

TCP/11/16(575) – 18/00874/FLL – Erection of a dwellinghouse on land 300 metres south west of Nether Allan, Blackford

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**TCP/11/16(575) – 18/00874/FLL – Erection of a
dwellinghouse on land 300 metres south west of Nether
Allan, Blackford**

**PAPERS SUBMITTED
BY THE
APPLICANT**



Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: onlineapps@pkc.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100057206-003

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Slorach Wood Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Kirsty	Building Name:	Station Masters Office
Last Name: *	Watson	Building Number:	
Telephone Number: *	01313191260	Address 1 (Street): *	Station Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	South Queensferry
Fax Number:		Country: *	United Kingdom
		Postcode: *	EH30 9JP
Email Address: *	kirsty@swa.uk.net		

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Other"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text" value="Mr & Mrs"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="W"/>	Building Number: <input type="text"/>
Last Name: *	<input type="text" value="McLaren"/>	Address 1 (Street): * <input type="text"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text"/>
Extension Number:	<input type="text"/>	Country: * <input type="text"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text"/>	

Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="Netherton Farm"/>
Address 2:	<input type="text" value="Blackford"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="Auchterarder"/>
Post Code:	<input type="text" value="PH4 1QU"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="708624"/>	Easting	<input type="text" value="286987"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Creation of a new farmhouse for use by the historic owners of the existing established family business of Netherton Farm.

Type of Application

What type of application did you submit to the planning authority? *

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? *

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

See enclosed statement.

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 the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

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. You can attach these documents electronically later in the process: * (Max 500 characters)

Supporting Statement Correspondence with Planner re Landscape queries 18.07.24 Correspondence with Planner asking if House Design is a concern 18.03.13 Correspondence from Planner confirming Application to be determined end July 18.07.24 16 00495 FLL Planning Approval - 19 Dwellings 17 00466 FLL Planning Refusal - 2 Storey Farmhouse 17 00799 PREAPP Pre Applicaion 18 00874 FLL Planning Refusal - Single Storey Farmhouse

Application Details

Please provide details of the application and decision.

What is the application reference number? *

18/00874/FLL

What date was the application submitted to the planning authority? *

22/05/2018

What date was the decision issued by the planning authority? *

31/08/2018

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.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☒ Yes ☐ No

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

Can the site be clearly seen from a road or public land? *

☐ Yes ☒ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☒ Yes ☐ No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

It would be dangerous not to enter Clients land as the access road is directly off A9.

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: 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. 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.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

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 (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Ms Kirsty Watson

Declaration Date: 19/11/2018

Perth & Kinross Council
Local Review Body
Committee Services
2 High Street
PERTH
PH1 5PH

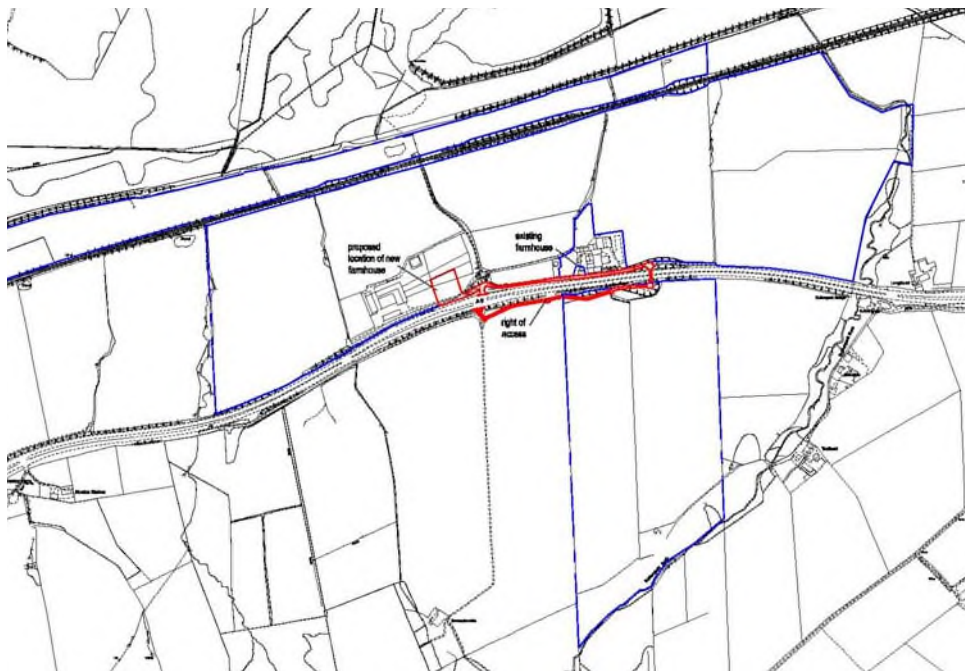
19 November 2018
15041 / 2.1 / CL021018-22

FAO The Secretary

Dear Sirs,

Netherton Farm House, Blackford
Planning Appeal for Ref no. 18/00874/FLL

Further to our Clients planning application for the above, we would like to appeal this planning refusal dated the 31st August 2018. On behalf of our Clients, Mr & Mrs W McLaren, we would like to include our written appeal for your consideration. The planning application is for a new farmhouse as a principal building on the well-established family business of Netherton Farm.



Location Plan

Cont.

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19 November 2018
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Netherton Farm House, Blackford

Farm Redevelopment

The Applicants have gone through a recent modernisation of the farm steadings causing them being relocated 300metres west of its original location. The following approved planning applications relate to this modernisation:

- Formation of cattle court
Ref. No: 08/02453/FLL
- Erection of young stock building
Ref. No: 09/00012/FLL
- Erection of bull pens
Ref. No: 09/00013/FLL
- Erection of a Dutch Barn
Ref. No: 09/00018/FLL
- Erection of a feed/grain/implement store with associated workshop and farm office
Ref. No: 09/00019/FLL

To utilise the site of the original farm steadings, housing was proposed for the site. The following approved planning applications relate to the new residential development on the site of the farm steading:

- Demolition of existing steadings and erection of 12 dwelling houses
Ref. No: 08/02460/FLL
- Erection of 13 dwelling houses and 6 flats and associated works Land 70 Metres North East of Netherton Farm Blackford
Ref. No: 16/00495/FLL
- Application under Section 42 of the Town and Country Planning (Scotland) Act 1997 to develop land without complying with Condition 15 (access road) of planning permission 16/00495/FLL (Erection of 13 dwelling houses and 6 flats and associated works)
Ref. No: 18/00634/FLL

The existing farm steadings have since been demolished and construction works have begun on the erection of 19 dwellings on the site.

The current farm house was, as would be expected, located beside the original farm steading buildings. As the farm steadings have now been relocated as per the Planning Approvals noted above, the farmhouse is now located on the edge of a residential development.

The Applicants want to rectify that issue, to provide a new Farmhouse which is situated beside the new farm steading and fields so that farm again becomes cohesive.

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Netherton Farm House, Blackford

Planning Application Ref no. 17/00466/FLL

The Applicants applied for Planning for a 2 storey farmhouse that would offer them a modern family home with flexibility allowing the house to adapt as the business and family grew. The scale in floor plan and height of the new farmhouse was determined as an equal to the existing farmhouse. The Applicant did not expect additional floor space, only a modernised farmhouse to provide improved living and working facilities to assist the family in running the farm.



Planning Application (17/00466/FLL) Plans and Elevations

The site selected is a redundant piece of farmland that is not used for grazing cattle. It is situated beside the existing access road which minimises new hard landscaping and provides views to the new steading and fields to provide a visual connection to the farm.

Unfortunately, we were not given the opportunity to withdraw the Planning Application and this application was refused on 22nd May 2017, with the Planner noting the reasons as follows:

1. *The proposal is contrary to Policy RD3 'Housing in the Countryside' of the Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 as the proposal fails to satisfactorily comply with category (3) New Houses in the Open Countryside as there is insufficient justification on the basis of operational need and the proposed site cannot satisfy the detailed siting criteria due to the lack of established boundaries. It is also considered that the proposal cannot satisfy any of the remaining categories (1) Building Groups, (2) Infill Sites, (4) Renovation or Replacement of Houses, (5) Conversion or Replacement of Redundant Non Domestic Buildings, or (6) Rural Brownfield Land.*
2. *The proposal is contrary to Policy PM1A 'Placemaking' of the Local Development Plan 2014 as the proposed development would not contribute positively, to the quality of the surrounding built and natural environment.*

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15041 / 2.1 / CL021018-22

Netherton Farm House, Blackford

A meeting was arranged in September 2017 with the Applicant and Planner to discuss our options for moving forward. During the meeting the Planner commented that by positioning the farmhouse in the north-west corner of the site, the lowest point, the dwelling would have less of an impact on the surrounding area. The Planner also suggested images showing the house within the landscape and reasoning why a new house was required would be useful for further applications.

We were told to apply for Pre Application advice with our amended documents for comment prior to submitting another Planning Application.

Pre Application Ref no. 17/00799/PREAPP

As agreed, we consulted the Planning Department prior to submitting a second Planning Application, providing:

1. Our amended site plan showing the adjusted dwelling position.
2. 3D images to show how the house would sit within the landscape.
3. A design and access statement confirming the history and success of the business and justifying the need of the house.



Planning Refusal (17/00466/FLL)



Pre Application (17/00799/PREAPP)



Pre Application (17/00799/PREAPP)

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Netherton Farm House, Blackford

The pre application response noted:

- *'A previous application was refused on the site due to non-compliance with policy RD3 (housing in the countryside) and PM1A (placemaking). For any further application to be acceptable the reasons for refusal would need to be addressed. This will be difficult on the proposed site. I note that additional background information as to the nature of the business and requirement for the house has been prepared and that the relocation onto a slightly lower part of the site is proposed. Whilst providing some justification for the proposal the site does not comply with the housing in the countryside policy as it does not have established boundaries or topography that would define the site. Also the siting of the house around 0.4 metres lower will not make a significant difference to the visual impact of the proposal. However I do note that additional tree planting and landscaping is proposed which is welcomed.'*
- *'I must advise however that approval of an application on this site would be contrary to Development Plan policy and if approved it would be as a departure to the Development Plan for reasons that would justify setting aside the Development Plan.'*
- *'I also note that the septic tank is now outwith the site but would request that this be included within the red line site boundary should a revised application be submitted.'*

Further to the receipt of the Pre Application response the Applicant took some time to consider their options.

On 13th March 2018 we contacted the Planner to ask if there were any concerns over the design of the farmhouse itself, with the elevations or overall height of the dwelling. We never received a response to this.

Addressing Planners Comments of Planning Application Ref no. 17/00466/FL & Pre Application Ref 17/00799/PREAPP

The Planning refusal noted, *'the proposal fails to satisfactorily comply with category (3) New Houses in the Open Countryside as there is insufficient justification on the basis of operational need'*. This comment is also raised in the and Pre Application response.

As stated in our Design and Access Statement there are many reasons why the new farmhouse is necessary, all relating to the future success of the business.

The original farm steading was old, inefficient and no longer suited modern farming techniques such as genetic breeding. This resulted in the requirement of a modern steading that could help the business thrive. Just as the farm steading was modernised to suit the contemporary requirements of the farm, the farmhouse needs to adapt to the changes both to the business and the family dynamic.

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Netherton Farm House, Blackford



Netherton Farm Steading and Access Road

Netherton Farm has been established for over 90 years and was handed down to our Applicant by his Father. Today the Applicants' children are very much integrated in the workings of the farm and they will continue to take on more responsibility until they too take over the farm in due course. As the business is family run, any changes are considered for the long term development of the farm. The new farmhouse would provide the opportunity to have a flexible living space that will offer options on how the family live and work together.

A 'granny flat' has been provided in each of our proposals to allow future accommodation of the Applicants elderly parents as required. This space also has the potential of semi-private accommodation to the Applicants children as they grow and have a family of their own.

The day to day life of a modern farmer has changed as the Applicant now regularly entertains buyers from around the world with the farm receiving just under 1,000 overseas visitors in 2017. The quality of the cattle leads to the farm having an elite clientele who want the best, one recent example being Miguel Ángel Gil Marín, the owner of Spanish football team Atletico Madrid, who bought several animals to be transported to Spain. As such, the farm requires a space to hold meetings that will impress wealthy purchasers and could encourage future business. The large living/dining/kitchen with views over the farm would provide the perfect backdrop for presenting the farm and finalising deals. The new farmhouse would also be a welcoming arrival destination for any patrons as it is situated close to the entrance of the farm.

The farm is known worldwide for its quality stock and has exported to 27 countries over 4 continents and have sold over £600,000 worth of cattle and embryos in the last 18 months. Netherton Angus have topped sales in Germany, Mexico and Canada for their genetics and hold the records for both the highest price female ever sold in Germany and the highest price lot in the 1st ever World Angus Forum Sale. With the Farms success in exports, the Applicants require a suitable space to complete the administration associated with the farm. One key requirement of selling and transporting livestock and genetic material worldwide is that each animal requires thorough genetic information and full health records. The new farmhouse would provide a study for the paperwork associated with local and international business.

Cont.



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Netherton Farm House, Blackford

Netherton Angus is a 90 year old well established business that continues its success by bringing international money into Perth and Kinross through exporting high quality goods. Through business with wealthy buyers worldwide, this not only assists with the economy in the region but also nationally. The business encourages the tourism and hospitality sector of Perth and Kinross council as visitors may stay in the area for several days at a time, providing further income to the area. The farm is thriving and without improvement in the accommodation for the Applicant future progress will be limited.

The relocation of the farmhouse completes the cluster of the modern farm buildings at the new farm steading site. The site of the new farmhouse will overlook much of the farm and will assist with the welfare of the 400+ cattle in the Applicants care as well as biosecurity and security to property. The vantage point of the site allows a visual connection with 8 fields while the proximity to the steadings allows the Applicant to hear if any of the animals are in difficulty. Animal welfare is of course the highest priority and the location of the new farmhouse will ensure the health and wellbeing of the cattle.

In terms of future development of the farm, the Applicant hopes to double their breeding cows to 600. Unfortunately, they would not be able to do this until they can guarantee the welfare and security of the animals they currently have, through the relocation of the farmhouse. Once the Farmhouse has been relocated, they would be able to increase the size of their head which would also require additional staff, providing new employment opportunities for the area.

The business of rearing and exporting genetic material and cattle requires rigorous health regulations to be achieved. By locating the new farmhouse in this position and controlling entry to the farm, the bio security standards are maintained. There is also the chance of damage or theft that has been recently threatened on the farm which could have very serious financial consequences on the business.

The improvement in quality of living accommodation is also greatly needed as the business thrives to be self-sufficient. The current farmhouse is old, barely insulated and expensive to heat and maintain. A well-insulated farmhouse would minimise heating bills and will assist the farm in becoming environmentally advanced.

For the above reasons we believe there is adequate justification that a new farmhouse is required to assist the operational need of the business.

The Pre Application response also comments *'the proposed site cannot satisfy the detailed siting criteria due to the lack of established boundaries*. We have selected the site due to its location beside the existing farm road to allow easy access into the site and also to utilise a redundant piece of farmland.

The site is very much established and is sectioned off by a post and wire fence from the pasture land to the north, woodland to the east and a bull pen to the west. To the south the site is bounded by the farm road that provides access to the site. Our site is not on usable farmland, it does not divide fields nor does our proposed farmhouse sit within the middle of a field. For these reasons we feel the site allows the farmhouse to sit central within the farm.

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Netherton Farm House, Blackford

Due to the Planners request to move the house to the lowest point on the site, the septic tank for the house as had to be repositioned to a lower point in the adjoining field. The boundaries of the site are not proposed to be amended, the septic tank will be situated in the field as per the existing situation but this will have no impact on the use of the field for farming activities.

The Planning Refusal and Pre Application response also notes *'The proposal is contrary to Policy PM1A 'Placemaking' of the Local Development Plan 2014 as the proposed development would not contribute positively, to the quality of the surrounding built and natural environment.'* The Pre Application response goes further stating *'the siting of the house around 0.4 metres lower will not make a significant difference to the visual impact of the proposal' and the Applicant'.*

To satisfy the Planners concerns on the visual impact of the dwelling the Applicants chose to redesign the house in its entirety, changing it to a single storey building that would appear much lower in the landscape so not to disrupt any views. The amended scale was also hoped to assist with the siting criteria of the dwelling, by appearing lower in the landscape it would not dominate the skyline. New trees and landscaping were also shown as part of the proposals to provide screening of the house from the A9 and to help the house merge into its landscape when viewed across the valley.

Planning Application Ref no. 18/00874/FLL

A second Planning Application was registered on 22nd May 2018, with a decision expected by 22nd July 2018.

Through the application process the Planner had contacted us with queries on the new landscaping that was provided, which we confined would be wholly within the Applicants land as per our Site Plan. The Planner also noted an acoustic fence had been requested as a condition by Environmental Health should the application be approved. We agreed that the Applicant would construct the fence as required if this were a condition. We also confirmed additional planting would be added to screen the acoustic fence.



Pre Application (17/00799/PREAPP)



Planning Refusal(18/00874/FLL)

Cont.



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Netherton Farm House, Blackford

This application was decided on 31st August 2018, a month late, and was refused Planning.

This refusal was given for the same reasons as our initial application ref no. 17/00466/FLL:

- 1. The proposal is contrary to Policy RD3 'Housing in the Countryside' of the Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 as the proposal fails to satisfactorily comply with category (3) New Houses in the Open Countryside as there is insufficient justification on the basis of operational need and the proposed site cannot satisfy the detailed siting criteria due to the lack of established boundaries. It is also considered that the proposal cannot satisfy any of the remaining categories (1) Building Groups, (2) Infill Sites, (4) Renovation or Replacement of Houses, (5) Conversion or Replacement of Redundant Non Domestic Buildings, or (6) Rural Brownfield Land.*
- 2. The proposal is contrary to Policy PM1A 'Placemaking' of the Local Development Plan 2014 as the proposed development would not contribute positively, to the quality of the surrounding built and natural environment.*



Planning Refusal(18/00874/FLL)

Considering the cost, time and effort that had gone into the pre application submission and two Planning applications, the Applicant was incredibly distressed by this second refusal without any prior correspondence from the Planner. A new farmhouse will provide continued support to their livelihood and without a Planning Approval for a new Farmhouse, the progression of the business is limited.

