doctors can be contacted and the location of the nearest public telephone.

A suitable sign must be displayed at the site entrance indicating the name of the site, and the name and telephone number of the site licence holder and his/her accredited representative.

*General*

- k. The site, including all roads, services and facilities (including all caravans owned by the site operator) shall be maintained or cause to be maintained in good order and condition to the satisfaction of the Local Authority.
- l. Where practicable, consideration should be given to the needs of disabled people in the design of the caravan and the layout of the site.
- m. The keeping of animals or birds on the site shall be adequately controlled to prevent nuisance conditions arising.
- n. All communal buildings shall have adequate internal lighting. There shall also be sufficient external lighting to adequately light the carriageways and footpaths within the residential/ static areas and all access to common buildings.
- o. New buildings on the site and buildings undergoing change of use or alteration shall comply with the current Building (Scotland) Regulations.
- p. The site shall not be used until all the facilities have been provided and are operative.
- q. No trade or business shall be conducted in or from any caravan on the site.
- r. The Licensee shall provide Perth & Kinross Council with a layout plan of the site.
- s. The Licensee shall consult with Perth & Kinross Council prior to carrying out any changes to the site.

Background Papers: 6 letters of representation

Contact Officer: Mark Williamson – Ext 75355

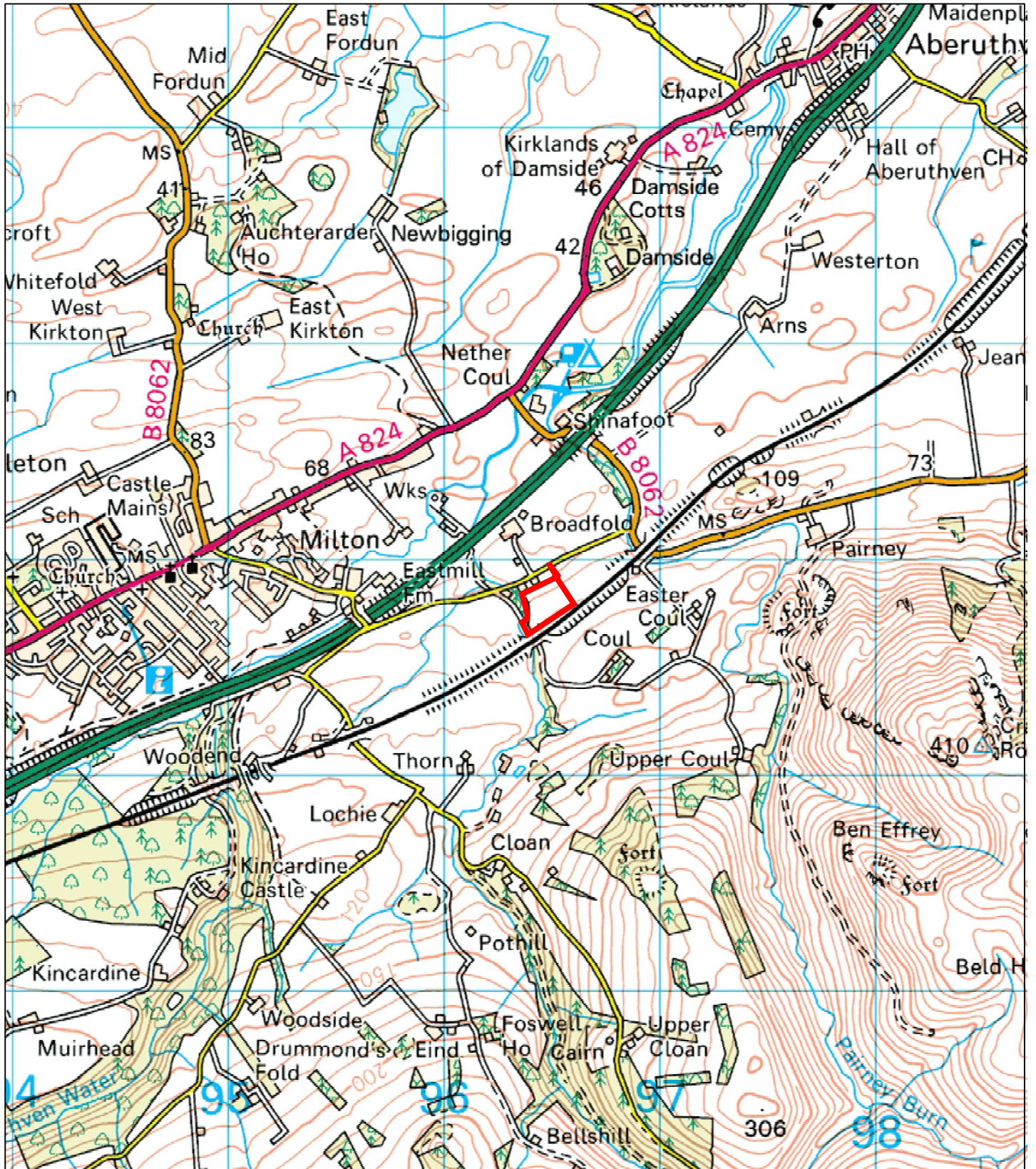
Date: 23 July 2014

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

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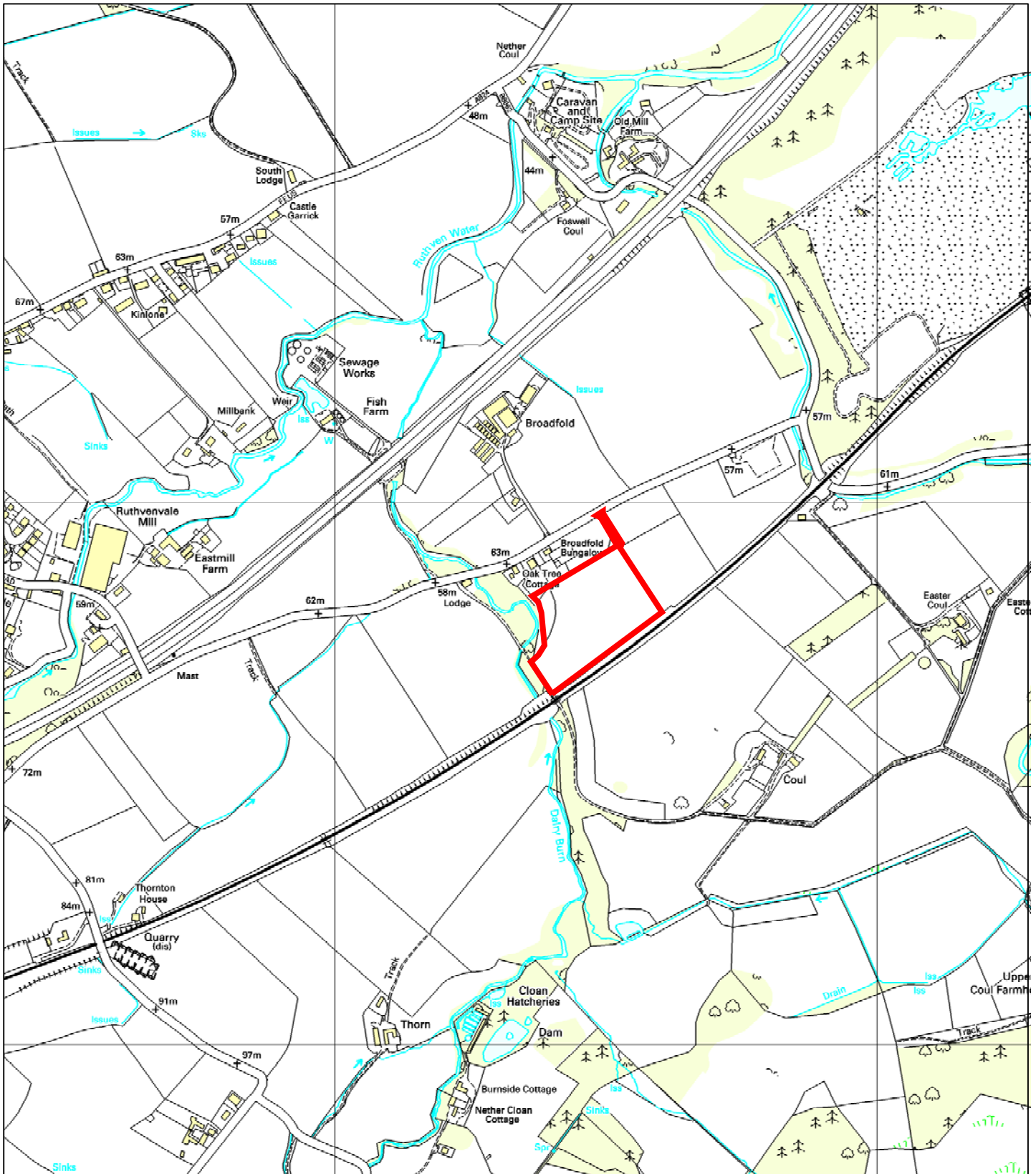
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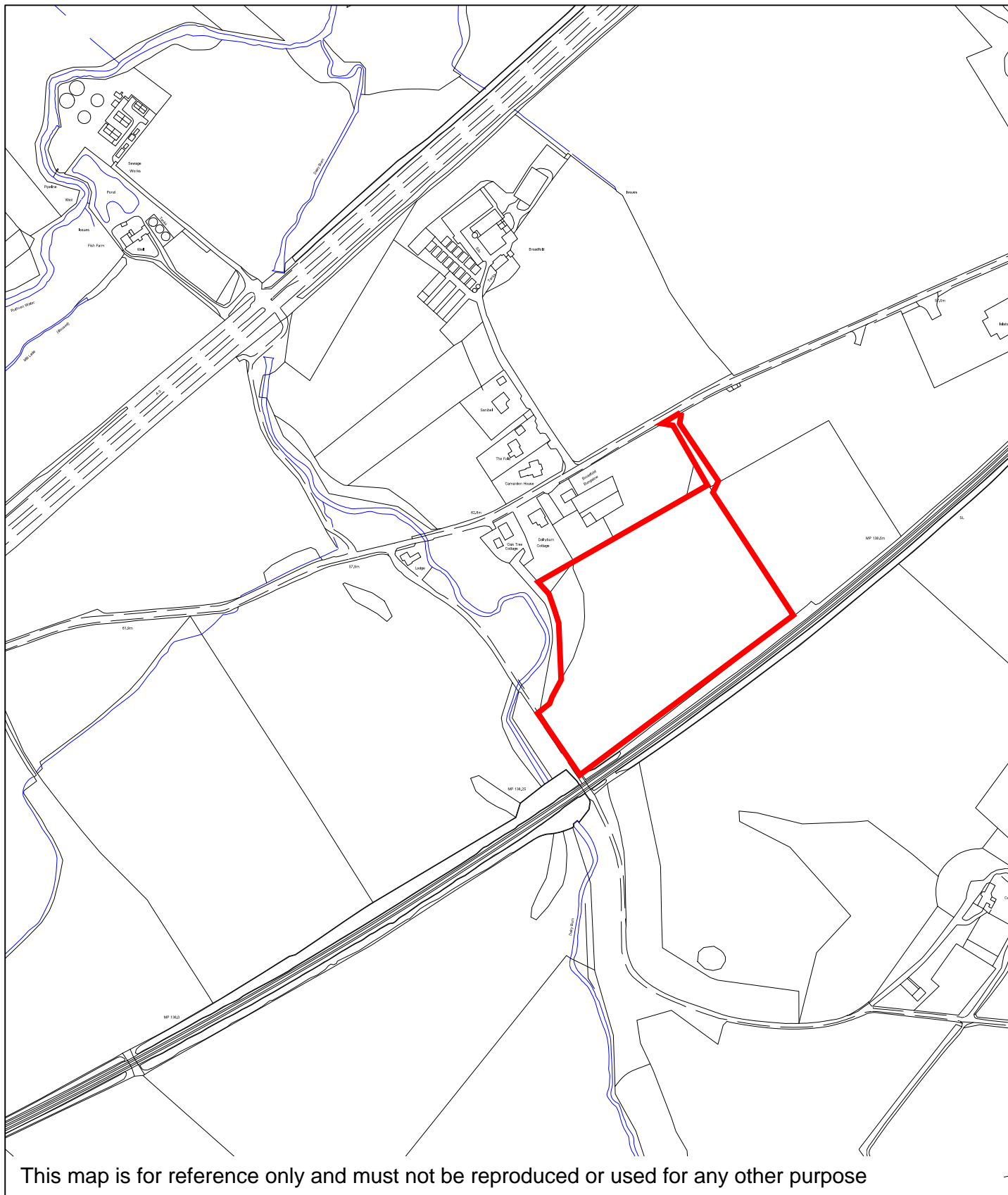
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Temporary change of use from agricultural land to caravan/campsite



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