



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

Local Review Body

A Meeting of the **Local Review Body** of North Ayrshire Council will be held in the **Council Chambers, Ground Floor, Cunninghame House, Irvine, KA12 8EE** on **Wednesday, 22 May 2019 at 14:15** to consider the undernoted business.

1 Declarations of Interest

Members are requested to give notice of any declarations of interest in respect of items of business on the Agenda.

2 Minutes

The accuracy of the Minutes of the Special meeting of the Local Review Body held on 24 April 2019 will be confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973 (copy enclosed).

3 Notice of Review: 18/00992/PP – Kirkton Caravan Park, Golf Road, Millport, Isle of Cumbrae, KA28 0HB

Submit report by the Head of Service (Democratic Services) on a Notice of Review by the applicant in respect of a planning application refused by officers under delegated powers (copy enclosed).

4 Urgent Items

Any other items which the Chair considers to be urgent.

Local Review Body Sederunt

Tom Marshall (Chair)
Timothy Billings (Vice-Chair)
Robert Barr
Ian Clarkson
Robert Foster
Christina Larsen
Shaun Macaulay
Ellen McMaster
Ronnie McNicol
Donald Reid

Chair:

Apologies:

Attending:

**Local Review Body
24 April 2019**

Agenda Item 2

Irvine, 24 April 2019 - At a Special Meeting of the Local Review Body of North Ayrshire Council at 2.20 p.m.

Present

Tom Marshall, Robert Barr, Timothy Billings, Ian Clarkson, Christina Larsen, Ellen McMaster, Ronnie McNicol and Donald Reid.

In Attendance

A. Hume, Planning Adviser to the LRB (Economy and Communities); A. Craig, Legal Adviser to the LRB (Legal Services); and E. Gray, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Marshall in the Chair.

Apologies for Absence

Shaun Macaulay.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The Minutes of the meeting of the Local Review Body held on 20 March 2019 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Notice of Review: 18/01120/PP – The Rustics, Brodick, Isle of Arran

Submitted a report by the Head of Service (Democratic Services) on a Notice of Review submitted by the applicant in respect of an application for planning permission refused by officers under delegated powers for formation of two dormer extension to the front and one dormer extension and roof terrace to the rear of a detached dwelling at The Rustics, Brodick, Isle of Arran.

The Notice of Review documentation, the Planning Officer's Report of Handling, a copy of the Decision Notice and a location plan were provided as appendices to the report. There were no interested parties and therefore no further comments or responses.

The Legal Adviser to the Local Review Body advised of the appropriate procedure for consideration of the review request. The Planning Adviser to the Local Review Body summarised the Notice of Review for the applicant and the Report of Handling for the appointed officer. Photographs and plans of the site were displayed. The Planning Adviser referred to the applicant's request for a site visit and request for hearing sessions.

Councillor Larsen left the meeting at this point.

The Local Review Body unanimously agreed that there was enough information provided to determine the review request without a site visit or hearing sessions.

Members asked questions and were provided with further information on:-

- the neighbour notification exercise and whether any objections had been received in respect of the application;
- the photographs and plans shown in relation to siting design, external appearance and amenity;
- discussions which had taken place between the Planning Officer and the applicant prior to the application being determined; and
- the processes for submitting an amended application and the fact that the applicant could do so without being charged within a year of determination.

Members discussed the proposal thereafter. Councillor McNicol, seconded by Councillor Reid, moved that the Local Review Body uphold the decision taken by the Planning Officer to refuse the application for planning permission for the reasons given in the decision notice. There being no amendment the motion was declared carried.

Accordingly, the Local Review Body agreed to uphold the Planning Officer's decision to refuse planning permission on the following grounds:

1. That the development would be contrary to criteria (a) Siting, Design and External Appearance, and (b) Amenity, of the General Policy of the adopted North Ayrshire Council Local Development Plan as the proposed dormer extension and balcony on the north roof slope would represent overdevelopment and be both oversized and unduly visually prominent to the detriment of visual amenity; and would overlook gardens and windows of neighbouring properties to the detriment of residential amenity in the area.

The Meeting ended at 2:40 p.m.

NORTH AYRSHIRE COUNCIL

22 May 2019

Local Review Body

Title: Notice of Review: 18/00992/PP – Kirkton Caravan Park, Golf Road, Millport, Isle of Cumbrae, KA28 0HB

Purpose: To submit, for consideration of the Local Review Body, a Notice of Review by the applicant in respect of a planning application refused by officers under delegated powers.

Recommendation: That the Local Review Body considers the Notice of Review.

1. Executive Summary

- 1.1 The Town and Country Planning (Scotland) Act 1997, as amended by the Planning (Scotland) Act 2006, provides for certain categories of planning application for "local" developments to be determined by appointed officers under delegated powers. Where such an application is refused, granted subject to conditions or not determined within the prescribed period of 2 months, the applicant may submit a Notice of Review to require the Planning Authority to review the case. Notices of Review in relation to refusals must be submitted within 3 months of the date of the Decision Notice.

2. Background

- 2.1 A Notice of Review was submitted in respect of Planning Application 18/00992/PP – Section 42 planning application for variation of condition 1 of planning permission CH/87/746/S to allow the land to be used to store touring caravans between 1 November - 28/29 February at Kirkton Touring Park, Golf Road, Isle of Cumbrae.
- 2.2 The application was refused by officers for the reasons detailed in the Decision Notice.
- 2.3 The applicant has requested that a site visit is undertaken prior to a decision being taken.
- 2.4 The following related documents are set out in the appendices to the report:-

Appendix 1 - Notice of Review documentation;
Appendix 2 - Report of Handling;
Appendix 3 - Location Plan;
Appendix 4 - Planning Decision Notice;
Appendix 5 - Further representations from interested parties; and
Appendix 6 - Applicants response to further representations.

3. Proposals

3.1 The Local Review Body is invited to consider the Notice of Review.

4. Implications/Socio-economic Duty

Financial:	None arising from this report.
Human Resources:	None arising from this report.
Legal:	The Notice of Review requires to be considered in terms of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning (Scotland) Act 2006, and the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013.
Equality/Socio-economic Duty:	None arising from this report.
Children and Young People:	None arising from this report.
Environmental & Sustainability:	None arising from this report.
Key Priorities:	None arising from this report.
Community Benefits:	None arising from this report.

5. Consultation

- 5.1 Interested parties (both objectors to the planning application and statutory consultees) were invited to submit representations in terms of the Notice of Review and these are attached at Appendix 5 to the report.
- 5.2 The applicant has had an opportunity to respond to the further representations and their response is set out in Appendix 6 to the report.

Andrew A Fraser
Head of Democratic Services

For further information please contact **Euan Gray, Committee Services Officer**, on **01294 324130**.

Background Papers

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NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)
IN RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)
(SCOTLAND) REGULATIONS 2008

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

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

Use **BLOCK CAPITALS** if completing in manuscript

Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Mark this box to confirm all contact should be
through this representative: ☐

* Do you agree to correspondence regarding your review being sent by e-mail?