Addressing Planners Comments of Planning Application Ref no. 18/00874/FLL

We disagree that the new farmhouse does not comply with the categories of 'New Houses in the Open Countryside' as it actually fulfils several categories requirements. This farmhouse is required for a 90 year old business that is well established within its market. The new house will provide opportunities for the business that the current farmhouse does not offer an energy efficient, high quality building it will impress visitors and could assist in gaining future business.

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Netherton Farm House, Blackford

A new farmhouse would complete the group of buildings that forms Netherton Farm steading in its new location, rather than splitting the farm buildings to two locations. The site selected is a redundant piece of land that could be described as 'Rural Brownfield' as it is not used by the farm. The new farmhouse also replaces an existing farmhouse (albeit on a different site) so there is no extra residential accommodation within the farm.



Pre Application (17/00799/PREAPP)



Planning Refusal(18/00874/FLL)

The Delegated Report gives more insight to the reasons for the refusal, which centre on the need for a new house and its location.

As previously noted, the decision to relocate the farmhouse is a result of the relocation of the farm steading. The farmhouse traditionally would be beside the steading and so these applications are to reinstate this relationship. The report comments '*any new building should generally be constructed on the same site as the demolished dwelling unless individual site conditions suggest that another position would create a better landscape fit.*' We would suggest in this instance that an amended location is a much better fit within the landscape so the house can be read in connection to the farm steading, rather than in the middle of a residential development.

The report continues '*the site chosen also fails to comply with the siting criteria in the housing in the countryside policy in particular it lacks sufficient containment by existing long established boundaries as required by section c) of the housing in the countryside policy.*' As already mentioned, the site was selected as redundant farmland that is surplus to the need of the farm. It benefits from being located beside the existing farm road and is situated between the access off the A9 and the new steadings building which would assist with biosecurity and animal welfare. Existing post and wire fences with landscaping contain the site and differentiate the brownfield site to the neighbouring pasture land. We believe this site is the ideal location for a new farmhouse as it blends in with the farm setting.

The Planner also said '*I still have concerns with its location in a highly visible position. Its proximity to the A9 will also require the erection of acoustic fences, further impacting on the visual amenity of the surroundings.*' We wish to note that the acoustic fence has been requested by Environmental Health as a condition should Planning be approved. We do not think the erection of an acoustic fence at the request of a Planning Consultee should be considered negatively against the application. The acoustic fence is not part of our proposals and is not desirable to the Applicant, although this will be completed as a condition to any Planning Approval received. We have also confirmed to the Planner that landscaping would be used to screen the fence which would soften its appearance.

Cont.



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EH30 9JP
Tel 0131 319 1260

directors

Walter Wood Dip Arch RIAS RIBA
Sarah Q Brown Dip Arch RIAS RIBA
consultant
Caroline Slorach Dip Arch RIAS RIBA

19 November 2018
15041 / 2.1 / CL021018-22

Netherton Farm House, Blackford



Pre Application (17/00799/PREAPP)



Planning Refusal(18/00874/FLL)

The redesign of the Farmhouse has greatly decreased the height of the farmhouse by 3 metres and it has been positioned on the lowest point of the site at the Planners request. Yet the Planner states *'the proposed new house is to be sited on a lower part of the site. Whist this will have less of an impact than the previously refused proposal the addition of further sporadic development in this area would erode the landscape character and impact on visual amenity.'* We have minimised as much as possible the impact the new farmhouse would have on the landscape and do not think that the dwelling will appear dominant in the area. New landscaping that extends the existing tree line will prevent the site form being visible from the A9. We do not wish to propose further sporadic development so the landscape character will not be affected.

As previously noted, this house is required to help the business thrive. We disagree that there is no justification for a new farmhouse in this location. Netherton Farm is a well-established business which is a flagship business for Scottish farming and vastly assists in the economy of Perth and Kinross. This application should not be refused as a new farmhouse has the potential to greatly advance the business. As such, we wish to appeal the decision of this application Ref no. 18/00874/FLL being refused.

We would request that the councillors, upon review of our appeal, would please visit the site as it currently sits to observe the site and its location within the farm.

Yours faithfully,

Kirsty Watson
For
Slorach Wood Architects

Encl.

slorach wood architects ltd.

The Station Master's Office
Dalmeny Station
South Queensferry
EH30 9JP
Tel 0131 319 1260

directors

Walter Wood Dip Arch RIAS RIBA
Sarah Q Brown Dip Arch RIAS RIBA
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PERTH AND KINROSS COUNCIL

Mr And Mrs W McLaren
c/o Slorach Wood Architects
Kirsty Watson
Station Masters Office
Station Road
South Queensferry
EH30 9JP

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 31st August 2018

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: 18/00874/FLL

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 22nd May 2018 for permission for **Erection of a dwellinghouse Land 300 Metres South West Of Nether Allan Blackford** for the reasons undernoted.


Interim Development Quality Manager

Reasons for Refusal

1. The proposal is contrary to Policy RD3 'Housing in the Countryside' of the Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 as the proposal fails to satisfactorily comply with category (3) New Houses in the Open Countryside as there is insufficient justification on the basis of operational need and the proposed site cannot satisfy the detailed siting criteria due to the lack of established boundaries. It is also considered that the proposal cannot satisfy any of the remaining categories (1) Building Groups, (2) Infill Sites, (4) Renovation or Replacement of Houses, (5) Conversion or Replacement of Redundant Non Domestic Buildings, or (6) Rural Brownfield Land.
2. The proposal is contrary to Policy PM1A 'Placemaking' of the Local Development Plan 2014 as the proposed development would not contribute positively, to the quality of the surrounding built and natural environment.

Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

Notes

The plans relating to this decision are listed below and are displayed on Perth and Kinross Council's website at www.pkc.gov.uk "Online Planning Applications" page

Plan Reference

18/00874/1

18/00874/2

18/00874/3

18/00874/4

18/00874/5

REPORT OF HANDLING

DELEGATED REPORT

Ref No	18/00874/FLL	
Ward No	P7- Strathallan	
Due Determination Date	21.07.2018	
Case Officer	Persephone Beer	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Erection of a dwellinghouse

LOCATION: Land 300 Metres South West Of Nether Allan Blackford

SUMMARY:

This report recommends **refusal** of the application as the development is considered to be contrary to the relevant provisions of the Development Plan and there are no material considerations apparent which justify setting aside the Development Plan.

DATE OF SITE VISIT: 11 July 2018

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a dwellinghouse on land 300 metres north west of Nether Allan, Blackford. The site is to the east of a group of modern farm buildings that have been erected to replace buildings that were on the site of Netherton Farm steading around 300 metres to the east. The original farm steading and associated buildings were demolished as part of planning permission to re-develop the original farm for housing. The farm house was not demolished and is still in use adjacent to the area being re-developed.

A similar application for the erection of a dwellinghouse on this site was refused in 2017. The location of the house has been moved to a slightly lower part of the site and the design has been amended with the proposed house being single storey as opposed to two storey.

SITE HISTORY

17/00466/FLL Erection of a dwellinghouse 22 May 2017 Application Refused

08/02453/FLL Formation of cattle court 16 December 2009 Application Permitted

08/02460/FLL Demolition of existing steadings and erection of 12 dwellinghouses 18 April 2011 Application Permitted

09/00012/FLL Erection of young stock building 15 December 2009 Application Permitted

09/00013/FLL Erection of bull pens 15 December 2009 Application Permitted

09/00014/FLL Erection of a farmhouse and garage 9 May 2013 Application Withdrawn

09/00018/FLL Erection of a Dutch Barn 15 December 2009 Application Permitted

09/00019/FLL Erection of a feed/grain/implement store with associated workshop and farm office 15 December 2009 Application Permitted

13/00391/SCRN Erection of 2 wind turbines 19 March 2013

13/01792/FLL Erection of two wind turbines, sub-station and access track 14 November 2013 Application Withdrawn

13/02178/FLL Erection of two wind turbines, sub station and access track 21 January 2014 Application Refused

14/00560/FLL Variation of condition 1 of 08/02460/FLL (demolition of steadings and erection of 12 dwellinghouses) to extend period of time for the commencement of development 17 September 2015 Application Permitted

14/02010/MPO Modification of planning obligation in respect of permission 08/02460/FLL and application 14/00560/FLL 31 March 2015 Application Withdrawn

15/00587/MPO Modification of section 75 agreement associated with permission 08/02460/FLL (demolition of steadings and erection of 12 dwellinghouses) 11 May 2015 Application Permitted

18/00634/FLL Application under Section 42 of the Town and Country Planning (Scotland) Act 1997 to develop land without complying with Condition 15 (access road) of planning permission 16/00495/FLL (Erection of 13 dwellinghouses and 6 flats and associated works) 4 June 2018 Application Permitted

PRE-APPLICATION CONSULTATION

Pre application Reference: 17/00799/PREAPP

NATIONAL POLICY AND GUIDANCE

The Scottish Government expresses its planning policies through The National Planning Framework, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the TAYplan should be noted. The vision states *“By 2036 the TAYplan area 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, study and visit, and where businesses choose to invest and create jobs.”*

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

The Local Development Plan is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are, in summary:

Policy PM1A - Placemaking

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 adaption.

Policy PM1B - Placemaking

All proposals should meet all eight of the placemaking criteria.

Policy PM3 - Infrastructure Contributions

Where new developments (either alone or cumulatively) exacerbate a current or generate a need for additional infrastructure provision or community facilities, planning permission will only be granted where contributions which are reasonably related to the scale and nature of the proposed development are secured.

Policy RD3 - Housing in the Countryside

The development of single houses or groups of houses which fall within the six identified categories will be supported. This policy does not apply in the Green Belt and is limited within the Lunan Valley Catchment Area.

Policy ED3 - Rural Business and Diversification

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 EP8 - Noise Pollution

There is a presumption against the siting of proposals which will generate high levels of noise in the locality of noise sensitive uses, and the location of noise sensitive uses near to sources of noise generation.

OTHER POLICIES

Housing in the countryside supplementary guidance

Developer contributions supplementary guidance

CONSULTATION RESPONSES

Environmental Health (Private Water)

No objection. Informative note requested.

Environmental Health (Noise Odour)

Conditions required with regard to noise mitigation including construction of acoustic fence.

Transport Planning

No objection. Comments on planting and relationship to road boundary.

Transport Scotland

No objection.

Environmental Health - Contaminated Land

No adverse comments.

Contributions Officer

No developer contributions required.

REPRESENTATIONS

There have not been any representations received in relation to this application.

ADDITIONAL INFORMATION RECEIVED:

Environmental Impact Assessment (EIA)	Not Required
Screening Opinion	Not Required
EIA Report	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan 2016 and the adopted Perth and Kinross Local Development Plan 2014.

The determining issues in this case are whether; the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy.

Policy Appraisal

The main policy of relevance is policy RD3, housing in the countryside, from the adopted Perth and Kinross Local Development Plan 2014 with its associated supplementary guidance. The policy aims to: safeguard the character of the countryside; support the viability of communities; meet development needs in appropriate locations; and ensure that high standards of siting and design are achieved.

The Council will support proposals for the erection, or creation through conversion, of single houses and groups of houses in the countryside which fall into at least one of the following categories:

- a) Building Groups
- b) Infill site
- c) New houses in the countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance
- d) Renovation or replacement of houses
- e) Conversion or replacement of redundant non-domestic buildings
- f) Development on rural brownfield land

A previous application for a similar development was refused as it did not meet the terms of the housing in the countryside policy. The site boundary has changed slightly to accommodate a septic tank and the layout and design has been amended to address concerns with visual impact. However with

regard to the housing in the countryside policy the site is not part of a building group, is not an infill site, does not meet the criteria for a replacement house, is not for the conversion or replacement of a non-domestic building and is not rural brownfield.

The applicants state that the existing farmhouse is redundant and no longer suitable for the farm and family. The supporting statement states that the farmhouse is in a state of disrepair with dam, severe weathering and structural cracks. It is stated that the existing farm house will be demolished and stone used in the new development. However such an approach does not comply with housing in the countryside policy (category 4f). The policy requires traditional buildings to be retained and repaired rather than demolished. Also, any new building should generally be constructed on the same site as the demolished dwelling unless individual site conditions suggest that another position would create a better landscape fit.

The proposal should primarily be considered under criteria 3.3 (Economic Activity) of the housing in the countryside policy. This allows for a house or group of houses either on site or in the locality for a local or key worker associated with either a consented or an established economic activity. The applicant must demonstrate to the satisfaction of the Council that there is a need for the house.

Justification has been submitted which sets out why the new house is required. The supporting information links the success of the farm business with being able to provide an attractive setting to welcome visitors to the farm many of whom come from overseas due to the farm's specialism in breeding Aberdeen Angus cattle. The new farmhouse will play a key role in this by way of welcoming visitors in a pleasant location close to the operational farm buildings.

However this does not meet the terms of the policy in terms of justifying a house on this site. There is an existing farmhouse close to the site where the farm business is currently operated from and in terms of operational need a new farmhouse on this site cannot be justified. The site chosen also fails to comply with the siting criteria in the housing in the countryside policy in particular it lacks sufficient containment by existing long established boundaries as required by section c) of the housing in the countryside policy.

Design and Layout

The proposed dwellinghouse is a five bed detached dwelling with accommodation over one level. It will be finished in a mix of stone and render. The site extends to around 1 ha which includes land for a new septic tank and soakaway. The new house measures around 25 metres in length and 10 metres in width. It will be set around 25 metres from the farm access track. The front of the property, the south elevation, is around 35 metres from the A9 Trunk Road. Environmental Health has requested that a timber close

boarded fence be erected along the southern boundary to mitigate any impact of noise from the A9.

The revised design and siting is more acceptable than the previously refused proposal. However I still have concerns with its location in a highly visible position. Its proximity to the A9 will also require the erection of acoustic fences, further impacting on the visual amenity of the surroundings.

Landscape

The site is in the corner of a large field that is bounded on three sides by a post and wire fence and on one side by planting. The site is visible when passing on the A9 and has extensive views, particularly to the north and west. There is a small clump of trees to the east on the opposite side of a small track but other than that there is no significant landscaping in the vicinity of the site. Some landscaping is proposed as part of the development of the house. However the site does not have an identifiable site with long established boundaries as required by section c) of the housing in the countryside policy.

Residential Amenity

Environmental Health has been consulted and note that due to the proximity to the trunk road future occupants of the property will be aware of road traffic noise. There are other existing properties within closer proximity to the A9 and planning permission 16/00495/FLL was granted for the erection of 13 dwellinghouses and 6 flats around 300 metres to the east at a similar distance from the road. This approved application required the applicant to carry out a noise impact assessment (NIA). The findings of this are appropriate to this application. Environmental Health recommend that if this proposal is approved that a 2.5 metre close boarded timber fence constructed of double skinned 25mm thick boards shall be erected along the southern boundary of the site. Should this application be approved a condition is also requested with regard to internal noise levels on completion.

Private water

Environmental Health notes that the development is for a dwelling house in a rural area with private water supplies believed to serve properties in the vicinity. An informative note is required to be added to any approval to ensure the new development has an adequate and consistently wholesome supply of water.

Visual Amenity

The site is in an exposed position close to the A9 Trunk Road. There are two main groups of buildings in this area, the new farm buildings to the west set below this house site and the old steading area, now a new housing site to the

east. The proposed new house is to be sited on a lower part of the site. Whilst this will have less of an impact than the previously refused proposal the addition of further sporadic development in this area would erode the landscape character and impact on visual amenity. The 2.5 metre noise mitigation fence will further impact on visual amenity.

Roads and Access

The site is accessed from the A9 Trunk Road. Transport Scotland was consulted and do not object.

The Council's Transport Planner has queried the proposed planting which appears on the plans to be within the trunk road boundary. The agent clarified that any new planting will be within the applicants' ownership.

Drainage and Flooding

There are no concerns with drainage or flooding matters with regard to this development. The property will be served by a new septic tank system.

Developer Contributions

The Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.

This proposal is within the catchment of Braco Primary School.

Education & Children's Services have no capacity concerns in this catchment area at this time. No developer contributions with regard to primary education are required.

Economic Impact

The economic impact of the proposal is likely to be minimal and limited to the construction phase of the development.

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is not considered to comply with the approved TAYplan 2016 and the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding

the adopted Development Plan. On that basis the application is recommended for refusal.

APPLICATION PROCESSING TIME

The recommendation for this application has not been made within the statutory determination period.

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application

Reasons for Recommendation

1 The proposal is contrary to Policy RD3 'Housing in the Countryside' of the Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 as the proposal fails to satisfactorily comply with category (3) New Houses in the Open Countryside as there is insufficient justification on the basis of operational need and the proposed site cannot satisfy the detailed siting criteria due to the lack of established boundaries. It is also considered that the proposal cannot satisfy any of the remaining categories (1) Building Groups, (2) Infill Sites, (4) Renovation or Replacement of Houses, (5) Conversion or Replacement of Redundant Non Domestic Buildings, or (6) Rural Brownfield Land.

2 The proposal is contrary to Policy PM1A 'Placemaking' of the Local Development Plan 2014 as the proposed development would not contribute positively, to the quality of the surrounding built and natural environment.

Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan

Informatives

None.

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

18/00874/1

18/00874/2

18/00874/3




































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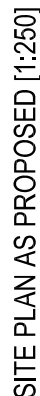
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Date of Report

30 August 2018



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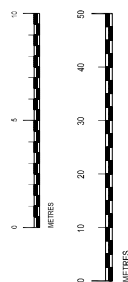


SITE PLAN AS EXISTING [1:1000]

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All works to comply. In every respect with the current Scottish Building Standards Regulations (Scotland) Regulation 2004.

Use figured dimensions only. All selling out dimensions are to be confirmed prior to the commencement of any associated works, with any discrepancy reported

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DESIGN STATEMENT

Netherton Farm House

CREATION OF A NEW FARMHOUSE
FOR USE BY THE HISTORIC OWNERS OF
THE EXISTING ESTABLISHED FAMILY BUSINESS
OF NETHERTON FARM.

