

Covesea Links Golf Course

16/01653/APP

Applicant Statement

Introduction

We understand that planning law and policies exist to protect amenity, and that without them there would be a free-for-all. We respect this, and we take heart from the fact that in general, planning policies produce many more pluses than minuses.

However, the inflexible application of any rule can sometimes produce anomalous results, and we feel that in this case a rigid interpretation of Policy E8 (CPZ) is not producing a well-balanced outcome. Not all applications fall into neat, black and white solutions, and sometimes a little flexibility is needed in order to get the best outcome from a policy.

Previous Residential Use

This site does not meet the requirement of having an existing residential use, but it does indisputably have a previous residential use, as evidenced by the historic photographs submitted with our planning application. The previous house sat forward on the foreshore, and part of the house walls still remain. In our view the ruins and remains fall somewhere between the criteria for level 3 and 4 of policy H6, not Level 1 as was asserted by the Chairman at the recent review panel meeting.. But for us to recreate a house in that position would make no operational sense, being so far removed from the site entrance and being unable to provide monitoring security. Also, that former site would now probably be deemed liable to coastal flooding, and a new house there would definitely detract from the amenity of the beach area.

When this precedent of residential use on site is recognised, there seems less reason for refusing the current application.

Zoning Practicalities

We also wish to highlight the inherent contradiction between the theoretical policy objectives and the practical situation on the ground. We were permitted recently to have a restaurant and large storage shed, presumably on the grounds that they are "temporary" and could be removed from the landscape if the golf course was eventually closed at some distant point in the future if we retired. The house is refused presumably because it would remain in the landscape if say twenty years from now the golf course closed. But there is little sense in this distinction because even if in twenty years we retired and the course closed, why would the new site owner choose to demolish a perfectly good restaurant building and an equally good storage shed? They may find alternative uses for the buildings, but no owner would choose to demolish them, and there are no legal obligations for them to do so. So in reality there is no difference in a non-residential consent and a residential consent.

We have successfully operated this facility for over 10 years, and wish to do so for many more years. If we did sell up or retire, it would simply be bought by another golf operator happy to inherit a carefully designed and well-maintained course frequented by the local and wider community. In practical terms there is no realistic prospect of this course closing, so the text-book distinction being made by the policy has no basis in reality. All these buildings will remain in the landscape for their natural lifetime, irrespective of whether they are residential or otherwise.

Security

There have been a total of three fires on this site, and the location is also a target for thieves. The business has experienced a number of thefts since 2010, the most recent being last June. An onsite presence is much more of a deterrent to potential criminals especially on a vulnerable coastal site like Covesea, being so isolated and set well away from the main road. Without someone living on site to provide security it does not make sense to invest in rebuilding the cafe/clubhouse. Despite suggestions to the contrary, CCTV is simply not adequate in this location. CCTV is as vulnerable as any building or machinery on the site..... it could easily be damaged cut off from source, vandalised or burnt down. It has a place and will be utilised, however it is not by itself the answer. It is an unreliable source in prevention and in catching criminals, because criminals tend to know the blind spots of surveillance cameras and located at Covesea Links there are many due to site being isolated from public view.

Visual Impact

The caretakers' accommodation is barely visible from the foreshore, and is strategically positioned as far away as is possible from the protected dunes. It is sited at the bottom of the entrance road and next to the car park, at the optimum view point for the purpose of security. You would have to be walking on the Coastal walk along the dunes to see the proposed caretakers accommodation. The residents of Covesea Village cannot see the proposed house, and nor can any resident from East or West. (see drone footage attached to application)

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Summary

Our application has come from a need to protect a popular and successful golf course, a designated tourist attraction, and to provide modest onsite accommodation that we believe is in harmony with this coastal links setting. At enormous personal costs we have kept the facility to a high standard during the downturn since the fire in June 2014 and we will endeavour to carry this on in the future. However our investment to date will be put into jeopardy if caretaker accommodation is not permitted. We are 100% confident that consent to our application will secure the longevity of the business to which we are so committed. We are equally confident that refusal will provide us with a future full of anxiety and uncertainty, to the clear detriment of this valuable local asset.

We have done all in our power to accommodate and adhere to policy's H7/E7 design requirements and this has been recognized in the planning officer's recent report. But to protect the future viability and investment of the golf course and café, the residential accommodation is essential in order to prevent another devastating occurrence in the future.

With proper onsite security we can protect and enhance an established, well-developed golf course, we can maintain the growth of tourism in the local area, our café will offer a great destination for the able-bodied and disabled community of Moray, and not least of all, we can resume the employment of local people. We wish to sustain an exceptional tourist destination in Moray, and we are confident that we can do so with the support of Moray Council.

Mr & Mrs Burnett

13 December 2016