Yes
x ☒ No
☐

Planning authority

Planning authority's application reference number

Site address

Description of proposed
development

Date of application

Date of decision (if any)

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

Nature of application

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

Reasons for seeking review

1. Refusal of application by appointed officer ☒
2. Failure by appointed officer to determine the application within the period allowed for determination of the application ☐
3. Conditions imposed on consent by appointed officer ☐

Review procedure

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

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

1. Further written submissions ☐
2. One or more hearing sessions ☐
3. Site inspection ☒
4. Assessment of review documents only, with no further procedure ☐

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

Site inspection

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

- | | Yes | No |
|--|-------------------------------------|-------------------------------------|
| 1. Can the site be viewed entirely from public land? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

We would prefer to accompany any inspectors if possible 01475 530370

Statement

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

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

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

We appeal the decision of North Ayrshire Council dated 7 January 2019 which exercises the powers under Section 42 Planning Application CH/87/746/S for the land at Kirkton Caravan Park, Golf Road, Millport, Isle of Cumbrae, KA28 0HB - To be used to store the touring caravans (maximum 11) between 1st November to 28/29th February each year.

Our Appeal is based upon the following:

The council has stated as part of the reason for refusal, that storing touring caravans "would have a negative impact on the visual amenity of the area, with the loss of a buffer between residential properties and the larger caravan park beyond".

We dispute this as there is nothing additional being added to what is already there in that area. It is only for the touring vans (maximum 11) that we are currently licensed for, that use the site between 1st March - 31st October. Our application is to store these vans only, nothing additional; and we reiterate these vans will not be used.

Therefore we dispute the storage of any vans would cause any additional impact on the visual amenity of the area, when it is already being used for 8 months of the year.

We question the phrase "Year round use" as the variation request is to **store** these vans only.

"Year round use" was never in the variation request.

We also dispute that the storage of these vans would have any "impact on the amenity of nearby properties, by virtue of proximity to residential windows, and disturbance from traffic movements" as the vans would not be used in any way during the period 1st November to 28th February.

Indeed if we had to remove these vans and store them elsewhere this could potentially be more of an eyesore than leaving them where they are.

Furthermore there would be much more disturbance caused by having a tractor pull them off on the 1st November and then returning them to each pitch by 1st March to re-site them.

All things would remain constant if this variance was granted, and before another decision on the appeal is made, we cordially invite council officials to visit the site to assess the situation.

As an aside, the site licence permits us to open weekends between 1st November and 28/29 February but we currently do not utilise this.

We thank you for your time in reconsidering this matter and look forward to meeting with you to further discuss and expand on why this variation has been declined.

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?

Yes ☐ No ☒

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

List of documents and evidence

Notice of Review

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

N/A

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

Checklist

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

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

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

Declaration

I the applicant/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed

[Redacted Signature]

Date

5-4-19

REPORT OF HANDLING



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

Reference No:	18/00992/PP
Proposal:	Section 42 planning application for variation of condition 1 of planning permission CH/87/746/S to allow the land to be used to store touring caravans between 01st November - 28/29th February
Location:	Kirkton Caravan Park, Golf Road, Millport, Isle Of Cumbrae KA28 0HB
LDP Allocation:	Open Space
LDP Policies:	ENV7 / TOU1 / General Policy /
Consultations:	None Undertaken
Neighbour Notification:	Neighbour Notification carried out on 16.11.2018 Neighbour Notification expired on 07.12.2018
Advert:	Regulation 20 (1) Advert Published on:- 12.12.2018 Expired on:- 02.01.2019 Regulation 20 (1) Advert Published on:- 21.11.2018 Expired on:- 12.12.2018
Previous Applications:	None
Appeal History Of Site:	None

Relevant Development Plan Policies

ENV7

POLICY ENV 7: SPECIAL LANDSCAPE AREAS

Within the identified Special Landscape Area, which includes the National Scenic Area in

North and Central Arran and Clyde Muirshiel Regional Park, as defined on the LDP Map,

the Council shall pay special attention to the desirability of safeguarding or enhancing the

character or appearance of the landscape in the determination of proposals.

Development

should be sited so as to avoid adverse impacts upon wild land. There is a presumption

against development in these areas unless it can be demonstrated that the proposal:

- (a) meets the needs of agriculture or forestry; OR
 - (b) is a recreation, leisure or tourism proposal which will bring a level of social and economic benefit to the area which outweighs the need to protect the area from development; OR
 - (c) is a renewable energy generation development; AND
 - (d) is appropriate in design and scale to its surroundings; AND
 - (e) has no unacceptable direct, indirect or cumulative impacts on the landscape character and/or the natural and built heritage resource; AND
 - (f) has no unacceptable impacts on the visual amenity of the area; AND
 - (g) has taken cognisance of the Council's Rural Design Guidance, where applicable.
- In addition to the above criteria, proposals for development which would affect the National Scenic Area, as identified on the LDP Map, shall not accord with the LDP unless:
- (h) the objectives of designation and the overall integrity of the National Scenic Area will not be compromised; OR
 - (i) any significant adverse impacts on the qualities for which the National Scenic Area has been designated are clearly outweighed by social or economic benefits of national importance.

TOU1

POLICY TOU 1: TOURIST ACCOMMODATION AND FACILITIES

Proposals to create or extend tourist facilities, hotels, boarding houses, bed and breakfast facilities and guesthouses, within Class 7, and managed units (see glossary) shall generally accord with the LDP where the proposed site is within a settlement boundary.

Proposals for such development in the Countryside shall accord with the LDP provided:

- (a) the development is an existing building suitable for conversion; OR
- (b) development can demonstrate a site specific locational need; AND
- (c) there is a social and/or economic benefit to the area; AND
- (d) it is of a scale and character which is not detrimental to the amenity and landscape of the area.

Where the proposal is for an individual tourism accommodation unit and the unit is not clearly allied to a tourist facility, the proposal is unlikely to be supported. The proposal must be compatible with the underlying land use and appropriate in design and scale to surrounding uses.

Restrictions to retain tourism use are likely to be required where this has formed the justification for development in the countryside - this may be secured via legal agreement if appropriate. Proposals for staff accommodation will only be acceptable where an

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operational need for staff to be located on site has been demonstrated (and is not merely for convenience) and this will be secured via legal agreement (see Policy ENV 2 for further details).

General Policy GENERAL POLICY

(a) Siting, Design and External Appearance:

- Siting of development should have regard to the relationship of the development to existing buildings and the visual effects of the development on the surrounding area and landscape.
- Design should have regard to existing townscape and consideration should be given to size, scale, form, massing, height, and density.
- External appearance should have regard to the locality in terms of style, fenestration, materials and colours.
- Development will require to incorporate the principles of 'Designing Streets' and 'Designing Places'.
- The particularly unique setting of North Ayrshire's rural, coastal, neighbourhood and town centre areas, and those with similar characteristics, necessitates that all development proposals reflect specific design principles unique to these areas. Coastal, Rural, Neighbourhood and Town Centre Design Guidance (four separate documents) are Supplementary Guidance to the Plan and contain further details.
- Consideration should be given to proper planning of the area and the avoidance of piecemeal and backland development.
- Design should have regard to the need to reduce carbon emissions within new buildings.

(b) Amenity:

Development should have regard to the character of the area in which it is located.