Client: Mr & Mrs W McLaren
Agent: Slorach Wood Architects

May 2018

INTRODUCTION

This document is to be considered in conjunction with the architectural drawings to assist the Planning Department in understanding the requirement for a new farmhouse on the site.

Netherton farm was established over 90 years ago by the McLaren family and today it remains in their control specialising in breeding a world class Aberdeen Angus cattle herd. The applicants are the fourth-generation cattle farmers on the site and hope to pass on the farm to their children who are gradually becoming more involved with the business.

As part of the growing business, the Applicants are applying for a new farm house to allow them to future-proof the farm and give the family a home for generations to come. This farmhouse will replace a redundant farmhouse that is no longer suitable for the growing demands of a modern farm or the needs of a modern family.



FARM SIGNAGE



SITE
VIEWED FROM THE FARM STEADING

SITE ANALYSIS

Netherton Farm is 130 hectares of land situated 2.5 miles west of Blackford and is accessed directly off the A9. The majority of the fields are to the north of the A9 with the land reaching across the railway line to the Allan Water. There is also a portion of land to the south of the A9 that is accessed from an existing underpass under the trunk road that extends to Buttergask Burn. The farm is accessed from the north side of the A9 and has a secondary road that runs parallel to the A9 that provides access to the farm buildings and fields.

The farm steading is situated 200 metres west of the access road and consists of pens, a barn, straw and feed storage and an office. These steading buildings are a recent addition following approval from the Planning Department (see Planning Ref. 's 08/02453/FLL, 09/00012/FLL, 09/00013/FLL, 09/00018/FLL & 09/00019/FLL). The new farm buildings replaced the aging steading that had been established at the start of the business and extended over time. The original farm buildings were stone and metal barns that were situated 320 metres east of the access road. These buildings had been altered and extended over the years as required by the Applicant until there was no more opportunity for improving the steading. Historic ordinance survey maps show how the farm steading was developed between the years of 1961 and 1991 with new buildings and a second access being added to the east. Eventually, the applicants had to recognise the existing farm steading was no longer feasible for their modern business use and chose to develop a new steading. Following the demolition of the original farm steading there has been a subsequent approved Planning Application that has (Planning Ref 16/00495/FLL) for the erection of 13 houses and 6 flats.

The current farmhouse was once part of the original steading to the east of the access road but following the repositioning of the farm steading, the farmhouse is now situated on the edge of the new housing development. The working farmhouse is now positioned within a group of domestic buildings and is adversely positioned away from the farm steading and animal pens.

With the abundance of land available to them, the Applicants have considered the selection of the site very carefully. The site chosen is located between the farm steading and A9 access on the farm road and is on an elevated level to the farm steading, providing views to the fields in the north. The site is currently vacant, occasionally used to store straw but it is not part of the fields used for the cattle.

The site is next to the internal access road that runs parallel to the A9, linking the farm steading to the underpass to the south fields. This not only allows the site to utilise the existing access but also is positioned between the access and farm steading. In 2017 there have been over 1000 overseas visitors to the farm and so a new farmhouse in this location becomes a welcoming reception for visitors to the farmhouse.



HISTORIC OS MAP
1843-1882



HISTORIC OS MAP
1892-1960



FARMLAND TO NORTH
VIEWED FROM THE SITE

ACCESS

Access to the farm is currently provided from a slip road off the A9 and there is a central reservation to allow vehicles to cross as necessary to the southbound A9. Due to the recently approved housing development (Planning Ref 16/00495/FLL) this access is due to be amended to suit the adjusted volume of traffic on the site. The central reservation is to be blocked so no cars can cross the A9 and the existing underpass is to be utilised to provide access to the southbound A9.

Once on the farm access road a driveway will provide direct access to the farmhouse. To futureproof the dwelling as a family home and nucleus of the business four parking spaces have been provided for vehicles, trailers and quadbikes.



ACCESS ROAD
VIEWED FROM THE SITE ENTRANCE



3D IMAGE
FARMHOUSE, STEADING & LANDSCAPING VIEWED FROM ACCESS ROAD

USE

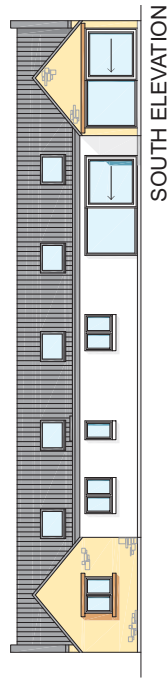
The site has always been used for farming and is shown as such in historic OS maps. The site has always been associated with the workings of the farm and while it has never been built upon, it has been used for storage.

It has been noted that the original farm steading had aged and had become redundant for the modern farm, resulting in the recent farm steading being developed. The same can be said of the existing stone farmhouse as it sits at the entrance of the new housing development. As a working farmhouse that is detached from its steading, the efficiency of the farm is being affected. The Applicants are not able to observe and secure their farm fully and this has resulted in recent thefts of vehicles.

The farmhouse is also in a state of disrepair with damp, severe weathering and structural cracks. The current farmhouse also has no insulation and, considering its exposed location, is not at all energy efficient. No amount of maintenance or repair would ever be enough to restore this house fully while making it energy efficient. Just as the original farm steading, the farmhouse has worked hard for the four generations of farmers at Netherton farm, but we are now at the stage where new facilities are required to secure the future of the farm. The new farmhouse will provide a highly insulated, energy efficient home for the Applicants. This will be a self-sufficient family home that will fill the needs of a modern family to run its business.



EXISTING FARMHOUSE
VIEWED FROM ACCESS ROAD



AMOUNT

New housing within the countryside is restricted through the Planning Guidance so that the integrity of the landscape is retained. We have consulted this document and understand this dwelling to be acceptable to the Planning Policies as a new farmhouse for a well-established business. For notes on the business history and success please see appendix 1.

One farmhouse is proposed to replace the existing farmhouse. The existing farmhouse will be removed, and the existing stone will be used as a finishing material to the new farmhouse.



3D IMAGE
FARMHOUSE WITH STEADING AND LANDSCAPE BEYOND, VIEWED FROM NORTH-EAST



3D IMAGE
FARMHOUSE WITHIN SITE, VIEWED FROM SOUTH-WEST

LAYOUT

The site is currently an open greenfield site that is not used for the herd to graze but is occasionally used for short-term storage.

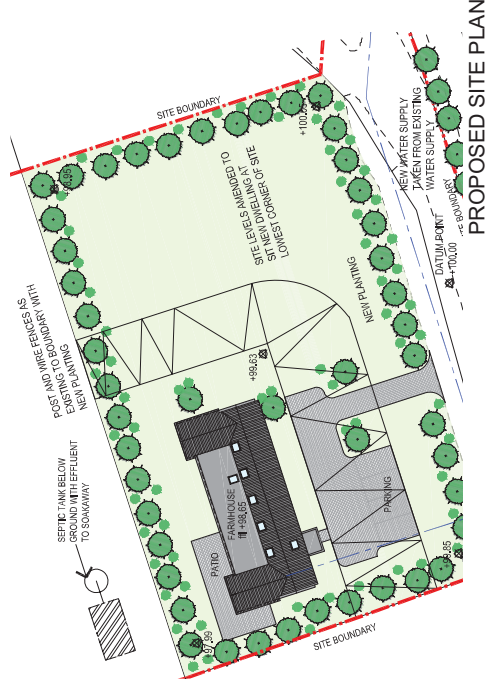
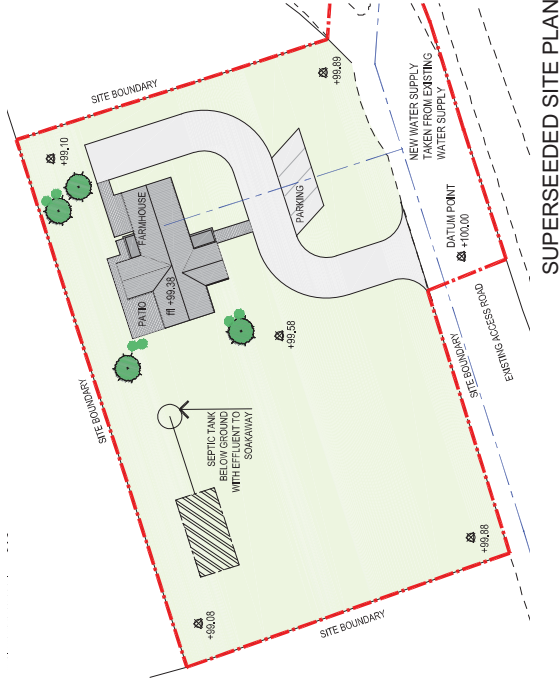
The location of the farmhouse has been chosen in the north-west corner as this is the lowest part of the site so that the house is not dominant within the landscape, especially when viewed from the A9. While being in the lowest part of the site, the farmhouse at this location will still have a clear view of the fields to the north, leading to the west and access and public path to the east. This is very important to the Applicants who have had recent issues with burglaries and threatening behaviour, so security of the animals, vehicles and buildings is very important.

Due to the farm access being located to the south of the site, this can be utilised to provide a single-track drive to the farmhouse. Four parking spaces have been provided for vehicles, trailers and quadbikes and will futureproof the dwelling for both business and family growth.

While the farmhouse is a home, it is also used for greeting and entertaining guests associated with the families farming activities. As a single storey dwelling it was important to balance the public (working and family) spaces and the private (bedroom) spaces.

The house has been split into two, with the two wings dictating the gradient from most public to most private spaces. The main public space sits on the west wing, with a living/kitchen/dining room that can be used when entertaining visitors to the farm or as a gathering space for the family to socialise and spend time together. Large amounts of glazing provides a vantage points over the farm to the view beyond and sliding doors give access to the patio area. A study has been located near the main entrance so that the business areas are located away from the sleeping area of the house. The central circulation spine runs down the length of the building to give access to each room, with a door separating the public and private spaces. As it is long and narrow, we have provided roof glazing to bring natural light into the hall. The house has an ancillary flat situated within it for elderly relatives to live independently within the family environment. This enhanced bedroom will have a wet room and is large enough to have a sitting area within it. There are also 4 generous bedrooms for the family to utilise now with their teenage children, which will also be more than adequate for future generations.

In agreement with the Planning Guidance, we feel the addition of the new dwelling should not spoil but rather highlight the landscape through energy efficient, micro generating and decentralised renewable energy systems, including its treatment of surface water. Renewable or low carbon sources of heat and power such as air source heat pumps will be considered. The development will include non-obtrusive and energy efficient lighting for any external artificial lighting.



SCALE

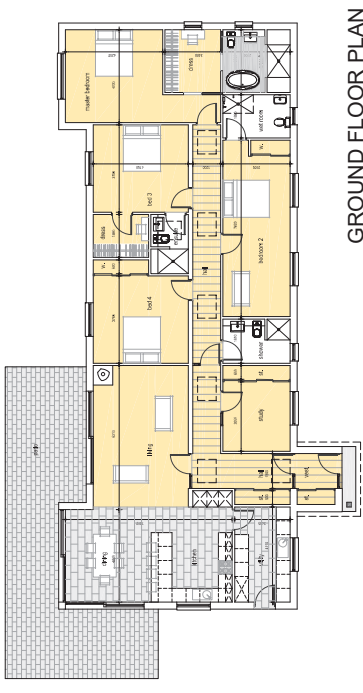
The rectangular site is 2864m² and is bounded to the north, east and west by a post and wire fence and is limited by the access road to the south.

The existing farm house is a two-storey pitched roof dwelling with an area of 240m². In March 2017 an application was made for a 265m² two-storey dwelling with a pitched roof. While this scale was very similar to the existing farmhouse, comments from the Planning Department suggested that the building would be too dominant within the landscape and the Application was refused. During Pre-Application discussions with the Planning Department, the house type was repositioned to the lowest part of the site to reduce the visual impact of it on the landscape. While this helped, the house was helped, it was not deemed a 'significant difference to the visual impact of the proposal'.

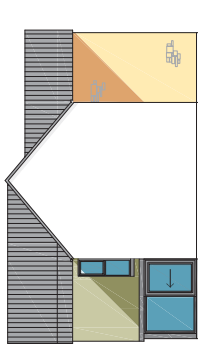
The new farmhouse is smaller at 224m² and is a single storey dwelling with a pitched roof, much smaller in scale compared to the existing farmhouse and the proposed house type of March 2017. The new dwelling's proportions are very traditional, as it is long and low to the ground with a larger roof than wall area. This proportion was selected specifically to lower the visual impact of the house within the landscape, which is understood to be one of the reasons behind the initial Planning Refusal on the site.

Again, by reducing the size of the new farmhouse, it confirms that this application is not to provide an excessive new residence but rather to offer a modern well-built home that will suit the family's needs.

The house is to be located at the lowest point of the site so that it the farmhouse will become part of the landscape and merge into the site rather appear to sit on it. This will maintain the farmland appearance of the area and avoid the farmhouse looking dominant in the landscape. As the house is positioned at the lowest point of the site at the north-west boundary, it is inobtrusive in relation to the A9 both in distance and height.



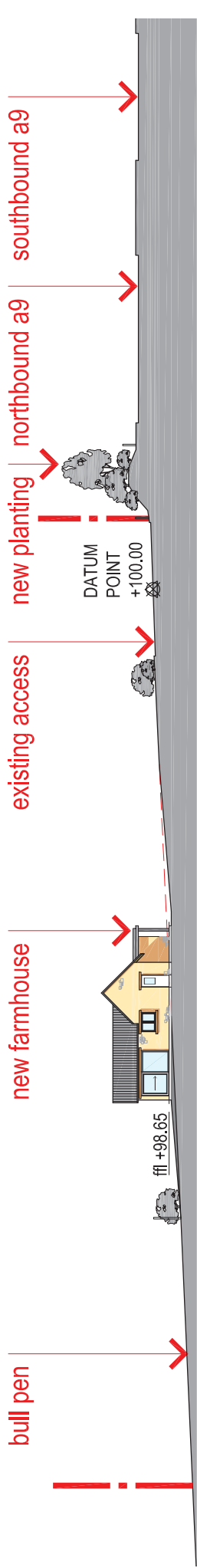
GROUND FLOOR PLAN



SUPERSEDED WEST ELEVATION



PROPOSED WEST ELEVATION



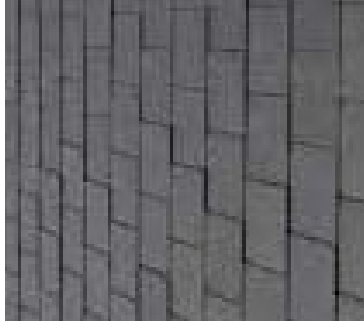
SITE SECTION

APPEARANCE

The overall appearance of the new farmhouse is to be read in context to its environment, with the house set within the landscape, positioned carefully on the site so it appears visually and physically to be nestled within the landscape.

When considering the new house, we felt it was important to enhance the special character and setting of the farm environment. The materials selected have been chosen on their traditional nature to suit their context and use as a farmhouse. Natural stone will be carefully selected to match the colour and texture of the existing farmhouse. White render will be used on the north elevation at the area of flat roof to break up the expanse of stone. As would be traditional, the roof material will be slate.

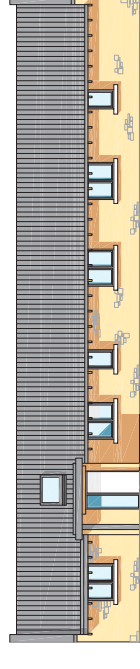
While hard surfaces will be minimised as much as possible to reduce the impact on the site, the new driveway and parking are to be porous grey paviers. We feel porous paving will be more beneficial to the as it will have less of an impact on the surface water drainage requirements.



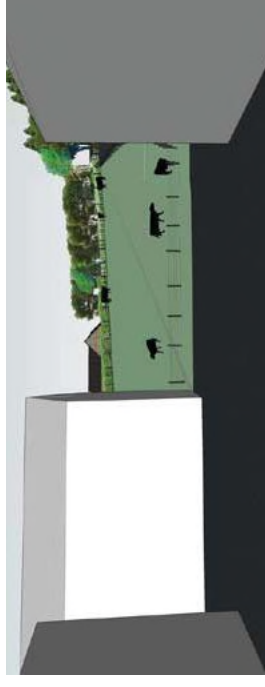
MATERIAL
ROOF | SLATE



MATERIAL
WALL | RENDER



NORTH ELEVATION



3D IMAGE
FARMHOUSE VIEWED FROM STEADING

LANDSCAPING

The existing site boundary has post and wire fences to the north, east and west and is open to the access road on the south. There is no existing landscaping to the site boundaries but there are deciduous trees and hawthorn bushes positioned to the east and south-west of the site between the farm access and A9 to create a visual break between the trunk road and farm steading.

To minimise the impact the farmhouse has on the landscape, new planting will be used to extend the existing landscaped verge to obscure the dwelling from the road. This will also assist in the acoustic screening from the road to the house and is preferred to a large unsightly acoustic fence.

Domestic scale landscaping will be added within the site around the new farmhouse that is in keeping with its rural location.



3D IMAGE
FARMHOUSE, STEADING & LANDSCAPING VIEWED FROM ACCESS ROAD



A9, ACCESS ROAD & STEADING BUILDING
VIEWED FROM SITE

APPENDICES

- APPENDIX 1
BUSINESS HISTORY & SUCCESS
- APPENDIX 2
PANORAMA IMAGES

APPENDIX 1

Founded more than 90 years ago by the grandfather and great grandfather of the present owners, the Netherton herd is one of the most recognised names in the breed both at home and abroad. The herd's longevity and success have largely come from concentrating on breeding sound, functional, commercially orientated cattle with a clear focus on breeding what the customer wants. Owned by Willie and William McLaren, the herd is under the day to day management of William McLaren his wife Karen and daughter Seonaid.

The Angus breed has always been an integral part of the McLaren family's life, with Willie being President of the Aberdeen Angus Cattle Society twice and William Jnr once at the age of 37 making him the second youngest in the Society's history. Knowing the Angus Breed is a World family it was a privilege for both of them to lead the UK Delegations to World Forums in America 1973 and Canada 2009.

Willie is recognised as one of the breeders who saw the breed through its low point of the 1980's and helped it become a major force again in the UK Beef industry, either through his 26 years on the council or pioneering approach to cattle breeding including some of the first importation of cattle from Canada.

This has been recognised by many including the Aberdeen Angus Society when he was awarded the Hugh Watson Life Time Achievement Award in 2013, The Sir William Young Award from the Royal Highland and Agricultural Society of Scotland in 2011 and recently by The Angus Hall of Fame, America when he was included on the list of Pioneer Aberdeen Angus Breeders from around the World 1824-1916.

William Jnr has managed the Netherton Herd for the past 20 years and has been a major part in the herds success and growth around the world. He has been honoured to have judged all the major shows in the UK and Ireland and more recently overseas including The Canadian Bull Congress and Farmfair in Canada, Royal Canterbury Show in New Zealand and National shows in Denmark and Germany. The herd has been at the forefront of the Angus Breed in the UK, which has seen the herd performance recording since 1959, making it the oldest recorded herd of any breed in the UK, with ultrasound scanning being used since the technology first became available in the 1980s. This has allowed us to concentrate on accurate data recording resulting in Netherton producing many breed trait leaders with top 1% Indexes while still being in the top 20% for birth weight.



STEADING BUILDING



BULL

In the last decade the herd has moved its focus on producing high marbling, easy calving genetics of moderate frame to suit our ever growing export demand. But, despite making use of the latest technologies, the McLaren family have always focussed on breed type and character too, maintaining the Aberdeen-Angus' easy fleshing, maternal qualities.

Netherton has been a prominent show herd since the 1980's. Winning the Walkers Show herd of the year trophy more times than any other herd. We have also bred numerous Royal and Royal Highland Show Champions as well as collecting a host of top awards, including Calf and Junior championships, Interbreed titles and performance recorded winners at other shows including Aberdeen-Angus Society's UK Summer and Winter National Shows. While showing has been an integral part of life at Netherton, the herd has occasionally taken a break from the show ring, with the herd last showing in 2015. The herd previously ceased showing in 2002, re-entering the ring in 2010 due to an evolving enthusiasm in the herd shown by our daughter Seonaid, and have enjoyed much success in the six years to 2015.

Our sales have also produced many of the Breeds headlines. The herd policy over the last 20 years has been to sell all females over six years of age in our Matrons Sales. These sales have not only set records but have seen Netherton produce the Breeds Top Price Female each year they have been held, with the last sale averaging over £9300, and have seen Netherton sell the first Angus female over £20,000 and £30,000 for Netherton Fleur Y298 in 2004 and Netherton Missie A114 in 2007 respectively.

Netherton have also held 3 major reductions which has seen us sell every female in the herd apart from 10 heifers calves and pregnant recipients. Our last in 2014 saw us sell the entire herd while retaining 10 heifer calves to build the herd back up again to our neighbours HW Angus, with William employed on a consultancy basis to oversee the management of HW Angus. This ground-breaking partnership deal saw the McLaren family retain a number of key females while at the same time partnering HW Angus in developing an elite, large-scale herd of 600 Aberdeen-Angus to serve the needs of the modern beef industry. Both herds run together at Netherton.

Our ET programme has allowed us to do these sales and not lose families with embryo work carried out every 5 weeks at Netherton. This has meant many of our top cows have produced over £100,000 worth of progeny sales.



VIEW TO STEADING



3D IMAGE
FARMHOUSE, STEADING & LANDSCAPING VIEWED FROM ACCESS ROAD

Our bulls have also enjoyed much success in the sale ring, including collecting no fewer than eight supreme champions and four reserve supreme champions at the Perth, and latterly Stirling, bull sales. Many of these have gone to lead the sales too, including Netherton Figo who was sold in 2005 for 30,000gns (£31,500), making him the first bull of the modern era to eclipse the £30,000 barrier.

Today the majority of our Bulls are sold privately off farm with only a few going forward to society sales. In recent years have seen Netherton top sales in other countries including Netherton Beauty P824 selling for a new German female record of €7400 at 8 months of age and a pick of the herd flush selling for \$10,000 at the Angus World Secretariat meetings in Mexico to KBJ Farms Canada. Private sales have seen the herd involved in a significant number of exports too, including multiple sales of cattle to Belgium, France, Germany, Luxembourg, Portugal, Romania, Spain and the Czech Republic. In addition, semen and embryos have also been sold across Europe and further afield in total 21 different countries.

A number of bulls have been sold into AI studs in the UK including Netherton Americano and Netherton Mr Brazilian E377 selling to Genus ABS and Cogent respectively where they have successfully used all over the world.

Our embryo sales of Black and Red Angus have seen us sell to many countries and is now an integral part of the business and, in late 2016, a bull bred from an embryo from Netherton Blackbird M712, BJ's Danger Zone 609 from BJ, Jody, Cody and Logan Scheirlinck, Alberta, Canada, sold for the top price of \$20,000 for half share to Dwajo Angus, Alberta, at the British Connection Bull Sale.

Having enjoyed seeing Aberdeen-Angus cattle across the world, including 13 World Forums or Secretariat Meetings the McLaren family look forward to welcoming the world to Netherton in the summer of 2017 and to showcasing some of the best UK Aberdeen-Angus to breeders from across the globe.

2017 saw Netherton welcome over 1000 overseas visitors to the farm.



BULL

APPENDIX 2
PANORAMA IMAGES



SITE
VIEWED TO NORTH



FARM STEADING BUILDINGS, ACCESS ROAD AND SITE
VIEWED FROM FARM STEADING

Kirsty Watson

From: Kirsty Watson [REDACTED]
Sent: 13 March 2018 09:33
To: 'Persephone Beer'
Subject: RE: 17/00799/PREAPP Erection of a dwellinghouse Land 300 Metres South West Of Nether Allan Blackford

Hi Persephone,

Many thanks for the below email. We are still in discussions with the Client on our next steps.

Are you able to confirm if you have any concerns over the design of the house or its height?

We understand your main concerns are on the site that has been identified for the new house and the justification for a new farmhouse. Can you confirm this is the case?

Kind regards,

Kirsty Watson
Architect
for



Tel: 0131 319 1260
Direct Dial: 0131 331 9917
www.slorachwoodarchitects.com



Slorach Wood Architects' nominated 2017 charity is Alzheimers Scotland – Registered Charity Number SC022315



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From: Persephone Beer <[REDACTED]>
Sent: 21 December 2017 17:59
To: Kirsty Watson [REDACTED]
Subject: 17/00799/PREAPP Erection of a dwellinghouse Land 300 Metres South West Of Nether Allan Blackford

Dear Kirsty

17/00799/PREAPP Erection of a dwellinghouse Land 300 Metres South West Of Nether Allan Blackford

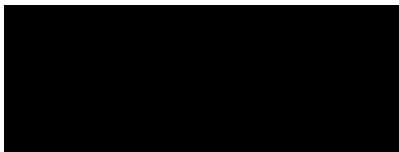
I have attached a response to your pre-application enquiry in relation the above.

Kind regards

Persephone Beer

Persephone Beer
Planning Officer
Development Management

Planning and Development
Perth & Kinross Council
Pullar House
35 Kinnoull Street
Perth
PH1 5GD



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General enquiries to Perth & Kinross Council should be made to

enquiries@pkc.gov.uk or 01738 475000.

General enquiries and requests under the Freedom of Information (Scotland) Act to Culture Perth and Kinross should be made to enquiries@culturepk.org.uk or 01738 444949

General enquiries to TACTRAN should be made to info@tactran.gov.uk or 01738 475775.

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Kirsty Watson

From: Persephone Beer [REDACTED]
Sent: 24 July 2018 09:59
To: 'Kirsty Watson'
Subject: RE: 15041 Netherton Farm House - Planning Ref 18/00874/FLL

Hi Kirsty

Thank you for your message with regard to the application at Netherton Farm.

The application should be determined this week. Could you confirm how the planting outwith the site boundary will be delivered? Is this land in the ownership of your client? Also, have you seen comments from the Council's Environmental Health Officer with regard to the requirement for an acoustic fence? I had wanted to avoid this if possible but note that they have requested it so if approved this is likely to be a condition. If so I would expect planting to screen it.

Kind regards

Persephone

From: Kirsty Watson [REDACTED]
Sent: 19 July 2018 16:55
To: Persephone Beer
Subject: RE: 15041 Netherton Farm House - Planning Ref 18/00874/FLL

Hi Persephone,

Further to my voicemail, can you please update me on the above.

Kind regards,

Kirsty Watson
Architect
for



Tel: 0131 319 1260
Direct Dial: 0131 331 9917
www.slorachwoodarchitects.com



Slorach Wood Architects' nominated 2018 charity is Angelman Syndrome Support Education & Research Trust (ASSERT) – Registered Charity Number 1021882

This year's charity challenge takes place on 3rd August and sees some of us cycling the Border's Four Abbeys Route which is a hilly 55 mile circuit starting in Kelso and passing through Jedburgh, Melrose and Dryburgh. Others will be taking on a 13 mile walk around Kelso. Please click below if you would like to donate:

<https://www.justgiving.com/fundraising/robin-mcglade2>



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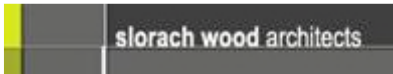
From: Kirsty Watson <[REDACTED]>
Sent: 16 July 2018 14:51
To: 'Persephone Beer' <[REDACTED]>
Subject: RE: 15041 Netherton Farm House - Planning Ref 18/00874/FLL

Hi Persephone,

Can you please give me a call to discuss the above application?

Kind regards,

Kirsty Watson
Architect
for



Tel: 0131 319 1260
Direct Dial: 0131 331 9917
www.slorachwoodarchitects.com



Slorach Wood Architects' nominated 2018 charity is Angelman Syndrome Support Education & Research Trust (ASSERT) – Registered Charity Number 1021882

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<https://www.justgiving.com/fundraising/robin-mcglade2>



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From: Kirsty Watson [REDACTED]
Sent: 06 July 2018 10:42

To: 'Persephone Beer' <[REDACTED]>
Subject: 15041 Netherton Farm House - Planning Ref 18/00874/FLL

Hi Persephone,

I understand you are on annual leave this week, returning Monday 9th. Can you please give me a call back to discuss the above application.

We have taken on your advice, making the new house single storey so not to impact the landscape and provided landscaping to screen the new farmhouse from the road.

Kind regards,

Kirsty Watson
Architect
for



Tel: 0131 319 1260
Direct Dial: 0131 331 9917
www.slorachwoodarchitects.com



Slorach Wood Architects' nominated 2018 charity is Angelman Syndrome Support Education & Research Trust (ASSERT) – Registered Charity Number 1021882



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General enquiries to Perth & Kinross Council should be made to enquiries@pkc.gov.uk or 01738 475000.

General enquiries and requests under the Freedom of Information (Scotland) Act to Culture Perth and Kinross should be made to enquiries@culturepk.org.uk or 01738 444949

General enquiries to TACTRAN should be made to info@tactran.gov.uk or 01738 475775.

Securing the future... - Improving services - Enhancing quality of life - Making best use of public resources.

Kirsty Watson

From: Kirsty Watson <[REDACTED]>
Sent: 24 July 2018 12:58
To: 'Persephone Beer'
Subject: RE: 15041 Netherton Farm House - Planning Ref 18/00874/FLL

Hi Persephone,

Please find our response below in black:

Could you confirm how the planting outwith the site boundary will be delivered? Is this land in the ownership of your client?

The planting will be wholly within the Clients land on the boundary line as shown on our site plan.

Also, have you seen comments from the Council's Environmental Health Officer with regard to the requirement for an acoustic fence? I had wanted to avoid this if possible but note that they have requested it so if approved this is likely to be a condition. If so I would expect planting to screen it.

Upon receipt of a Planning Approval, all associated conditions will be upheld. If a Planning condition were to request an acoustic fence we would construct this in line with the condition document. To assist the aesthetics of the site, planting would be provided to the acoustic fence to provide screening.

We trust this is to your satisfaction. If you need anything further please do get in touch.

Kind regards,

Kirsty Watson
Architect
for



Tel: 0131 319 1260
Direct Dial: 0131 331 9917
www.slorachwoodarchitects.com



Slorach Wood Architects' nominated 2018 charity is Angelman Syndrome Support Education & Research Trust (ASSERT) – Registered Charity Number 1021882

This year's charity challenge takes place on 3rd August and sees some of us cycling the Border's Four Abbeys Route which is a hilly 55 mile circuit starting in Kelso and passing through Jedburgh, Melrose and Dryburgh. Others will be taking on a 13 mile walk around Kelso. Please click below if you would like to donate:

<https://www.justgiving.com/fundraising/robin-mcglade2>



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PERTH AND KINROSS COUNCIL

Craigs Eco Developments Ltd
c/o Slorach Wood
Kirsty Watson
The Station Master's Office
Station Road
South Queensferry
EH30 9JP

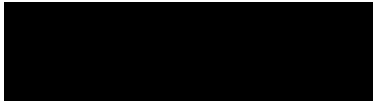
Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 31 January 2017

Town and Country Planning (Scotland) Acts.

Application Number **16/00495/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to grant your application registered on 5th April 2016 for planning permission for **Erection of 13 dwellinghouses and 6 flats and associated works** at Land 70 Metres North East Of Netherton Farm Blackford subject to the undernoted conditions.


 Interim Head of Planning

Conditions referred to above

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

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

- 2 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 - To ensure the new development has an adequate and consistently wholesome supply of water and maintain water quality and supply in the interests of residential amenity and ensure the private water supply or septic drainage systems of neighbours of the development remain accessible for future maintenance .

- 3 A close boarded timber fence constructed of double skinned 25mm thick boards shall be erected along the southern boundary of the site. The fence shall be no less than 2.5 metres in height. There must be no holes or gaps in the fabric of the barrier, and there must be no gaps between the lower edge of the barrier and the ground. Full details of the fence and its proposed landscaping shall be submitted for the written approval of the planning authority prior to commencement of development and the scheme as approved shall be implemented and maintained to the satisfaction of the Council as planning authority.

Reason - In order to safeguard the residential amenity of the area.

- 4 The properties shall be positioned, designed and constructed such that at the time of completion internal noise levels in bedrooms from road traffic noise shall not exceed LAeq 2300-0700 35dB, with windows open. In any bedroom where such a level is not achievable with windows open, sound insulating mechanical ventilators shall be installed. This would be in addition to any acoustic trickle ventilators to be provided

Reason - In order to safeguard the residential amenity of the area.

- 5 Prior to commencement of work the applicant shall submit details of paths to be constructed on his land which would link in with the Core Path Network, all to Perth and Kinross Council standards and specifications in consultation with the Council's Access Officer.

Reason - In the interests of public access to the Core Path Network.

- 6 Prior to occupation a total of 4 swift nest bricks shall be built into the north elevation of the proposed north flats block, at eaves height.

Reason - In the interests of biodiversity.

- 7 Prior to the commencement of the development hereby approved, a detailed landscaping and planting scheme for the site shall be submitted for the further written agreement of the Council as Planning Authority. The scheme shall include details of the height and slopes of any mounding or recontouring of the site, full details of all hard landscaping proposals including materials and installation methods and, species, height, size and density of trees and shrubs to be planted. The scheme as subsequently approved shall be carried out and completed within the first available planting season (October to March) after the completion or bringing into use of the development, whichever is the earlier, unless otherwise agreed in writing with this Planning Authority and the date of Practical Completion of the landscaping scheme shall be supplied in writing to the Council as Planning Authority within 7 days of that date. The scheme as agreed and implemented shall thereafter be maintained unless otherwise agreed in writing with the Council as Planning Authority.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

- 8 Any planting failing to become established within five years shall be replaced in the following planting season with others of similar size and species to the satisfaction of the Planning Authority.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

- 9 Prior to the commencement of any works on site, all trees on site (other than those marked for felling on the approved plans) and those which have Root Protection Areas which fall within the site shall be retained and protected. Protection methods shall be strictly in accordance with BS 5837 2012: Trees in Relation to Design, Demolition and Construction. Protection measures, once in place, shall remain in place for the duration of construction unless otherwise agreed in writing by the Council as Planning Authority.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

- 10 Prior to the commencement of the development hereby approved, details of the proposed boundary treatments for the site shall be submitted for the further written agreement of the Council as Planning Authority. The scheme as subsequently agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

- 11 Details of the specification and colour of the proposed external finishing materials to be used shall be submitted for the approval of the Planning Authority prior to the commencement of the development. The scheme as approved shall be implemented prior to the occupation and or use of the development.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

- 12 Prior to the commencement of any works on site precise details of the finished floor levels shall be provided for the approval in writing by the Council as Planning Authority.

Reason - In the interests of proper site management.

- 13 Prior to any works commencing on site, a detailed Traffic Management Plan shall be submitted and approved by the Planning Authority, in consultation with Transport Scotland as Trunk Road Authority. The Traffic Management Plan will include construction traffic signs and must be adhered to by all construction traffic until the new access road is constructed and the central reserve crossing is closed.

Reason - To ensure construction traffic only enters and exits the site by means of left turns thereby improving the safety of trunk road traffic during construction of the development.

- 14 Prior to the occupation of the development, detailed drawings of the junction layout, new connecting road, means of closing the central reserve crossing and construction details (including independent design check of the new connecting road) shall be submitted and approved by the Planning Authority, after consultation with Transport Scotland as the Trunk Road Authority.

Reason - To ensure that the use of the central reserve crossing is discontinued and the safety of traffic on the trunk road is improved. To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished. To ensure that the movement of traffic is restricted to the permitted means of access thereby lessening the danger to and interference with the free flow of traffic on the trunk road.

- 15 Prior to the occupation of the fifth dwelling (houses and / or flats) the new access road, the alterations to the junction and the closure of the central reserve crossing must be completed in accordance with the approved plans.

Reason - To ensure that the movement of traffic is restricted to the permitted means of access thereby lessening the danger to and interference with the free flow of traffic on the trunk road. To ensure that vehicles entering or exiting the access can undertake the manoeuvre safely and with minimum interference to the safety and free flow of traffic on the trunk road.