Regard should be given to the impact on amenity of:

- Lighting;
- Levels and effects of noise and vibration;
- Smell or fumes;
- Levels and effects of emissions including smoke, soot, ash, dust and grit or any other environmental pollution;
- Disturbance by reason of vehicular or pedestrian traffic.

Development should avoid significant adverse impact on biodiversity and upon natural

heritage resources, including those outwith designated sites and within the wider countryside. Development proposals should further have regard to the preservation and

planting of trees and hedgerows, and should also have regard to their potential to contribute to national and local green network objectives.

In relation to neighbouring properties regard should be taken of privacy, sunlight and daylight.

(c) Landscape Character:

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In the case of development on edge of settlement sites, substantial structure planting will generally be required to ensure an appropriate boundary between town and country is provided. Such proposals should include native tree planting, retain natural features where possible and make provision for future maintenance. Development should seek to protect the landscape character from insensitive development and the Ayrshire Landscape Character Assessment shall be used to assist assessment of significant proposals.

(d) Access, Road Layout, Parking Provision:

Access on foot, by cycle, by public transport and other forms of transport should be an integral part of any significant development proposal. Development should have regard to North Ayrshire Council's Roads Development Guidelines and meet access, internal road layout and parking requirements.

(e) Safeguarding Zones:

Pipelines, airports and certain other sites have designated safeguarding areas associated with them where specific consultation is required in assessing planning applications. The objective is to ensure that no development takes place which is incompatible from a safety viewpoint. The need for consultation within Safeguarding Zones is identified when an application is submitted. Supporting Information Paper No. 7 provides further information on Safeguarding Zones.

(f) The Precautionary Principle

The precautionary principle may be adopted where there are good scientific, engineering, health or other grounds for judging that a development could cause significant irreversible damage to the environment, existing development or any proposed development, including the application itself.

g) Infrastructure and Developer Contributions

For development proposals which create a need for new or improved public services, facilities or infrastructure, and where it is proposed that planning permission be granted, the Council will seek from the developer a fair and reasonable contribution in cash or kind

towards these additional costs or requirements. Developer contributions, where required, will be sought through planning conditions or, where this is not feasible, planning or other legal agreements where the tests in Circular 3/2012 are met. Other potential adverse impacts of any development proposal will normally be addressed by planning condition(s) but may also require a contribution secured by agreement. This will emerge from assessment of the impact of development proposals upon:

- Education;
- Healthcare facilities;
- Transportation and Access;
- Infrastructure;
- Strategic landscaping; and,
- Play facilities.

Further to analysis of infrastructure, indicative requirements for housing land allocations are set out within the Action Programme. Developer contributions will be further established by Supplementary Guidance (timing, costs etc.).

In addition to the above, Mixed Use Employment Areas are identified within the LDP. These sites are allocated for a mix of uses, subject to an element of employment space creation or improvement being provided. This will be informed by a business plan and masterplan. In these specific cases, contributions to the above (and affordable housing requirements as set out in Section 5) will also be required.

h) 'Natura 2000' Sites

Any development likely to have an adverse effect on the integrity of a 'Natura 2000' site will only be approved if it can be demonstrated, by means of an 'appropriate assessment', that the integrity of the 'Natura 2000' site will not be significantly adversely affected.

i) Waste Management

Applications for development which constitutes "national" or "major" development under the terms of the Planning Etc. (Scotland) Act 2006 will require the preparation of a Site Waste Management Plan (SWMP), which will be secured by a condition of the planning consent.

Description

Planning permission was granted 27th April 1988 (Ref: 87/746/S) for the use of a piece of land as a caravan park and formation of access. The permission has been implemented and the land is now known as Kirkton Caravan Park, also known as Kirkton Touring Park, Golf Road, Millport. The permission is subject to several conditions including Condition 1 which is as follows;

'That the site shall not be used as a caravan site between 31st October in any one year and 1st March in the succeeding year.'

The reason given for this condition in 1988 was to prevent the use of the site for permanent residential purposes.

Condition 2 of the permission is as follows; 'That the site shall be used for touring caravans and for no other purpose.'

The reason given for this condition in 1988 was to maintain control over the development in the interests of amenity.

In 2015, the Council received complaints that the site was being used all year round and that static caravans and other structures had been placed on the site. Following an investigation, a Breach of Condition Notice was served requiring compliance with Conditions 1 and 2. The Notice took effect on the 16th September 2016. Over the winter of 2016/17, the static caravans and other structures were removed. However, the touring caravans remained in situ. Over the winter of 2017/18 it was noted that 4 touring type caravans remained in situ. The manager of the site was advised that the Notice was in breach and that all caravans should be removed from the site by 1st November. As of 13th December 2018 there were 8 touring type caravans on site.

This application seeks to vary Condition 1 by allowing touring caravans to be stored on the site throughout the winter i.e. between 1st November and 1st March.

The application site lies within an area identified by the adopted Local Development Plan (LDP) as open space outwith the settlement of Millport and part of the Great Cumbrae Special Landscape Area. There are residential properties to the east and north and residential properties and a cemetery to the south. To the west and beyond to the north is a static caravan park known as Millport Holiday Park. The relevant policies of the adopted North Ayrshire Local Development Plan are ENV7, ENV12, TOU1 and the General Policy.

Consultations and Representations

The application was subject to statutory neighbour notification procedures and advertised in the local press. There have been ten objections which can be summarised as follows:

1. The condition was put in place to ensure a period free of caravans each year. This is still a relevant requirement for the permanent residents of the area, particularly those whose outlook is impacted by the caravans.

Response: The reason for the condition is given as to prevent the use of the site for permanent residential purposes. However, it is accepted that permanent residential purposes would likely impact on the amenity of nearby residential properties. An assessment of impact from the proposed storage use is given below.

2. An entirely new application for the storage use should be made rather than an amendment to the 1988 permission, which should remain extant.

Response: Section 42 of the Town and Country Planning (Scotland) Act 1997, as amended, allows applications for planning permission for the development of land without complying with conditions attached to a previous permission. As such it is considered that the application as submitted is an appropriate method for determining the proposal. If an application for a new permission was to be made, and granted, any relevant conditions of the 1988 permission would effectively be superseded and would not continue to have any effect.

3. The storage of caravans on the site at any time of year will impact on the amenity and privacy of nearby residents. One of the nearby properties is overlooked by a caravan which has not moved in years. There is another caravan which has not moved and affects the light to a nearby property.

Response: Noted. The site shares boundaries with several residential properties. The nearest residential window of one of those properties is some 2.5m from the boundary. An assessment of the impact on amenity is given below.

4. The appearance of the site has declined and become an eyesore. Winter storage will lead to further decline in the amenity of the area. The vans which have not moved from the site are dirty and dilapidated. The fence around the site is not cared for. The site impacts on the amenity of the nearby residential properties. The site was tidied up following submission of the application but the fence remains broken.

Response: The condition of the vans and boundary fence is noted. The condition of the land does not necessarily follow from year round use.

5. The original owners of the site managed the area so that although objections were raised in 1988 conditions were adhered to and no problems arose. The current owners of the site have repeatedly contravened the terms of the existing planning permission. They introduced static vans to the site and allowed the site to be used as year round accommodation by employees. Junk and scrap was stored on the land. Tents have been pitched and campfires built. They have not complied with the requirements of the Breach of Condition Notice. The site is subject of an enforcement notice and no application should be considered until the terms of the notice have been met. There is no faith that any amended permission would be complied with.