- 16 Prior to occupation of the site detailed drawings of the signing and lining details for the development shall be submitted and approved by the Planning Authority, after consultation with Transport Scotland as the Trunk Road Authority.

Reason - To ensure that vehicles entering or exiting the access can undertake the manoeuvre safely and with minimum interference to the safety and free flow of traffic on the trunk road.

- 17 Where possible stone shall be salvaged and re-used on site to the satisfaction of Council as the Planning Authority.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

Justification

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

Informatives

- 1 This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
- 2 Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 3 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
- 4 No work shall be commenced until an application for building warrant has been submitted and approved.
- 5 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.
- 6 The applicant shall ensure the private water supply for the house/ 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.

- 7 The applicant should be aware of the requirements of the Council's Environment and Regulatory Services in relation to waste collection from the site and should ensure adequate measures are provided on site to allow for the collection of waste. The developer is strongly advised to contact the Community Waste Advisor to discuss.
- 8 The applicant should be informed that the granting of planning consent does not carry with it the right to carry out works within the trunk road boundary and that permission must be granted by Transport Scotland Trunk Road and Bus Operations. Where any works are required on the trunk road, contact details are provided on Transport Scotland's response to the planning authority which is available on the Council's planning portal. Trunk road modification works shall, in all respects, comply with the Design Manual for Roads and Bridges and the Specification for Highway Works published by HMSO. The developer shall issue a certificate to that effect, signed by the design organisation. Trunk road modifications shall, in all respects, be designed and constructed to arrangements that comply with the Disability Discrimination Act: Good Practice Guide for Roads published by Transport Scotland. The developer shall provide written confirmation of this, signed by the design organisation.

The road works which are required due to the above Conditions will require a Road Safety Audit as specified by the Design Manual for Roads and Bridges

Any trunk road works will necessitate a Minute of Agreement with the Trunk Roads Authority prior to commencement.

The plans and documents relating to this decision are listed below and are displayed on Perth and Kinross Council's website at www.pkc.gov.uk "Online Planning Applications" page

Plan and Document Reference

16/00495/1

16/00495/2

16/00495/4

16/00495/5

16/00495/6

16/00495/7

16/00495/8

16/00495/9

16/00495/10

16/00495/13

16/00495/14

16/00495/15

16/00495/16

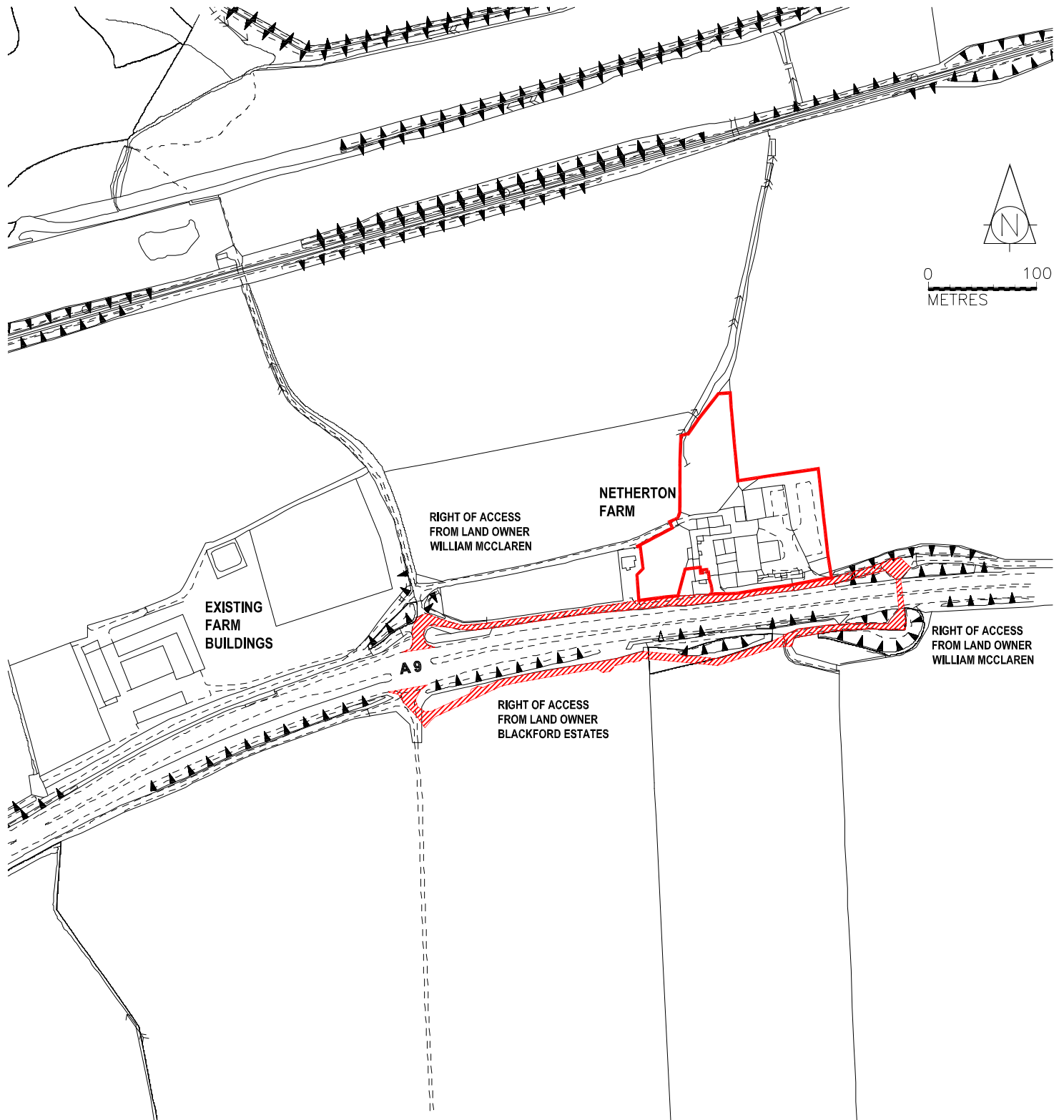
16/00495/17

16/00495/18

16/00495/19

16/00495/20

16/00495/21



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All works to comply in every respect with the current Scottish Building Standards Regulations (Scotland) Regulation 2004.

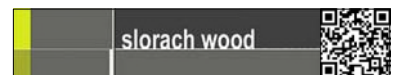
All works to comply with the relevant Codes of Practice and British Standards and shall be carried out to the highest standard of craftsmanship by skilled and qualified persons of the respective trades and in accordance with good building practice.

The contractor shall be responsible for making contact with the respective statutory authorities and establish the location of all existing services. The contractor shall ensure compliance with the Local Authority regulations.

Use figured dimensions only. All setting out dimensions are to be confirmed prior to the commencement of any associated works, with any discrepancies reported to the architect immediately.

All dimensions are to the structure and exclude any plaster/plasterboard finishes.

A LAND WITH ACCESS AGREEMENT HIGHLIGHTED		22/03/16
status	PLANNING	
drawing	15036 - P01 A	scale 1:1250 [A4]
plotted		ref. KW
project	NETHERERTON FARM BLACKFORD PERTSHIRE	
title	LOCATION PLAN AS PROPOSED	

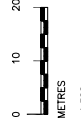


contact	The Station Master's Office, Dalmeny Station, South Queensferry, EH30 9JP. Tel: 0131 319 1260 Email: info@swa.uk.net Website: www.swa.uk.net
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PLOT 12



 SITE BOUNDARY
 PLOT BOUNDARY



Nether Allan

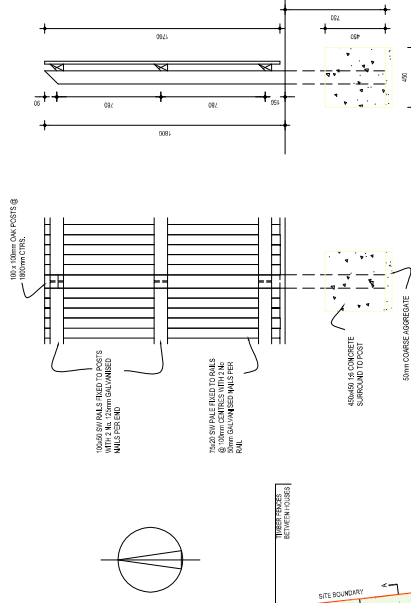
SITE PLAN [1:500]

64

PLOT 2



NEW STONE ENTRANCE WITH METAL FENCES [1:50]



NEW TIMBER FENCES BETWEEN HOUSES [1:20]



EXISTING STONE DYKE

<p>A BOUNDARY & SCALE NOTINGS</p> <p>B SITE SECTION, LANDSCAPE NOTES & BOUNDARY DETAIL ADDED</p> <p>30/10/15</p>	<p>2015</p>
<p>PLANNING</p>	
<p>03/03/15</p>	<p>150336 - P02 B</p>
<p>drawing</p>	<p>150336 - P02 B</p>
<p>project</p>	<p>NETHERTON FARM BLACKFOOT PERTHSHIRE</p>
<p>ref. num</p>	<p>150336 - P02 B</p>
<p>title</p>	<p>SITE PLAN AS PROPOSED</p>
<p>contact</p>	<p>  The Slorach Movers Office, Dalriada Station, South Queensferry, EH10 3AP, Tel: 0131 319 1200 Email: info@slorach.wood Website: www.slorach.wood </p>

PERTH AND KINROSS COUNCIL

Mr And Mrs W McLaren
c/o Slorach Wood Architects
Kirsty Watson
Station Masters Office
Station Road
South Queensferry
United Kingdom
EH30 9JP

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 22nd May 2017

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **17/00466/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 24th March 2017 for permission for **Erection of a dwellinghouse Land 300 Metres North West Of Nether Allan Blackford** for the reasons undernoted.

Interim Head of Planning

Reasons for Refusal

1. The proposal is contrary to Policy RD3 'Housing in the Countryside' of the Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 as the proposal fails to satisfactorily comply with category (3) New Houses in the Open Countryside as there is insufficient justification on the basis of operational need and the proposed site cannot satisfy the detailed siting criteria due to the lack of established boundaries. It is also considered that the proposal cannot satisfy any of the remaining categories (1) Building Groups, (2) Infill Sites, (4) Renovation or Replacement of Houses, (5) Conversion or Replacement of Redundant Non Domestic Buildings, or (6) Rural Brownfield Land.
2. The proposal is contrary to Policy PM1A 'Placemaking' of the Local Development Plan 2014 as the proposed development would not contribute positively, to the quality of the surrounding built and natural environment.

Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan

The plans relating to this decision are listed below and are displayed on Perth and Kinross Council's website at www.pkc.gov.uk "Online Planning Applications" page

Plan Reference

17/00466/1

17/00466/2

17/00466/3

REPORT OF HANDLING

DELEGATED REPORT

Ref No	17/00466/FLL	
Ward No	N7- Strathallan	
Due Determination Date	23.05.2017	
Case Officer	Persephone Beer	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Erection of a dwellinghouse

LOCATION: Land 300 Metres North West Of Nether Allan Blackford

SUMMARY:

This report recommends **refusal** of the application as the development is considered to be contrary to the relevant provisions of the Development Plan and there are no material considerations apparent which justify setting aside the Development Plan.

DATE OF SITE VISIT: 24 April 2017

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a dwellinghouse on land 300 metres north west of Nether Allan, Blackford. The site is to the east of a group of modern farm buildings that have been erected to replace buildings that were on the site of Netherton Farm steading around 300 metres to the east. The original farm buildings were demolished as part of planning permission to re-develop the original farm for housing. The justification for the re-development was that the sale of the land for housing would fund the erection of more modern farm buildings. The farmhouse is still in use adjacent to the area being re-developed.

SITE HISTORY

09/00014/FLL Erection of a farmhouse and garage Netherton Farm Blackford Auchterarder PH4 1QU Application withdrawn in 2013

PRE-APPLICATION CONSULTATION

Pre application Reference: No reference.

NATIONAL POLICY AND GUIDANCE

The Scottish Government expresses its planning policies through The National Planning Framework, the Scottish Planning Policy (SPP), Planning

Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2012-2032 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012

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 – Adopted February 2014

The Local Development Plan is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are, in summary:

Policy PM1A - Placemaking

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 adaption.

Policy PM1B - Placemaking

All proposals should meet all eight of the placemaking criteria.

Policy PM3 - Infrastructure Contributions

Where new developments (either alone or cumulatively) exacerbate a current or generate a need for additional infrastructure provision or community facilities, planning permission will only be granted where contributions which are reasonably related to the scale and nature of the proposed development are secured.

Policy RD3 - Housing in the Countryside

The development of single houses or groups of houses which fall within the six identified categories will be supported. This policy does not apply in the Green Belt and is limited within the Lunan Valley Catchment Area.

Policy EP8 - Noise Pollution

There is a presumption against the siting of proposals which will generate high levels of noise in the locality of noise sensitive uses, and the location of noise

sensitive uses near to sources of noise generation.

OTHER POLICIES

Housing in the countryside supplementary guidance
Developer contributions supplementary guidance

CONSULTATION RESPONSES

Internal

Transport Planning
Transport Scotland is the appropriate consultee.

Environmental Health
No objections subject to conditions.

Contributions Officer
Site is within Braco Primary School Catchment. No development contributions required.

External

Transport Scotland
No objection.

REPRESENTATIONS

There have not been any representations received in relation to this application:

ADDITIONAL STATEMENTS RECEIVED:

Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan 2012 and the adopted Perth and Kinross Local Development Plan 2014.

The determining issues in this case are whether; the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy.

Policy Appraisal

The main policy of relevance is policy RD3, housing in the countryside, from the adopted Perth and Kinross Local Development Plan 2014 with its associated supplementary guidance. The policy aims to: safeguard the character of the countryside; support the viability of communities; meet development needs in appropriate locations; and ensure that high standards of siting and design are achieved.

The Council will support proposals for the erection, or creation through conversion, of single houses and groups of houses in the countryside which fall into at least one of the following categories:

- a) Building Groups
- b) Infill site
- c) New houses in the countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance
- d) Renovation or replacement of houses
- e) Conversion or replacement of redundant non-domestic buildings
- f) Development on rural brownfield land

In this case the proposed site is not part of a building group, is not an infill site, does not meet the criteria for a replacement house, is not for the conversion or replacement of a non-domestic building and is not rural brownfield. It therefore fails to meet categories a), b), d), e) or f) of the housing in the countryside policy. The application is therefore being considered under category c) which supports new houses in the countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance.

In this instance the primary consideration would be 3.3 Economic Activity a) where a house or group of houses is required either on site or in the locality for a local or key worker associated with either a consented or an established economic activity. The applicant must demonstrate to the satisfaction of the Council that there is a need for the house.

There is some history in relation to this site. An application for a house on this site was submitted in 2009. At this time there was some concern that there was no justification for this property as the existing farm house was still in use and in close proximity to the site. In 2013 this application was withdrawn.

This new application is for a different house design. I am still concerned that there is insufficient justification for the construction of a new house on this site. The agent suggests that the new site has been selected due to its close proximity to the existing farm buildings in comparison to the current farmhouse, providing better security for the farm. However the applicant has been operating the new farm buildings from the existing farmhouse for a number of years. It is also stated that the existing farmhouse is in a state of disrepair and needs substantial remedial works and that the new farmhouse will provide a better standard of living in comparison to the existing farmhouse. However no survey of the existing building has been undertaken to establish its condition.

As the existing farm house is still in active use and is only sited around 300 metres from the new house site I consider that there is no justification for the new house in terms of section 3.3 of the housing in the countryside policy. It is therefore contrary to that policy. In addition the site fails to meet the siting and design criteria set out in the 2012 housing in the countryside guide. The proposal is also contrary to policy PM1, Placemaking, which requires proposals to contribute positively to the surrounding built and nature environment.

Design and Layout

The proposed dwellinghouse is a five bed detached dwelling with accommodation over two levels. No details of external finishes have been provided although the design is similar to new houses that are being constructed on the old farm steading area 300 metres to the east. These are finished in render with slate roofs. The site measures around 2800 square metres. The new house is set to the north of the site around 5 metres from the site boundary overlooking agricultural land. The front of the property, the south elevation, is around 35 metres from the A9 Trunk Road. Environmental Health has requested that a timber close boarded fence be erected along the southern boundary to mitigate noise from the A9.

Landscape

The site is in the corner of a large field that has had the grass scraped off. It is a very exposed site with extensive views all around. There is a small clump of trees to the east on the opposite side of a small track but other than that there is no significant landscaping in the vicinity of the site which is highly visible from the from the A9 Trunk Road. In particular the site does not have an identifiable site with long established boundaries as required by section c) of the housing in the countryside policy.

Residential Amenity

Environmental Health has been consulted and note that due to the proximity to the trunk road future occupants of the property will be aware of road traffic

noise. There are other existing properties within closer proximity to the A9 and planning permission 16/00495/FLL was granted for the erection of 13 dwellinghouses and 6 flats around 300 metres to the east at a similar distance from the road. This approved application required the applicant to carry out a noise impact assessment (NIA). The findings of this are appropriate to this application. Environmental Health recommend that if this proposal is approved that a 2.5 metre close boarded timber fence constructed of double skinned 25mm thick boards shall be erected along the southern boundary of the site. A condition is also requested with regard to internal noise levels on completion.

Private water

Environmental Health notes that the development is for a dwelling house in a rural area with private water supplies believed to serve properties in the vicinity. A condition and informative notes are required to be added to any approval to ensure the new development has an adequate and consistently wholesome supply of water and maintain water quality and supply in the interests of residential amenity and ensure the private water supply or septic drainage systems of neighbours of the development remain accessible for future maintenance.

Visual Amenity

The site is in an exposed position close to the A9 Trunk Road. There are two main groups of buildings in this area, the new farm buildings to the west set below this house site and the old steading area, now a new housing site to the east. The construction of a new house on this site between these building groups will further erode the landscape character of this area and have an adverse impact on visual amenity. The 2.5 metre noise mitigation fence will further impact on visual amenity.