Response: The Council, as Planning Authority, has been aware of non-compliance with the planning conditions since 2015. Breaches were found and a Breach of Condition Notice issued. Non-compliance with that notice has led to this application being submitted.

6. The area is no longer used for touring caravans. The caravans on the site do not move. Some of these vans have been in situ for at least three years. It is not considered that these can be termed as 'touring,' due to them not moving. There are 9 pitches and only 1 has moved, with 8 vans remaining on site all year. Due to this use of the site, genuine touring caravans park within the town or around the island. This causes parking problems, particularly when events are being held.

Response: Noted. The Council's records suggest that there are 11 pitches and there has been between 4 (winter 2017/18) and 8 caravans on site (winter 2018/19). Notwithstanding, the caravan type which have been on site during the winter are 'touring,' type. There are no restrictions on when these vehicles are to move during the summer months. The parking of touring vehicles around Millport and the island could occur whether or not the site was fully occupied, and under the current conditions it should not be open in the winter.

7. Planning permission 87/746/S should be cancelled. If this is not possible then the caravans should be removed immediately. There is space in the car parking area of the main caravan park for the storing of these touring caravans. This car park is empty over winter.

Response: The planning permission which permits the use of this area of land is extant and can be relied on for the use as a caravan park, subject to conditions. The consideration of this application is whether or not condition 1 should still apply. It is noted that there is potentially space within the main caravan park (Millport Holiday Park) for storing caravans. That site is a lawful caravan park and can be used in accordance with any planning permissions and/or licenses which may apply. That would be a matter for the caravan park owner to consider their operations in that site.

8. The use of the land all year round would decrease the value of nearby houses.

Response: The effect on house prices of a development is not a material planning consideration.

Cumbrae Community Council expressed concern regarding the proposal for many of the reasons outlined above.

Response: Noted.

Analysis

The reason for imposing Condition 1 in 1988 was to prevent any caravans on the site being used for permanent residential purposes. It is considered that this condition was both in recognition of the inadequacies of the site for permanent accommodation and that any permanent use would impact on the amenity of nearby residential properties. Although storage of caravans, rather than residential use, is proposed, it is considered that the impact on visual and neighbouring residential amenity of the use is the key consideration for the proposal.

The site is identified by the LDP as being within the Great Cumbrae Special Landscape Area and as open space outwith the settlement of Millport.

Policy ENV7 of the LDP states that for sites within Special Landscape Areas, the Council will pay special attention to the desirability of safeguarding or enhancing the
18/00992/PP

character or appearance of the landscape in the determination of proposals. There is a presumption against development in these areas unless it can be demonstrated that the proposal meets certain criteria. The relevant criteria are as follows: (b) that it is a tourism proposal which will bring a level of social and economic benefit to the area which outweighs the need to protect the area from development; and (d) is appropriate in design and scale to its surroundings; and (e) has no unacceptable impact on the landscape character and/or the natural and built heritage resource; and (f) has no unacceptable impact on the visual amenity of the area. Policy ENV12 of the LDP states that where a proposed development is for a use other than outdoor recreational or physical activity purposes, it should not set an undesirable precedent for further incremental loss of open space.

In terms of this application, the tourism use of the land as a caravan park is established and it is not an undeveloped area. There are adjacent buildings and more caravans and similar structures to the north and west. To the south is a cemetery. As such it is not considered that storing the caravans on site throughout the winter would impact on the Special Landscape Area and the proposal could be held to be acceptable in terms of the Special Landscape Area and open space provision.

Policy TOU1 of the LDP states that proposals to create tourist facilities outwith settlements shall accord with the LPD subject to certain criteria. The relevant criteria are: (b) development can demonstrate a site specific locational need; (c) there is a social and/or economic benefit to the area; and (d) it is of a scale and character which is not detrimental to the amenity and landscape of the area.

The site is a caravan park during the summer and this proposal seeks to allow caravans to be stored on the land, and therefore could be supported in terms of (b). The applicant has provided no evidence with respect to any social or economic benefit to the area to be gained by allowing winter storage. As the use would be for storage only, it is not considered that there would be any benefits to Millport by way of tourist spend arising from the development. It is therefore considered that whilst criterion (b) could be met, there is no evidence that the proposal accords with criterion (c).

The relevant criteria of the General Policy against which the proposal is to be assessed is (a) Siting, Design and External Appearance and (b) Amenity.

Criterion (a) states that consideration should be given to the visual effect of the development on the surrounding area. Whilst the development has limited impact on the wider Special Landscape Area, it is considered that there are visual impacts on the more immediate area.

As stated above, the site is an established caravan park. The siting and design of the caravans within that site are as may be expected from such a site. Representations have been made to the run down appearance of the site and condition of boundary fencing. If permission were granted, a condition could be attached to any permission ensuring an appropriate boundary treatment were provided and maintained.

However, the key consideration for the proposal is whether or not the appearance of the site should be dominated by caravans on a year round basis. The expectation of the current planning permission is that the site will not be used for a four month period over the winter. The site would appear only as open space and act as a

18/00992/PP

visual buffer between the nearby residential properties and the larger caravan park to the north and west. During the winter months the site is at its most visible for the occupants of nearby residential properties and the caravans are a prominent feature. The use of the land during the winter for the storage of caravans is considered to impact on the visual amenity of the local area. The proposal therefore does not comply with criterion (a) of the General Policy or part (d) of TOU1.

Criterion (b) states that regard should be had to other amenity impacts. This includes disturbance by reason of vehicular or pedestrian traffic, privacy, sunlight and daylight.

Residential properties share boundaries with the site to the south, east and north. The closest property is Kirkton Cottage which shares its western and southern boundary with the site. The rear elevation of that property is some 2.5m from the boundary, with the rear amenity space being in the area between the rear elevation and the boundary. There are two plots for caravans within 2m of the boundary with that property. Touring type caravans can be sited on plots within the site. Under the current permission, these caravans can be on site for 8 months without moving.

The siting of caravans on these plots all year round is considered to impact on the amenity of that property, particularly in the winter when the site is more prominent due to lack of foliage on vegetation. Year round siting of caravans could provide a sense of overlooking whether or not they are actually occupied.

Under the current permission, the site is not to be used between 31st October and 1st March. There is therefore an expectation that there should be no traffic to and from the site in those months. The access to the site is between two residential properties, which would potentially increase disturbance from traffic. Whilst storage of caravans may not bring as many traffic movements as occupation, access to the caravans and movement of them to/from and within the site could be expected if permission for storage was granted. the extended period of use and increased activity does not comply with criterion (b) of the General Policy and part (d) of the TOU1.

In view of the foregoing, the proposal is considered to be contrary to the LDP policies and planning permission should therefore be refused.