Roads and Access

The site is accessed from the A9 Trunk Road. Transport Scotland was consulted and do not object. It is a condition of the planning permission for the 13 houses and six flats that prior to the occupation of the fifth dwelling (houses and / or flats) a new access road, junction alterations and the closure of the central reserve crossing must be completed. In the long term if this site is developed the access to the trunk road will be improved.

Drainage and Flooding

There are no concerns with drainage or flooding matters with regard to this development. The property will be served by a new septic tank system.

Developer Contributions

The Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.

This proposal is within the catchment of Braco Primary School.

Education & Children's Services have no capacity concerns in this catchment area at this time. No developer contributions with regard to primary education are required.

Economic Impact

The economic impact of the proposal is likely to be minimal and limited to the construction phase of the development.

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is not considered to comply with the approved TAYplan 2012 and the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for refusal subject to conditions.

APPLICATION PROCESSING TIME

The recommendation for this application has been made within the statutory determination period.

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application

Conditions and Reasons for Recommendation

1 The proposal is contrary to Policy RD3 'Housing in the Countryside' of the Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 as the proposal fails to satisfactorily comply with category (3) New Houses in the Open Countryside as there is insufficient justification on the basis of operational need and the proposed site cannot satisfy the detailed siting criteria due to the lack of established boundaries. It is also considered that the proposal cannot satisfy any of the remaining categories (1) Building Groups, (2) Infill Sites, (4) Renovation or Replacement of Houses, (5) Conversion or Replacement of Redundant Non Domestic Buildings, or (6) Rural Brownfield Land.

2 The proposal is contrary to Policy PM1A 'Placemaking' of the Local Development Plan 2014 as the proposed development would not contribute positively, to the quality of the surrounding built and natural environment.

Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan

Informatives

None.

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

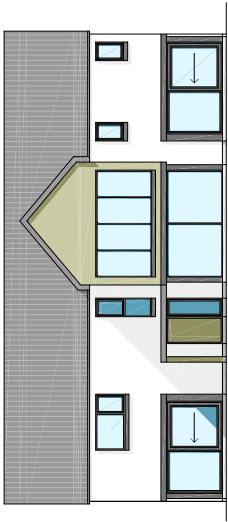
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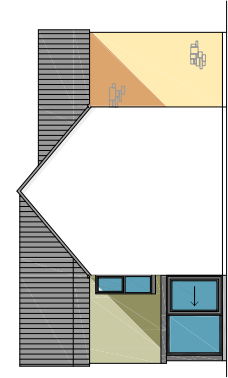
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Date of Report

22nd May 2017



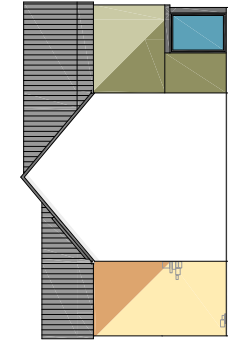
NORTH ELEVATION [1:100]



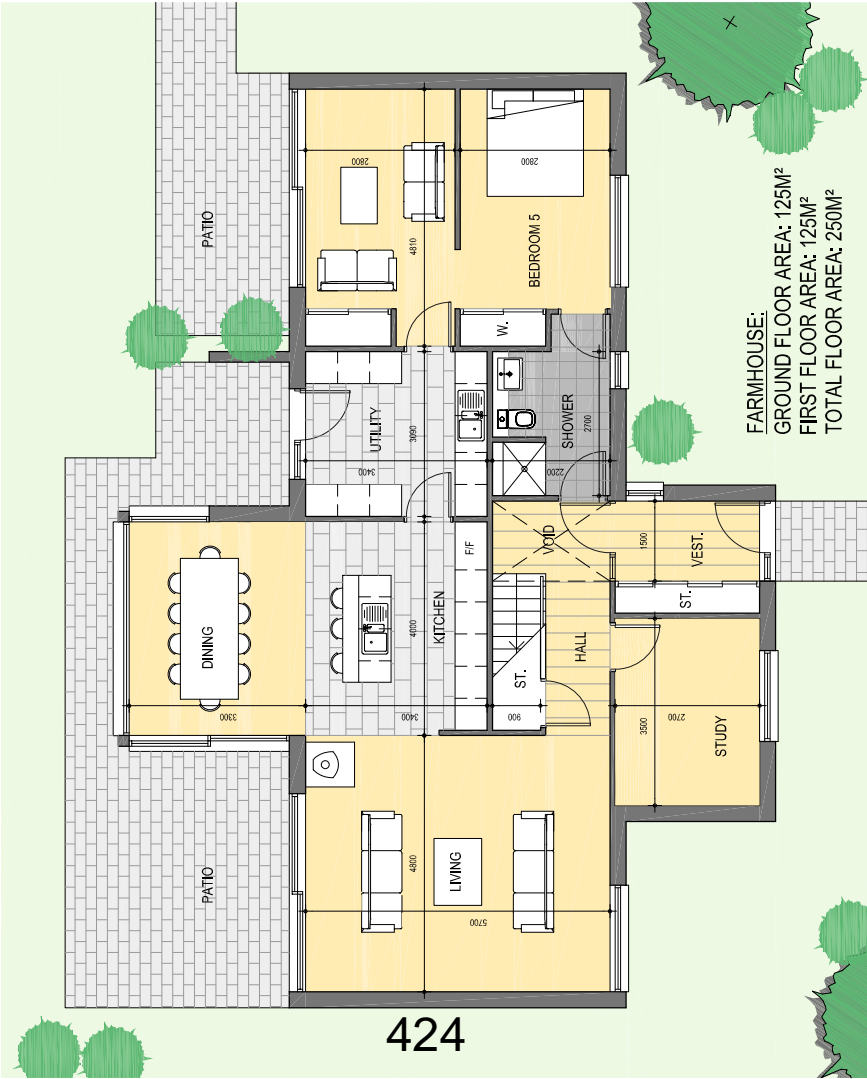
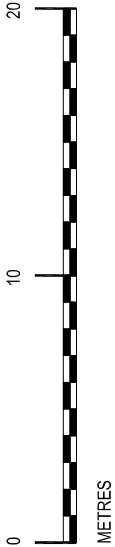
WEST ELEVATION [1:100]



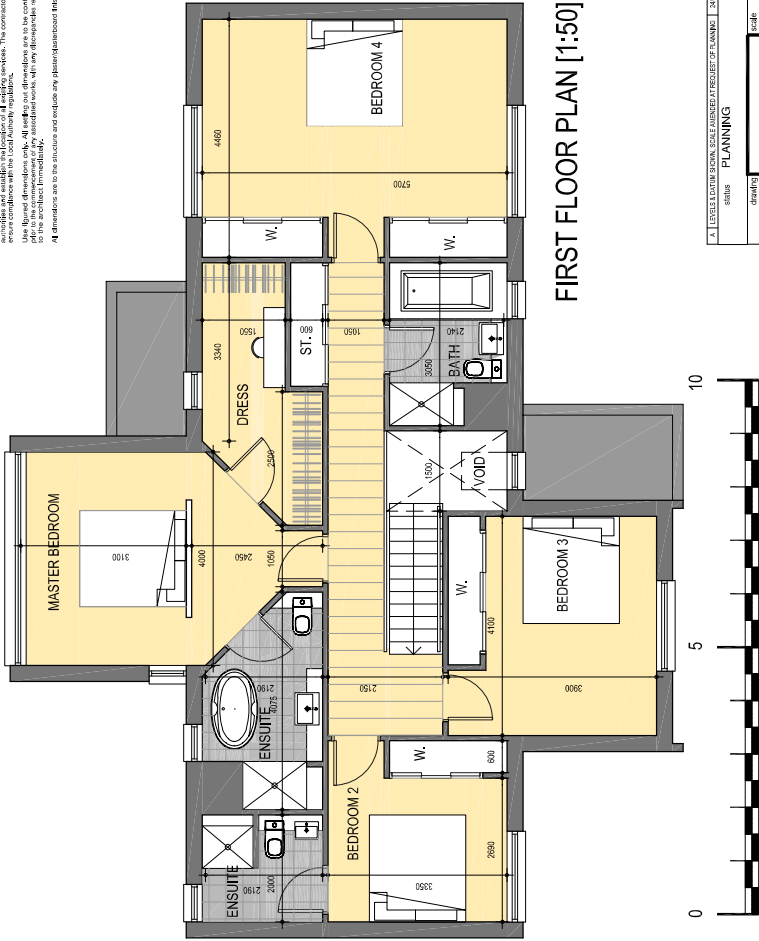
SOUTH ELEVATION [1:100]



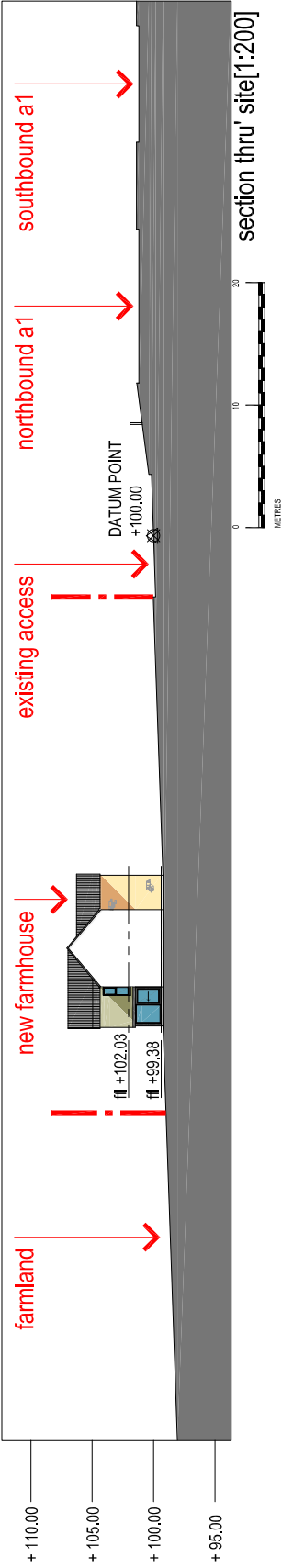
EAST ELEVATION [1:100]



GROUND FLOOR PLAN [1:50]



FIRST FLOOR PLAN [1:50]



A. LEVELS & DATE: 15/01/2024. SCALE: 1/50. DRAWN BY: J. B. CHECKED BY: J. B.	
status	PLANNING
drawing	15041 - P02 A
date	15/01/2024
project	NETHERTON FARM HOUSE BLACKFORD PERTSHIRE
title	FLOOR PLANS & ELEVATIONS
slorch wood	
The Studio Master's Office, Queen's Square, South Gloucestershire, GL3 3LP, Tel: 0117 319 1200. Email: info@slorchwood.co.uk Website: www.slorchwood.co.uk	

**Delayed Office Opening for
Employee Training**

*This Office will be closed from 8.45 am –
11.00 am on the 1st Thursday of each
month.*

Planning and Development
Interim Head of Service **Nick Brian**

Pullar House 35 Kinnoull Street
Perth PH1 5GD

Kirsty Watson

Contact: Mrs Persephone Beer
[REDACTED]
[REDACTED]

Our ref 17/00799/PREAPP

Your ref:

Date: 21 December 2017

By Email only

Dear Kirsty

**17/00799/PREAPP Erection of a dwellinghouse Land 300 Metres South West Of
Nether Allan Blackford**

I refer to your pre-application enquiry regarding the above.

Any future development proposal will be considered primarily in relation to the policies of the Council and the guidance of the Scottish Government, in particular the Development Plan for the area, which in this case comprises the TayPlan 2016 and the Perth and Kinross Local Development Plan 2014 which was adopted on 3rd February 2014.

From an initial consideration of your proposal it appears that the following TayPlan policies are of particular relevance:

Policy 1: Locational Priorities

Seeks to focus the majority of development in the region's principal settlements. Perth Core Area is identified as a Tier 1 Settlement with the potential to accommodate the majority of the region's additional development over the plan period and make a major contribution to the region's economy.

Policy 9: Managing TAYplans Assets

Seeks to respect the regional distinctiveness and scenic value of the TAYplan area through safeguarding the integrity of natural and historic assets; including habitats, wild land, sensitive green spaces, forestry, water environment, wetlands, floodplains (in-line with the Water Framework Directive), carbon sinks, species and wildlife corridors, and also geo-diversity, landscapes, parks, townscape, archaeology, historic battlefields, historic buildings and monuments; and by allowing development where it does not adversely impact upon or preferably enhances these assets.

In addition the overall vision of the Tay Plan should be noted. The vision states *“By 2036 the TAYplan area 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, study and visit, and where businesses choose to invest and create jobs.”*

From an initial consideration of your proposal it appears that the following Local Plan policies are of particular relevance:

Policy PM1A - Placemaking

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 adaption.

Policy PM1B - Placemaking

All proposals should meet all eight of the placemaking criteria.

Policy PM2 - Design Statements

Design Statements should normally accompany a planning application if the development comprises 5 or more dwellings, is a non-residential use which exceeds 0.5 ha or if the development affects the character or appearance of a Conservation Area, Historic Garden, Designed Landscape or the setting of a Listed Building or Scheduled Monument.

Policy PM3 - Infrastructure Contributions

Where new developments (either alone or cumulatively) exacerbate a current or generate a need for additional infrastructure provision or community facilities, planning permission will only be granted where contributions which are reasonably related to the scale and nature of the proposed development are secured.

Policy RD3 - Housing in the Countryside

The development of single houses or groups of houses which fall within the six identified categories will be supported. This policy does not apply in the Green Belt and is limited within the Lunan Valley Catchment Area.

Policy EP1 - Climate Change, Carbon Reduction and Sustainable Construction

Sustainable design and construction will be integral to new development within Perth and Kinross. Proposals for new buildings must be capable of meeting one of the standards set out in the table.

Policy EP3C - Water, Environment and Drainage

All new developments will be required to employ Sustainable Urban Drainage Systems (SUDS) measures.

Policy EP8 - Noise Pollution

There is a presumption against the siting of proposals which will generate high levels of noise in the locality of noise sensitive uses, and the location of noise sensitive uses near to sources of noise generation.

The Development Plan can be viewed online at:

<http://www.pkc.gov.uk/developmentplan>

OTHER POLICIES

Developer Contributions Supplementary Guidance 2016
Housing in the countryside Supplementary Guidance 2012

In line with Planning Circular 3/2012 Planning Obligations and Good Neighbour Agreements this Council may use agreements under Section 75 of the Town & Country Planning (Scotland) Act 1997 to mitigate the impact of new development on infrastructure. Where a shortfall in infrastructure capacity has been identified the impact of new development may be mitigated through a financial contribution. This allows proposed development to be acceptable in planning terms and helps provide wider benefits across Perth and Kinross. Contributions with regard to transport infrastructure, education and affordable housing may be required.

Further information can be obtained from the Council's website at:

<http://www.pkc.gov.uk/developercontributions>

Supplementary guidance can be viewed at:

<http://www.pkc.gov.uk/ldpsupplementaryguidance>

National planning guidance can be accessed online at:

<http://www.scotland.gov.uk/Topics/Planning>

The site is within an area of countryside where the Council will support proposals for the erection, or creation through conversion, of single houses and groups of houses in the countryside which fall into at least one of the following categories:

- a) Building Groups
- b) Infill site
- c) New houses in the countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance
- d) Renovation or replacement of houses
- e) Conversion or replacement of redundant non-domestic buildings
- f) Development on rural brownfield land

A previous application was refused on the site due to non compliance with policy RD3 (housing in the countryside) and PM1A (placemaking). For any further application to be acceptable the reasons for refusal would need to be addressed. This will be difficult on the proposed site. I note that additional background information as to the nature of the business and requirement for the house has been prepared and that the relocation onto a

slightly lower part of the site is proposed. Whilst providing some justification for the proposal the site does not comply with the housing in the countryside policy as it does not have established boundaries or topography that would define the site. Also the siting of the house around 0.4 metres lower will not make a significant difference to the visual impact of the proposal. However I do note that additional tree planting and landscaping is proposed which is welcomed.

I must advise however that approval of an application on this site would be contrary to Development Plan policy and if approved it would be as a departure to the Development Plan for reasons that would justify setting aside the Development Plan.

I also note that the septic tank is now outwith the site but would request that this be included within the red line site boundary should a revised application be submitted.

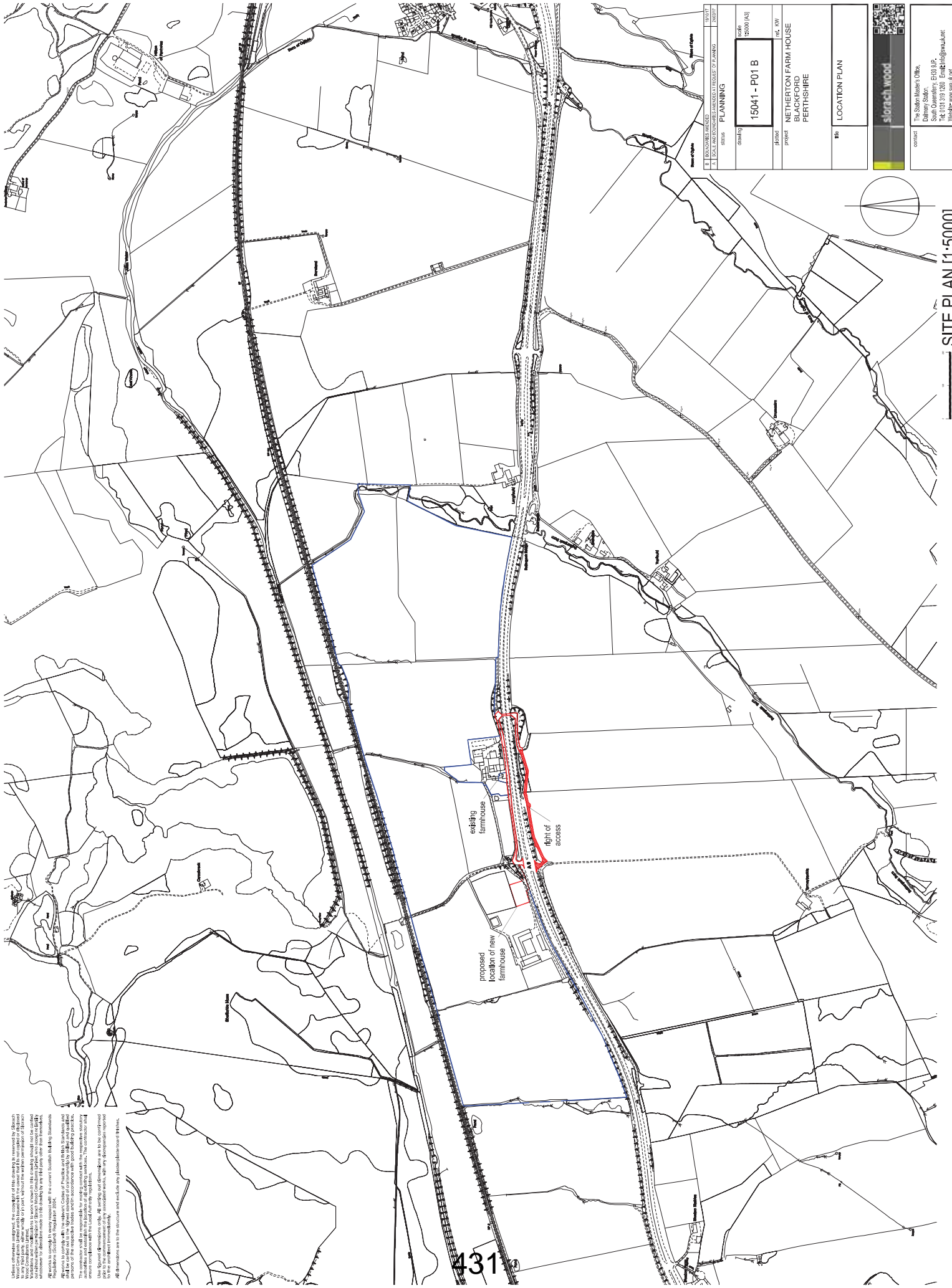
It is only by submitting a formal application that a measured and comprehensive response to a proposed development can be given as quickly as resources permit. A formal application involves considering a proposal in terms of the Development Plan and the Council's policies on the basis of detailed plans and any further information and justification which is considered necessary. Formal assessment will also involve visiting the site and the surrounding area; researching the planning history of the site and the surrounding area; carrying out any necessary consultations; and taking account of any comments received from notified neighbours and the wider public.

You should note that I have not necessarily identified all the policies or material considerations which might influence the determination of any planning application. The Council would not in any event be bound by such advice in the event that you submit a planning application.

I trust that this information has been of some assistance to you.

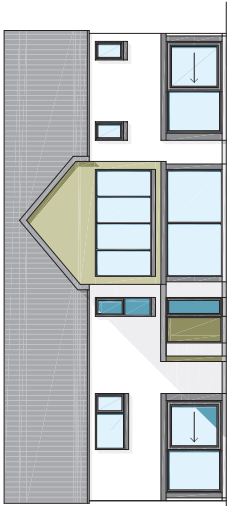
Yours sincerely

Persephone Beer
Planning Officer

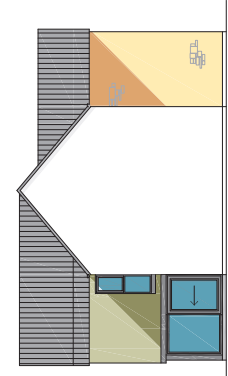


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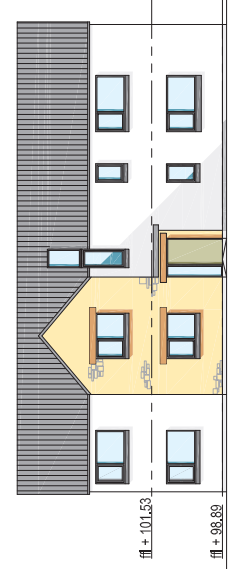
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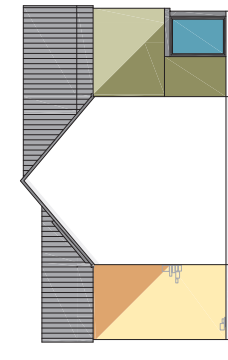
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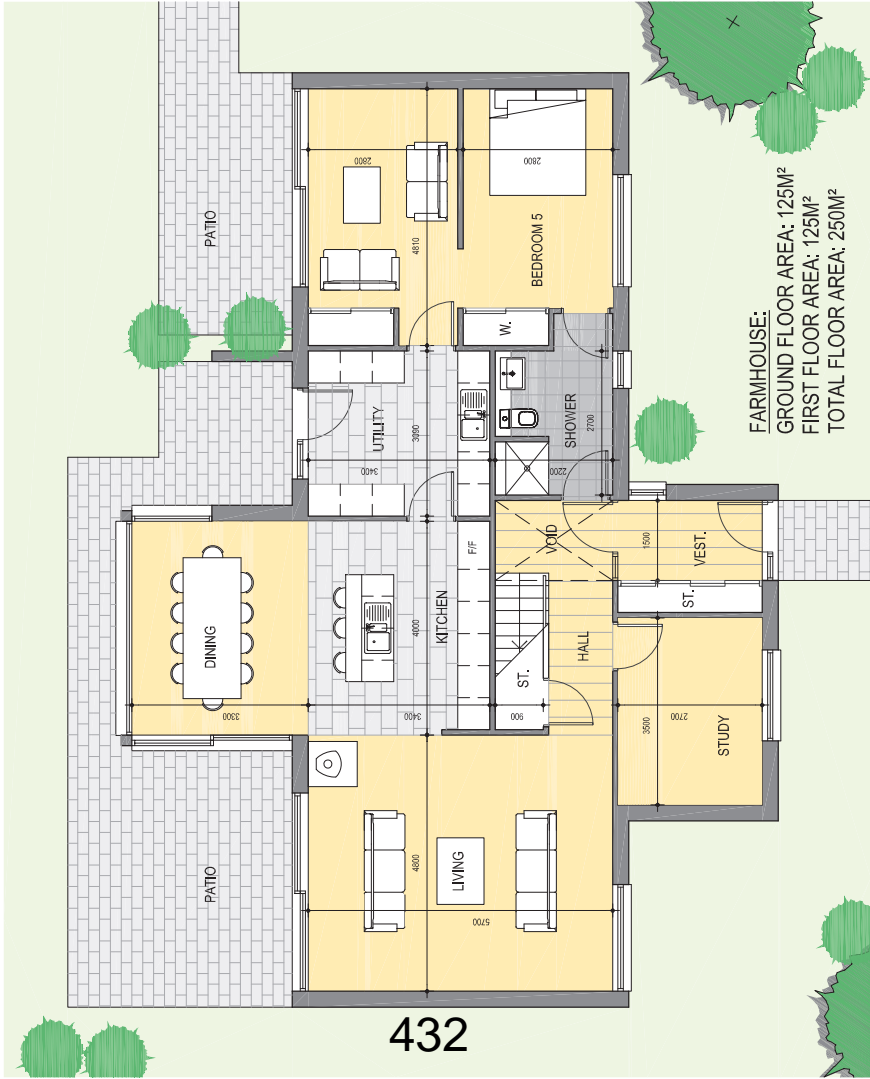
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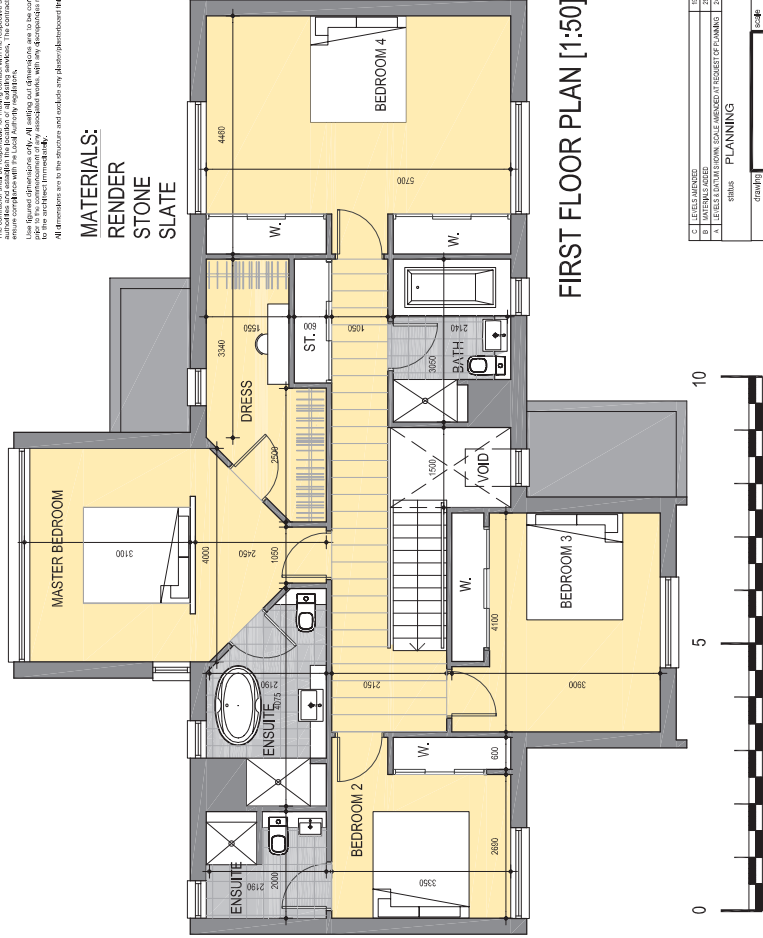
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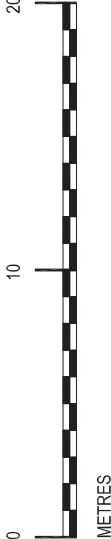
EAST ELEVATION [1:100]



GROUND FLOOR PLAN [1:50]



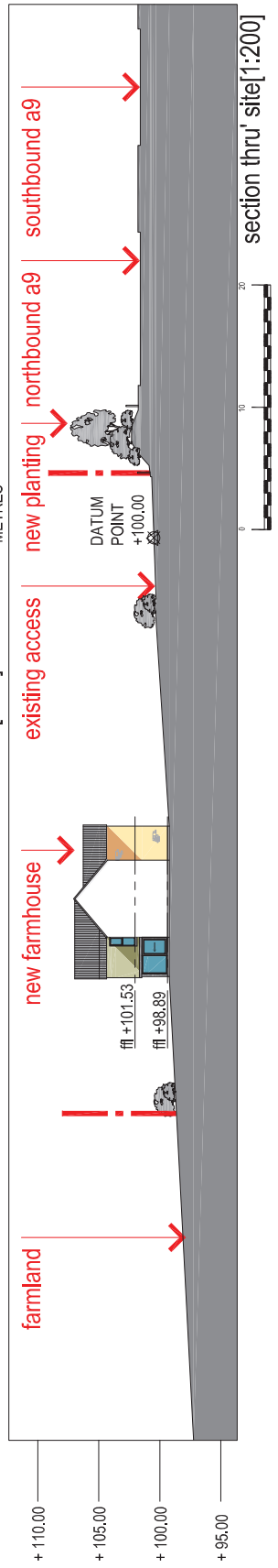
MATERIALS:
RENDER
STONE
SLATE



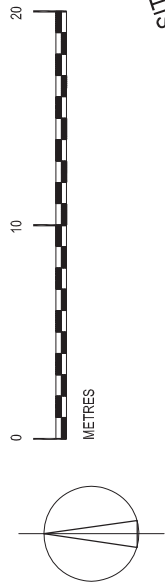
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9	PLAN	DATE	2/20/2017
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13	PLAN	DATE	2/20/2017
14	SECTION	DATE	2/20/2017
15	ELEVATION	DATE	2/20/2017
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17	PLAN	DATE	2/20/2017
18	SECTION	DATE	2/20/2017
19	ELEVATION	DATE	2/20/2017
20	DETAIL	DATE	2/20/2017

drawing	15041 - P02 C	AS SHOWN	1/1/17
project	NETHERTON FARM HOUSE		
client	BLACKFORD		
location	PERTHSHIRE		
title	FLOOR PLANS & ELEVATIONS		

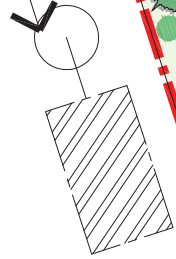
contact	The Studio House's Office, Dunbar, South Ayrshire, Scotland, KA11 1JF Tel: 0131 318 1200 Email: info@studiohouse.co.uk Website: www.studiohouse.co.uk		
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Notes:
1. All dimensions are to the centre of the structure unless otherwise stated.
2. All dimensions are to the finished ground level unless otherwise stated.
3. All dimensions are to the finished ground level unless otherwise stated.
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10. All dimensions are to the finished ground level unless otherwise stated.



SEPTIC TANK BELOW
GROUND WITH EFFLUENT
TO SOAKAWAY



SITE BOUNDARY
POST AND WIRE FENCES AS
EXISTING TO BOUNDARY
WITH NEW PLANTING

SITE BOUNDARY



433

SITE BOUNDARY

NEW PLANTING

NEW WATER SUPPLY
TAKEN FROM EXISTING
WATER SUPPLY

DATUM POINT
+100.00

EXISTING ACCESS ROAD

NEW PLANTING TO SCREEN A9

SITE BOUNDARY

SITE PLAN AS EXISTING [1:1000]

SITE PLAN AS PROPOSED [1:250]

B SITE PLAN AND ELEVATIONS: NETHERTON FARM HOUSE		15/11/17
C PROPOSED PLANTING AND FENCES OF LAND		15/11/17
PLANNING		
drawing	15041 - P03 B	scale 1:250 (A3)
project	NETHERTON FARM HOUSE BLACKFORD PERTSHIRE	
client	THE STATION MASTER'S OFFICE, DELIVERY STATION, SOUTH QUEENSTOWN, ENGLAND	
contact	THE STATION MASTER'S OFFICE, DELIVERY STATION, SOUTH QUEENSTOWN, ENGLAND	
drawn	SLODCH WOOD	
checked	SLODCH WOOD	
approved	SLODCH WOOD	

DESIGN STATEMENT

Netherton Farm House

CREATION OF A NEW FARMHOUSE
FOR USE BY THE HISTORIC OWNERS OF
THE EXISTING ESTABLISHED FAMILY BUSINESS
OF NETHERTON FARM.

Client: Mr & Mrs W McLaren
Agent: Slorach Wood Architects

Nov 2017

INTRODUCTION

This document is to be considered in conjunction with the architectural drawings to assist the Planning Department in understanding the requirement for a new farmhouse on the site.

Netherton farm was established over 90 years ago by the McLaren family and today it remains in their control specialising in breeding a world class Aberdeen Angus cattle herd. The applicants are the fourth-generation cattle farmers on the site and hope to pass on the farm to their children who are gradually becoming more involved with the business.

As part of the growing business, the Applicants are applying for a new farm house to allow them to future-proof the farm and give the family a home for generations to come. This farmhouse will replace a redundant farmhouse that is no longer suitable for the growing demands of a modern farm or the needs of a modern family.



FARM SIGNAGE



SITE
VIEWED FROM THE FARM STEADING

SITE ANALYSIS

Netherton Farm is 130 hectares of land situated 2.5 miles west of Blackford and is accessed directly off the A9. The majority of the fields are to the north of the A9 with the land reaching across the railway line to the Allan Water. There is also a portion of land to the south of the A9 that is accessed from an existing underpass under the trunk road that extends to Buttergask Burn. The farm is accessed from the north side of the A9 and has a secondary road that runs parallel to the A9 that provides access to the farm buildings and fields.

The farm steading is situated 200 metres west of the access road and consists of pens, a barn, straw and feed storage and an office. These steading buildings are a recent addition following approval from the Planning Department (see Planning Ref. 's 08/02453/FLL, 09/00012/FLL, 09/00013/FLL, 09/00018/FLL & 09/00019/FLL). The new farm buildings replaced the aging steading that had been established at the start of the business and extended over time. The original farm buildings were stone and metal barns that were situated 320 metres east of the access road. These buildings had been altered and extended over the years as required by the Applicant until there was no more opportunity for improving the steading. Historic ordinance survey maps show how the farm steading was developed between the years of 1961 and 1991 with new buildings and a second access being added to the east. Eventually, the applicants had to recognise the existing farm steading was no longer feasible for their modern business use and chose to develop a new steading. Following the demolition of the original farm steading there has been a subsequent approved Planning Application that has (Planning Ref 16/00495/FLL) for the erection of 13 houses and 6 flats.

The current farmhouse was once part of the original steading to the east of the access road but following the repositioning of the farm steading, the farmhouse is now situated on the edge of the new housing development. The working farmhouse is now positioned within a group of domestic buildings and is adversely positioned away from the farm steading and animal pens.

With the abundance of land available to them, the Applicants have considered the selection of the site very carefully. The site chosen is located between the farm steading and A9 access on the farm road and is on an elevated level to the farm steading, providing views to the fields in the north. The site is currently vacant, occasionally used to store straw but it is not part of the fields used for the cattle.

The site is next to the internal access road that runs parallel to the A9, linking the farm steading to the underpass to the south fields. This not only allows the site to utilise the existing access but also is positioned between the access and farm steading. In 2017 there have been over 1000 overseas visitors to the farm and so a new farmhouse in this location becomes a welcoming reception for visitors to the farmhouse.



HISTORIC OS MAP
1843-1882



HISTORIC OS MAP
1892-1960



FARMLAND TO NORTH
VIEWED FROM THE SITE



ACCESS

Access to the farm is currently provided from a slip road off the A9 and there is a central reservation to allow vehicles to cross as necessary to the southbound A9. Due to the recently approved housing development (Planning Ref 16/00495/FLL) this access is due to be amended to suit the adjusted volume of traffic on the site. The central reservation is to be blocked so no cars can cross the A9 and the existing underpass is to be utilised to provide access to the southbound A9.

Once on the farm access road a driveway will provide direct access to the farmhouse. To futureproof the dwelling as a family home and nucleus of the business four parking spaces have been provided for vehicles, trailers and quadbikes.