Decision

Refused

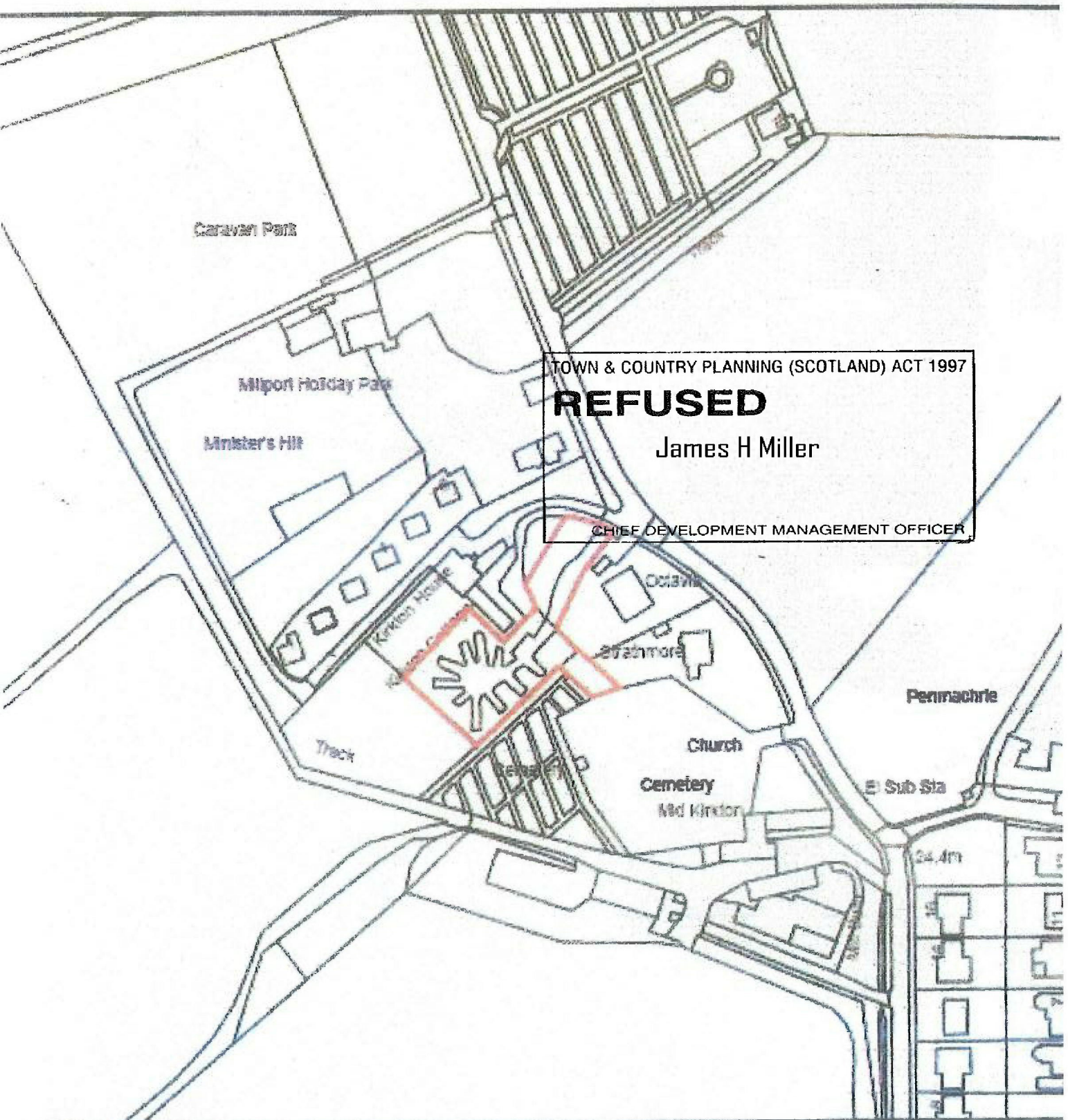
Case Officer - Mr Iain Davies

Appendix 1 - Drawings relating to decision

Drawing Title	Drawing Reference (if applicable)	Drawing Version (if applicable)
Location Plan		

Appendix 3 This is the notice referred to under Section of 145 of the Town and Country Planning (Scotland) Act 1997:

'Kirkton Touring Park,' Millport Holiday Park, Millport, Isle of Cumbrae KA28 0HE



North Ayrshire Council

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1:2500 SCALE



Appendix 4



North Ayrshire Council

Comhairle Siorrachd Àir a Tuath

KAREN YEOMANS : Executive Director (Economy & Communities)

No N/18/00992/PP

REFUSAL OF PLANNING PERMISSION

Type of Application: Local Application

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT, 1997,
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006.
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND)
REGULATIONS 2013

To : William Purcell
c/o Gabrielle Hutchinson
Millport Holiday Park
Golf Road
Millport
KA28 0HB

With reference to your application received on 12 November 2018 for planning permission under the above mentioned Acts and Orders for :-

Section 42 planning application for variation of condition 1 of planning permission CH/87/746/S to allow the land to be used to store touring caravans between 01st November - 28/29th February

at Kirkton Caravan Park
Golf Road
Millport
Isle Of Cumbrae
KA28 0HB

North Ayrshire Council in exercise of their powers under the above-mentioned Acts and Orders hereby refuse planning permission on the following grounds :-

1. That the proposed development would be contrary to criterion (a) and (b) of the General Policy and part (d) of TOU1 in the adopted North Ayrshire Council Local Development Plan, on the grounds that the year round use would have a negative impact on the visual amenity of the area, with the loss of a visual buffer between residential properties and the larger caravan park beyond. The year round use would also impact on the amenity of nearby residential properties by virtue of proximity to residential windows, and disturbance from traffic movements.

Dated this : 7 January 2019

.....
for the North Ayrshire Council

(See accompanying notes)



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006.
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND)
REGULATIONS 2013 – REGULATION 28

KAREN YEOMANS : Executive Director (Economy & Communities)

FORM 2

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to Committee Services, Chief Executive's Department, Cunninghame House, Irvine, North Ayrshire, KA12 8EE.
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Euan Gray,
Committee Services Officer,
Cunningham House.

Dear Sir,

Planning application:
18/00992/PP - Notice of Review.

I am in receipt of your letter regarding the above planning application.

I sincerely hope that all the objections already submitted will be carefully considered & that the reasons for the original application being refused are taken into consideration - such as "year round use would have a negative impact on the visual amenity of the area & would also impact on the amenity of nearby residential properties by virtue of proximity to residential windows"

at I am proud to support World Children's Fund in helping to break the cycle of poverty for suffering children in Mozambique.

Please do something amazing today and join me by giving your support too. Thank you!
www.worldchildrensfund.org.uk

at the moment of writing the "Young"
site is not well maintained,

The fence between the site & Kirkton
House garden is in a terrible state -
it is all broken & sagging into
Kirkton House garden. I am sure the
residents of the house will not be very
happy when they see it.

Once more I hope the correct decision
will be made in regard to this
application as I have no faith in the
management adhering to any rules
regarding what would be permissible
& the maintenance.

Yours sincerely



Further Rep. 2

planning app 18/00992/ [REDACTED] to: [REDACTED] 09/04/2019
 12:14
 From: [REDACTED] >
 To: [REDACTED] >

planning app 18/00992/pp notice of review

We wish to object to the above application for the following reasons:-

1. The touring caravans are in a dilapidated condition and are extremely unsightly.
2. It is obvious that they have not been moved for a considerable time.
3. In the last two weeks there have been two short stays by visitors to the island in campervans and at the weekend two tourers have been occupied by people arriving by car/van both of which have no tow bar fitted.
4. The fence between the touring site and Kirkton House gardens has partially blown down, when reported to the site office they said it had been noted and it would be attended to. Exactly the same as was said last year and nothing has been done.
5. Millport static caravan site has a large car park with floodlighting, approx 80 plus spaces, where several 35-foot static vans and one touring van were overwintered. It seems sensible that all the tourers could be stored there.
6. Sadly, this "blot on the landscape" is next to the medieval graveyard.

regards [REDACTED]
 [REDACTED]
 [REDACTED]

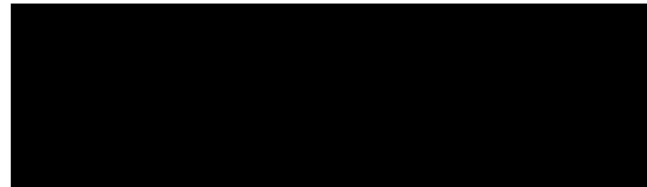
10.4.2019

Further Rep. 3

Dear Sir,

Thank you for this letter and just to let you know my position in this has not changed. I would also like to add that after the last decision the owners of this site did not remove any of the coravans. I would also like to point out that the boundary fence between the park and my garden is in a state of disrepair which means I have complete view of the coravans.

Yours sincerely



Euan Gray

From: [REDACTED]
Sent: 17 April 2019 15:25
To: Euan Gray
Subject: Fwd: Planning Application: 18/00992/PP Review
Attachments: 20190410_165054_resized.jpg; 20190410_165110_resized.jpg; 20190410_165059_resized.jpg; 20190410_165255_resized.jpg; 20190417_150341_resized.jpg

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: [REDACTED]
Date: 17/04/2019 15:09 (GMT+00:00)
To: [REDACTED]
Cc: Les [REDACTED]
Subject: Planning Application: 18/00992/PP Review

Dear Mr. Gray,

Thank you for your letter.

I would indeed like to make further representations in relation to the review.

With my original representation, I included a number of photographs which highlighted the untidy and neglected aspect of the site in question including the sagging and broken fences. I am attaching some more recent photographs which show clearly how the situation has been allowed to continue to deteriorate.

The boundary fence is now in a dangerous condition and affords users of the touring site and their pets easy access to the private garden of Kirkton House.

As residents, we have no reason to believe that allowing this application would result in anything but further neglect of the site and the establishment of what amounts to a graveyard for old caravans as our outlook.

To be clear, once in place, many of the caravans are never moved again so it's hard to see how this provides an amenity for tourists.

In addition, I would like to point out that this site also borders the oldest graveyard on the island which is of great historical interest and contains stones dating back to the 16th century. It attracts many visitors and would hardly be enhanced by its proximity to a dumping ground for old caravans.

I would like to reiterate the detrimental effect on the amenity of all of us who border this site and our disappointment with the owners' and manager's repeated and blatant flouting of the terms of the original planning permission.

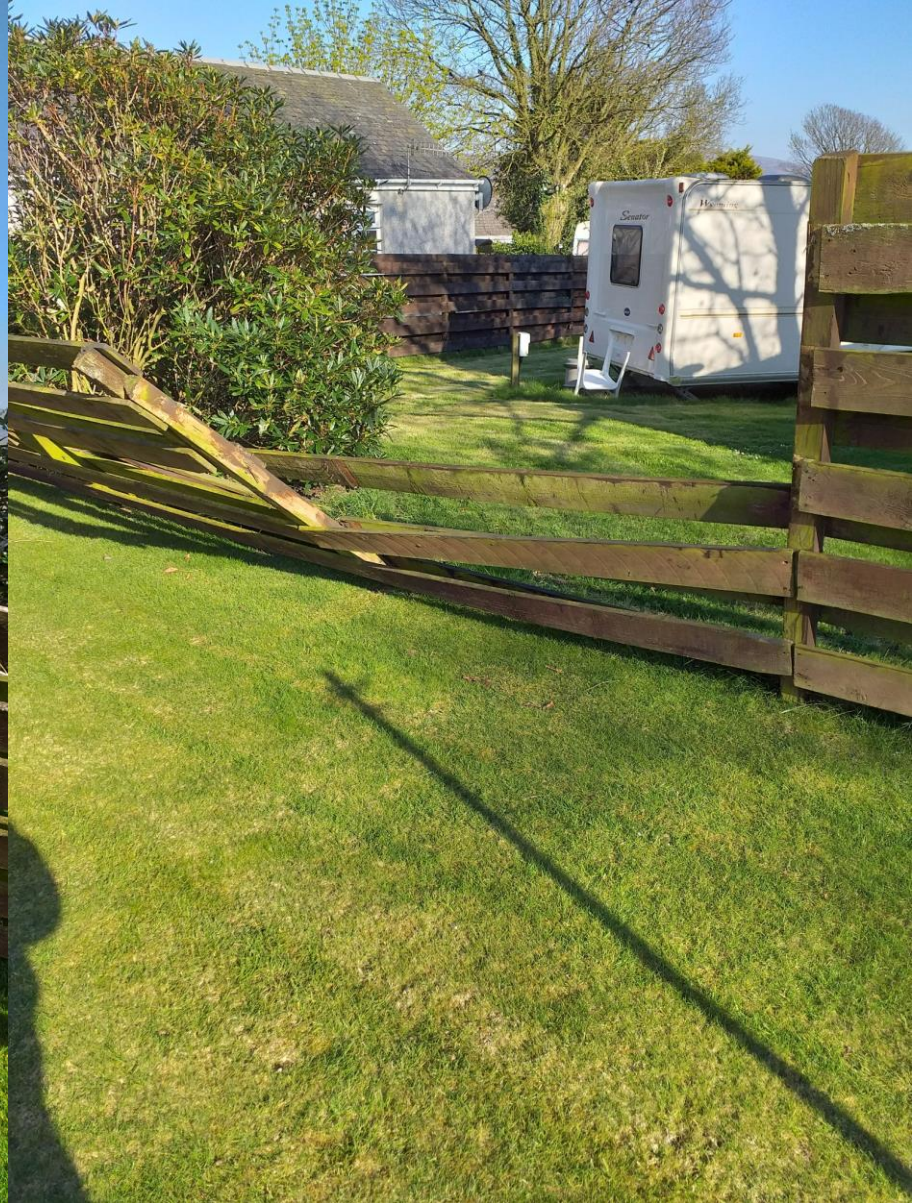
Kirkton House is a beautiful Georgian building. The residents take care of it and take pride in it. There could not be more of contrast with the sorry shabbiness of the site next door.

Finally, I have included an extract (point 29) from the original site licence which would seem relevant to the current situation in terms of maintenance or lack of it.

Yours sincerely,

A solid black rectangular box used to redact a signature.





designed.

29. Maintenance

All caravans, chalets, communal or other buildings, carriageways, footpaths, car parking areas, recreational areas, playground equipment, walls, fences, lighting, drainage, pumps, water supplies and all other facilities shall at all times be maintained in good order and to the satisfaction of the Licensing Authority.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
21 April 2019

[REDACTED]
Dear Sir

Appeal to Local Review Body – Objection to Planning Application Ref. No. 18/00992/PP – Kirkton Caravan Site, Millport

With reference to the above appeal I would re-iterate the reasons contained in my original letter of objection to the application and would also refer to the reasons stated in the Report of Handling leading to the refusal of consent and to the following:

1. The site currently has planning consent as a touring caravan site but operates in breach of the consent by siting static caravans on the pitches – some of which erected semi-permanent extensions/additions. The “touring caravans” are in fact left at this site all year round whether or not they are occupied at any given time and are therefore in effect small static vans.
2. If this consent was to be granted by the LRB it would in effect be adding 11 static caravans to the existing site capacity and doing away with the only designated, and much needed, touring sites on the island.
3. The Licence for Kirkton Caravan Site states that no van of less than 18 feet in length will be allowed on site.
4. Caravans on this site have not moved during the season or in many cases during the closure period. Some have been left unoccupied for lengthy periods of time, often weeks on end, and others have been used as year-round residential units. The use that has been made of the site cannot therefore be described as being “touring” in nature and has been recognised as being in breach of the existing consent.
5. This site has been the subject of an ongoing enforcement notice and as such no change should be considered to the consent until the terms of the notice have been complied with or the existing consent rescinded.
6. The caravans permanently situated at this site are of dilapidated and run-down appearance and through lack of maintenance of the site itself and the caravans on the pitches there is an air of dereliction created which impacts on other potential users of the caravan site and adjoining/nearby residents.
7. There is no locational need for this site to be used for year round use/occupancy by so called touring caravans (which are as stated above just smaller static vans) nor will any economic benefit arise from use of this site for the storage of caravans. There is an existing large area of under used tarmacadamed car park within Kirkton Caravan site (under the same management/ownership) that could be used for this purpose during the “closed” season. The reference to the disturbance that would be caused by moving the 11 vans is spurious – the negative impact of leaving them in-situ throughout the year would be far greater.
8. There is an increasing number of touring caravans and campervans parking (“wild”) either on the public carriageway within the town and or around the island. During the Country Music Festival for example over 50 caravans and campervans were parked within the town, on the road or at the pier. Because of the permanent use being made of the touring pitches at Kirkton there have been no official touring pitches available on the island which has greatly exacerbated the parking problems within the town.

I should be obliged if you would take these comments into account in reviewing this application.

Yours sincerely
[REDACTED]

Local Review Body

Appeal against Refusal of Planning Application Ref. No. 18/00992/PP

Kirkton Caravan Site, Millport

██████████ would re-submit the comments previously made as shown below in respect of the above noted appeal to the LRB against the refusal of Planning Application Ref. No. 18/00992/PP:

- i. the site currently has planning consent as a touring caravan site but operates in breach of the consent by siting static caravans on the pitches – some of which erected semi-permanent extensions/additions.
- ii. caravans on this site have not moved during the season or in many cases during the closure period. Some have been left unoccupied for lengthy periods of time, often weeks on end, and others have been used as year-round residential units. The use that has been made of the site cannot therefore be described as being “touring” in nature and has been recognised as being in breach of the existing consent.
- iii. this site has been the subject of an ongoing enforcement notice and as such no change should be considered to the consent until the terms of the notice have been complied with or the existing consent rescinded.
- iv. the caravans permanently situated at this site are of dilapidated and run-down appearance and through lack of maintenance of the site itself and the caravans on the pitches there is an air of dereliction created which impacts on other potential users of the caravan site and adjoining/nearby residents.
- v. it appears that there is no locational need or economic benefit that will arise from use of this site for the storage of caravans. There is a large area of under utilised tarmacadamed car park within Kirkton Caravan site (under the same management/ownership) that could be used for this purpose.
- vi. There is an increasing number of touring caravans and campervans parking (“wild”) either on the public carriageway within the town and or around the island. During the Country Music Festival for example over 50 caravans and campervans were parked within the town, on the road or at the pier. Because of the permanent use being made of the touring pitches at Kirkton there were no official touring pitches available on the island which greatly exacerbated the parking problems within the town.

██████████
21 April 2019

Millport Holiday Park

Golf Road ~ Millport ~ Isle of Cumbrae ~ KA28 0HB

Telephone [REDACTED]

30th April 2019

Planning Application 18/00992/PP

We are appealing against the decision to refuse the above planning permission on the grounds that merely **storing** caravans over the winter would **not** "have a negative impact on the visual amenity of the area, with the loss of a visual buffer between residential properties and the larger caravan park beyond". Furthermore this **storage** would **not** "also impact on the amenity of nearby residential properties by virtue of proximity to residential windows, and disturbance from traffic movements". We also contest the phrase "year round use" as we are applying for storage only.

Winter Storage:

We are applying for winter storage to offer the extended ease of continued future service to our "seasonal touring patrons" & to hopefully encourage their future patronage to us and to the tourist industry on Cumbrae as a whole. **Please note we do not/will not make any extra income from the storage of these seasonal touring vans over the winter:** we charge a fixed price for the 8 months we are open irrespective of whether patrons leave their vans over the winter.

We did not move the vans 1st November 2018 because we were told that whilst there was an on-going planning application in place we did not need to remove them in the interim.

If we are permitted to **store** these seasonal vans over the closed season (i.e. not physically being used by people) this would actually be less of a traffic disruption and noise disturbance to the residents than if the vans are all removed at the end of each year and all put back on at the beginning of the next year. Furthermore if the vans are merely being **stored** on that land over the winter it will not be of additional detriment to anybody's view, there will not be an additional noise disturbance & there will not be any additional traffic disruption.

Significantly though, if the seasonal tourers have to move their vans then they are within their rights to leave them anywhere on the highway all of the winter.

Alternately they may well remove them from the island altogether and possibly then not return. This would affect our future income which is detrimental to us personally & affect our rights to free trade. This is also unfair and detrimental to the island as a whole as all these people are coming back and spending money on this island on a very regular basis and to discourage them to do so is in breach of every right of every business person on this island including Millport Holiday Park.

Seasonal Touring:

Currently there are only 5/11 pitches with seasonal tourers on them

& it is only seasonal vans which we want to offer winter storage facilities to.

Seasonal touring occurs because people come for a short break, like the island & our Park and then decide to stay for the season. Our experience has also shown that people who use a facility on a regular basis are far more likely to respect and adhere to rules and standards than a constant transient population & so we always welcome this opportunity.

These "Seasonals" enjoy and use all facilities on the island and provide a steady income to the island instead of a sporadic 1 night here, 1 night there.

NB. We have no vacancies on our static park to accommodate them even if they wished to buy a static van on our park. Furthermore the records for the touring park show that for this year we have only had half a dozen bookings for the empty pitches – so on a regular basis it is clear that the touring park is **not being used to its full capacity** on a day-to-day level & it is still providing a great facility to the island even though there are *still* campervans parked up around the town! We cannot legislate be held responsible for this mentality – we have the vacancies to accommodate them but we can't force them to take advantage of them.

Objections:

We note that all the objection letters are extremely similar like they've been orchestrated from one source. The objections therein have clearly been lifted from a standard objections list without any application to the nature & reality of our request.

In reality it is clear that the local residents have never liked the fact that the touring park is there *at all* & they were more than happy when it was hardly used. In the last 7 years this has increased. Now that it is being utilised much more than it ever was, whatever happens on that site will always be viewed as an eyesore and a problem. Some residents of Kirkton house even see it as a problem that we have crows and birds on our site which nest in our trees on our land and so then they take it upon themselves to hire somebody to come onto a holiday park with a gun to shoot the birds without our permission whilst our patrons are on park using our facilities – children included - and then they try to justify it as acceptable behaviour. Also they have cut back trees on our land without prior consent. It is abundantly clear that there is an overstepping of their rights and responsibilities on & about our land.

The Fence:

The Boundary fence is a separate issue to this planning application and will inevitably sustain storm damage regardless of how many vans are on site and for how long they are there.

Aside: under normal circumstances an adjoining fence is fixed by both the neighbours on both sides of it. In this case, we agreed historically with the residents of Kirkton house that we will be solely responsible for the maintenance and repair of any fence border between us. This has now expanded and they also now expect and allow us to cut and trim their side of the large adjoining hedge. There has been objection to our timescale at doing repairs. Fences generally blow down during the winter when we have no workers on site to rectify things. Upon their return when the site re-opens, that is the busiest time for us on the Park and many other jobs take priority for the immediate smooth operation of the holiday park as a whole.

However to ensure harmony prevails we are prepared to commit to a minimum timescale for repairs of fences to be completed (including basic repairs during the winter).

The Abandoned Van:

This was a rare, unprecedented and unique case & all other van owners cannot be judged by this one benchmark. We agree it did become an eyesore & we now have controls within our procedures to ensure such a situation cannot occur again. Due to failed payments by the owner, we had to wait a specified amount of time before we had the legal right to remove the van and his possessions. We would have had to leave this van on the land over the winter anyway because we did not have the legal right to remove it in his absence and, as he had moved home without giving us his forwarding address, we could not contact him. Crucially in this case we moved this van and the surrounding possessions as soon as we could legally do so.

Country Festival Weekend:

The country and western weekend is now so huge that we couldn't possibly accommodate all the vans that come onto the island - so much so that the Golf club is now offering camping and caravan facilities as is Garrison House. Despite this there are still the campervan owners who **choose** to rough camp and leave their vans in the middle of town & around the island. Again we cannot legislate, accommodate or be held responsible for this influx or for this mentality.

Aside: Calmac's official records show that at Easter weekend 2019 there were in excess of 35,000 visitors to Cumbrae. Even with all 11 pitches free we couldn't accommodate this sort of volume. Ironically though we only let 3/6 of our empty pitches over this time.

Conclusion:

If the vans are merely being **stored** on the touring park over the winter it will not be of additional detriment to anybody's view, there will not be an additional noise disturbance & there will not be any additional traffic disruption. In contrast the removal and potential subsequent return of vans would certainly be an additional nuisance & cause more of a problem to the neighbouring properties.

Undoubtedly the removal of them may be detrimental to our future income and to the regular income to the town and the business people in Millport & they may well cause a highway problem if stored elsewhere.

We are actually applying for LESS than our current licence allows:

We do not utilise our license fully at the present time: it currently would allow us to use vans every weekend during the winter months. If this planning permission is not successful we will have no option to explore the use of this part of our current licence in order to implement continuity & to ensure that these seasonal tourers remain as potential future income for us and indeed the island.

It is simple: the vans will not cause any additional problem to local residents by merely being **stored** over the winter on the touring park & for the residents to imply that, is exaggerated fabrication.

The claims of the residents are unfounded and this can be proved beyond a doubt by a site visit to clarify all facts.

Further to our recent appeal for the above planning application we further attach these pictures of the historic cemetery which adjoins the land of Kirkton touring Park.

these pictures taken yesterday & comments relating to them, clearly show that kirkton touring park does not affect the aesthetics Of the graveyard nor the tranquility and peaceful reverence associated with it.

These photographs were taken when the touring park is open and functioning and it is still NOT affected by our activity as alleged in the letters of objection to our Above planning application.

Kind regards,
Millport Holiday Park





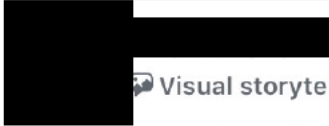
09:20



Millport Photos



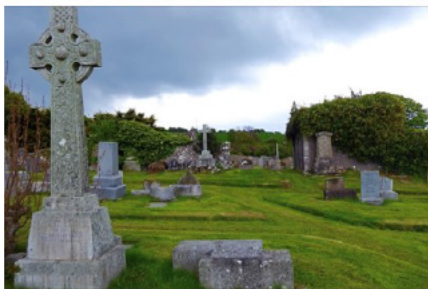
From notifications



Visual storyteller · Yesterday at 16:00 · 🌐



The old cemetery off Golf Road with grass just cut.



80

33 comments

Like

Comment

Share

New activity

Sort



09:37





Millport Photos


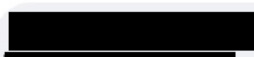
 Visual storyteller · Yesterday at 16:00 · 



  I absolutely love wandering around the old cemetery. So peaceful and lots of history. Well looked after xx Thanks for the photos Eric xx

14 h Like Reply  1



View 2 previous replies...


  oh I know lighthouse children upsets me . Beautiful spot to be remembered though xx


14 h Like Reply  1

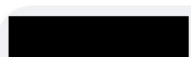

  sure is x


14 h Like Reply  1

  Thanks Morag. It is a peaceful place.

13 h Like Reply  1

 Write a reply...

  Both my parents are buried there  and 

14 h Like Reply  1

  A very caring for the dear memories of

 Write a comment...  



09:38



Millport Photos

Visual storyteller · Yesterday at 16:00 ·



Anyone caring for the dear memories of departed family and friends deserves our gratitude.

Thank you to all who spend their precious time to honor those who have gone before us.

Thank you. **#gonebeforeus**
#lovedonesmissed

14 h Like Reply



My Grandparents on my Mother's side are buried there as are my Aunt and Uncle and I've always thought what a peaceful place the cemetery is. The view is amazing. Will be visiting in July.

13 h Like Reply



My Grandfather, Grandmother and Aunt are buried there

11 h Like Reply



I understood if any repairs I e lettering repair of stones was up to any living relatives left Am I wrong ?

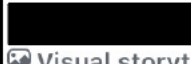
10 h Like Reply



Write a comment...



09:38



Millport Photos

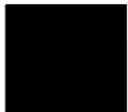


Visual storyteller · Yesterday at 16:00 ·



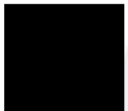
I understood if any repairs I e lettering repair of stones was up to any living relatives left Am I wrong ?

10 h Like Reply



My grandparents buried there though he's not mentioned on the tombstone 😞

10 h Like Reply



My great, great, great, great grandfather [redacted] died at 34 [redacted] and buried here in [redacted]

9 h Like Reply



Hardly recognized the Old Cemetery. Great to see it is being cared for..It was quite an adventure to visit as a youngster. I seem to remember a large wrought iron gate with the wee, personal 'to and fro' entrance at one side.

8 h Like Reply



Look at how the headstones are respectfully supported and not pushed over.

1 h Like Reply



Write a comment...