ACCESS ROAD
VIEWED FROM THE SITE ENTRANCE



3D IMAGE
FARMHOUSE, STEADING & LANDSCAPING VIEWED FROM ACCESS ROAD

USE

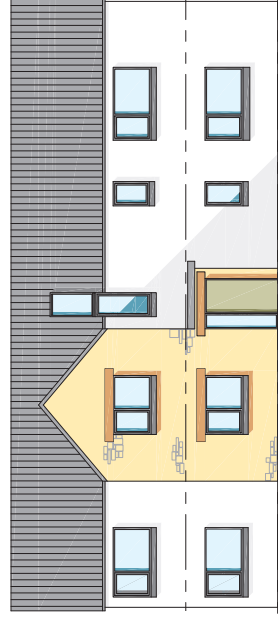
The site has always been used for farming and is shown as such in historic OS maps. The site has always been associated with the workings of the farm and while it has never been built upon, it has been used for storage.

It has been noted that the original farm steading had aged and had become redundant for the modern farm, resulting in the recent farm steading being developed. The same can be said of the existing stone farmhouse as it sits at the entrance of the new housing development. As a working farmhouse that is detached from its steading, the efficiency of the farm is being affected. The Applicants are not able to observe and secure their farm fully and this has resulted in recent thefts of vehicles.

The farmhouse is also in a state of disrepair with damp, severe weathering and structural cracks. The current farmhouse also has no insulation and, considering its exposed location, is not at all energy efficient. No amount of maintenance or repair would ever be enough to restore this house fully while making it energy efficient. Just as the original farm steading, the farmhouse has worked hard for the four generations of farmers at Netherton farm but we are now at the stage where new facilities are required to secure the future of the farm. The new farmhouse will provide a highly insulated, energy efficient home for the Applicants. This will be a self-sufficient family home that will fill the needs of a modern family to run its business.



EXISTING FARMHOUSE
VIEWED FROM ACCESS ROAD



SOUTH ELEVATION

AMOUNT

New housing within the countryside is restricted through the Planning Guidance so that the integrity of the landscape is retained. We have consulted this document and understand this dwelling to be acceptable to the Planning Policies as a new farmhouse for a well-established business. For notes on the business history and success please see appendix 1.

One farmhouse is proposed to replace the existing farmhouse. The existing farmhouse will be removed, and the existing stone will be used as a finishing material to the new farmhouse.



3D IMAGE
FARMHOUSE WITH STEADING AND LANDSCAPE BEYOND, VIEWED FROM NORTH-EAST



3D IMAGE
FARMHOUSE WITHIN SITE, VIEWED FROM SOUTH-WEST

LAYOUT

The site is currently an open greenfield site that is not used for the herd to graze, but is occasionally used for short-term storage.

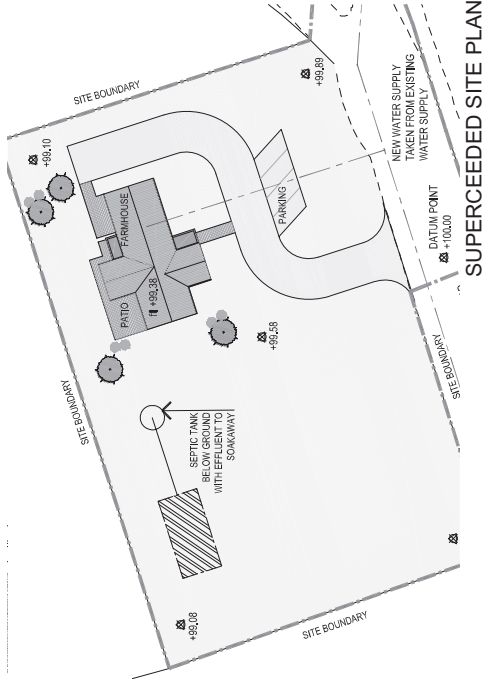
The location of the farmhouse has been chosen in the north-west corner as this is the lowest part of the site so that the house is not dominant within the landscape, especially when viewed from the A9. While being in the lowest part of the site, the farmhouse at this location will still have a clear view of the fields to the north, leading to the west and access and public path to the east. This is very important to the Applicants who have had recent issues with burglaries and threatening behaviour, so security of the animals, vehicles and buildings is very important.

Due to the farm access being located to the south of the site, this can be utilised to provide a single-track drive to the farmhouse. Four parking spaces have been provided for vehicles, trailers and quadbikes and will futureproof the dwelling for both business and family growth.

The ground floor has a large living/dining/kitchen area to allow the family to socialise and spend time together. The large utility will be invaluable as a transitional lobby space between the external farming activities and the family home internal. The house has an ancillary flat on the ground floor for elderly relatives to live independently within the family environment. There are also 4 generous bedrooms on the first floor for the family to utilise now with their teenage children and will also be more than adequate for future generations.

Following discussions with Planning, we have adjusted the location of the house on the site, previously situating the house to the north-east corner of the site. To satisfy Planning's concerns on the scale and dominance of the farmhouse we have relocated the farmhouse to the north-west corner.

In agreement with the Planning Guidance, we feel the addition of the new dwelling should not spoil but rather highlight the landscape through energy efficient, micro generating and decentralised renewable energy systems, including its treatment of surface water. Renewable or low carbon sources of heat and power such as air source heat pumps will be considered. The development will include non-obtrusive and energy efficient lighting for any external artificial lighting.

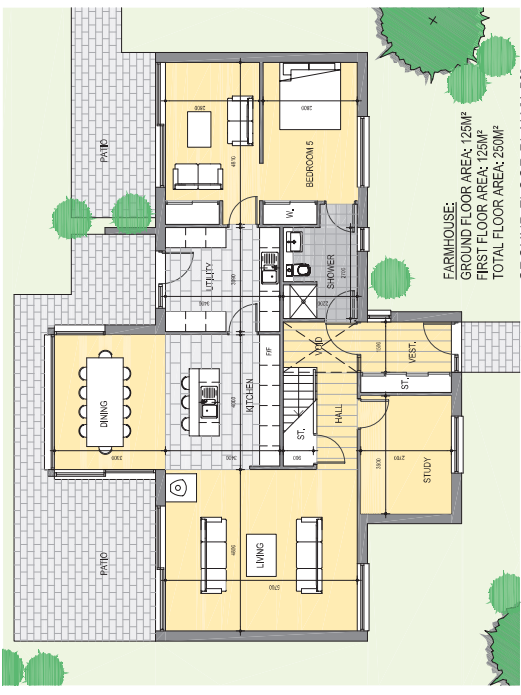


SCALE

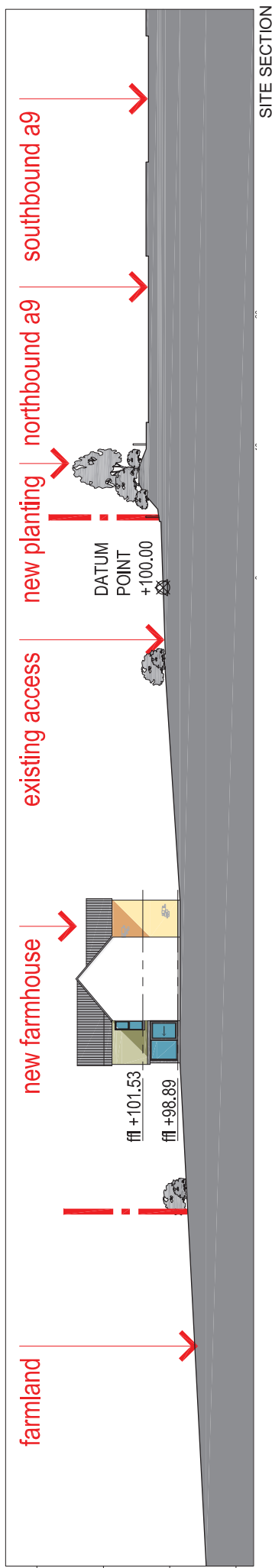
The rectangular site is 2864m² and is bounded to the north, east and west by a post and wire fence and is limited by the access road to the south.

The existing farm house is a two-storey pitched roof dwelling with an area of 240m². The new farmhouse is slightly larger at 265m² but is also a two-storey dwelling with a pitched roof. The new dwelling's scale is very similar to the existing farmhouse, confirming that this application is not to provide an excessive new development but rather to offer a modern well-built house that will suit the family's needs.

The house is to be located at the lowest point of the site so that it the farmhouse will become part of the landscape and merge into the site rather appear to sit on it. This will maintain the farmland appearance of the area and avoid the farmhouse looking dominant in the landscape. As the house is positioned at the lowest point of the site at the north-west boundary, it is inobtrusive in relation to the A9 both in distance and height.



GROUND FLOOR PLAN



APPEARANCE

The overall appearance of the new farmhouse is to be read in context to its environment, with the house set within the landscape, positioned carefully on the site so it appears visually and physically to be nestled within the landscape.

When considering the new house, we felt it was important to enhance the special character and setting of the farm environment. The materials selected have been chosen on their traditional nature to suit their context and use as a farmhouse. Natural stone will be reclaimed from the existing farmhouse for reuse on the entrance form on the south elevation. Render will be used for the remainder of the wall finish, mostly in white but also an area of sage coloured render to the dining and master bedroom form to the north.

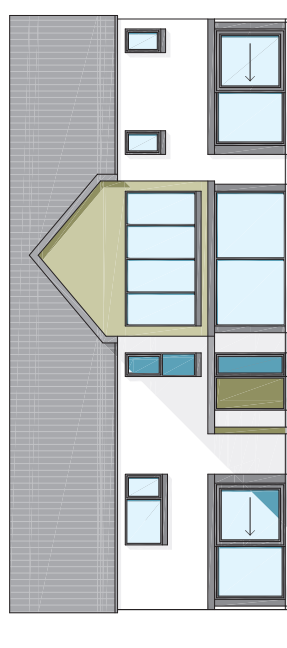
While hard surfaces will be minimised as much as possible to reduce the impact on the site, the new driveway and parking are to be porous grey paviers. We feel porous paving will be more beneficial to the as it will have less of an impact on the surface water drainage requirements.



MATERIAL
ROOF | SLATE



MATERIAL
WALL | RENDER



NORTH ELEVATION



3D IMAGE
FARMHOUSE VIEWED FROM STEADING

LANDSCAPING

The existing site boundary has post and wire fences to the north, east and west and is open to the access road on the south. There is no existing landscaping to the site boundaries but there are deciduous trees and hawthorn bushes positioned to the east and south-west of the site between the farm access and A9 to create a visual break between the trunk road and farm steading.

To minimise the impact the farmhouse has on the landscape, new planting will be used to extend the existing landscaped verge to obscure the dwelling from the road. This will also assist in the acoustic screening from the road to the house and is preferred to a large unsightly acoustic fence.

Domestic scale landscaping will be added within the site around the new farmhouse that is in keeping with its rural location.



3D IMAGE
FARMHOUSE, STEADING & LANDSCAPING VIEWED FROM ACCESS ROAD



A9, ACCESS ROAD & STEADING BUILDING
VIEWED FROM SITE

APPENDICES

- APPENDIX 1
BUSINESS HISTORY & SUCCESS
- APPENDIX 2
PANORAMA IMAGES

Appendix 1

Founded more than 90 years ago by the grandfather and great grandfather of the present owners, the Netherton herd is one of the most recognised names in the breed both at home and abroad. The herd's longevity and success have largely come from concentrating on breeding sound, functional, commercially orientated cattle with a clear focus on breeding what the customer wants. Owned by Willie and William McLaren, the herd is under the day to day management of William McLaren his wife Karen and daughter Seonaid.

The Angus breed has always been an integral part of the McLaren family's life, with Willie being President of the Aberdeen Angus Cattle Society twice and William Jnr once at the age of 37 making him the second youngest in the Society's history. Knowing the Angus Breed is a World family it was a privilege for both of them to lead the UK Delegations to World Forums in America 1973 and Canada 2009.

Willie is recognised as one of the breeders who saw the breed through its low point of the 1980's and helped it become a major force again in the UK Beef industry, either through his 26 years on the council or pioneering approach to cattle breeding including some of the first importation of cattle from Canada.

This has been recognised by many including the Aberdeen Angus Society when he was awarded the Hugh Watson Life Time Achievement Award in 2013, The Sir William Young Award from the Royal Highland and Agricultural Society of Scotland in 2011 and recently by The Angus Hall of Fame, America when he was included on the list of Pioneer Aberdeen Angus Breeders from around the World 1824-1916.

William Jnr has managed the Netherton Herd for the past 20 years and has been a major part in the herds success and growth around the world. He has been honoured to have judged all the major shows in the UK and Ireland and more recently overseas including The Canadian Bull Congress and Farmfair in Canada, Royal Canterbury Show in New Zealand and National shows in Denmark and Germany. The herd has been at the forefront of the Angus Breed in the UK, which has seen the herd performance recording since 1959, making it the oldest recorded herd of any breed in the UK, with ultrasound scanning being used since the technology first became available in the 1980s. This has allowed us to concentrate on accurate data recording resulting in Netherton producing many breed trait leaders with top 1% Indexes while still being in the top 20% for birth weight.



STEADING BUILDING



BULL

In the last decade the herd has moved its focus on producing high marbling, easy calving genetics of moderate frame to suit our ever growing export demand. But, despite making use of the latest technologies, the McLaren family have always focussed on breed type and character too, maintaining the Aberdeen-Angus' easy fleshing, maternal qualities.

Netherton has been a prominent show herd since the 1980's. Winning the Walkers Show herd of the year trophy more times than any other herd. We have also bred numerous Royal and Royal Highland Show Champions as well as collecting a host of top awards, including Calf and Junior championships, Interbreed titles and performance recorded winners at other shows including Aberdeen-Angus Society's UK Summer and Winter National Shows. While showing has been an integral part of life at Netherton, the herd has occasionally taken a break from the show ring, with the herd last showing in 2015. The herd previously ceased showing in 2002, re-entering the ring in 2010 due to an evolving enthusiasm in the herd shown by our daughter Seonaid, and have enjoyed much success in the six years to 2015.

Our sales have also produced many of the Breeds headlines. The herd policy over the last 20 years has been to sell all females over six years of age in our Matrons Sales. These sales have not only set records but have seen Netherton produce the Breeds Top Price Female each year they have been held, with the last sale averaging over £9300, and have seen Netherton sell the first Angus female over £20,000 and £30,000 for Netherton Fleur Y298 in 2004 and Netherton Missie A114 in 2007 respectively.

Netherton have also held 3 major reductions which has seen us sell every female in the herd apart from 10 heifers calves and pregnant recipients. Our last in 2014 saw us sell the entire herd while retaining 10 heifer calves to build the herd back up again to our neighbours HW Angus, with William employed on a consultancy basis to oversee the management of HW Angus. This ground-breaking partnership deal saw the McLaren family retain a number of key females while at the same time partnering HW Angus in developing an elite, large-scale herd of 600 Aberdeen-Angus to serve the needs of the modern beef industry. Both herds run together at Netherton.

Our ET programme has allowed us to do these sales and not lose families with embryo work carried out every 5 weeks at Netherton. This has meant many of our top cows have produced over £100,000 worth of progeny sales.



VIEW TO STEADING



3D IMAGE
FARMHOUSE, STEADING & LANDSCAPING VIEWED FROM ACCESS ROAD

Our bulls have also enjoyed much success in the sale ring, including collecting no fewer than eight supreme champions and four reserve supreme champions at the Perth, and latterly Stirling, bull sales. Many of these have gone to lead the sales too, including Netherton Figo who was sold in 2005 for 30,000gns (£31,500), making him the first bull of the modern era to eclipse the £30,000 barrier.

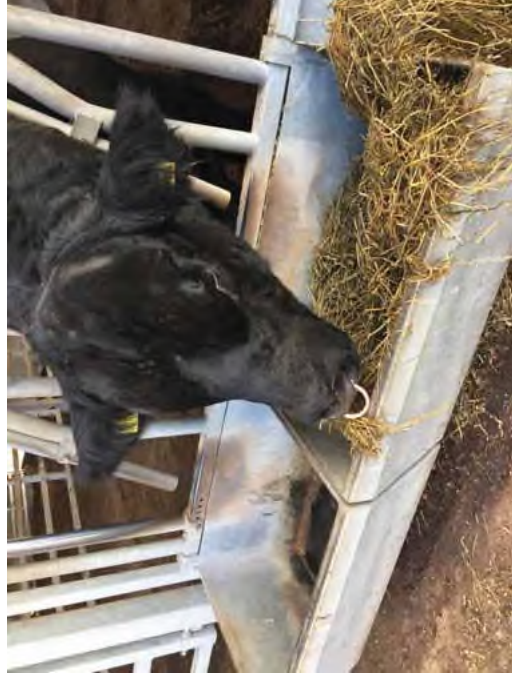
Today the majority of our Bulls are sold privately off farm with only a few going forward to society sales. In recent years have seen Netherton top sales in other countries including Netherton Beauty P824 selling for a new German female record of €7400 at 8 months of age and a pick of the herd flush selling for \$10,000 at the Angus World Secretariat meetings in Mexico to KBJ Farms Canada. Private sales have seen the herd involved in a significant number of exports too, including multiple sales of cattle to Belgium, France, Germany, Luxembourg, Portugal, Romania, Spain and the Czech Republic. In addition, semen and embryos have also been sold across Europe and further afield in total 21 different countries.

A number of bulls have been sold into AI studs in the UK including Netherton Americano and Netherton Mr Brazilian E377 selling to Genus ABS and Cogent respectively where they have successfully used all over the world.

Our embryo sales of Black and Red Angus have seen us sell to many countries and is now an integral part of the business and, in late 2016, a bull bred from an embryo from Netherton Blackbird M712, BJ's Danger Zone 609 from BJ, Jody, Cody and Logan Scheirlinck, Alberta, Canada, sold for the top price of \$20,000 for half share to Dwajo Angus, Alberta, at the British Connection Bull Sale.

Having enjoyed seeing Aberdeen-Angus cattle across the world, including 13 World Forums or Secretariat Meetings the McLaren family look forward to welcoming the world to Netherton in the summer of 2017 and to showcasing some of the best UK Aberdeen-Angus to breeders from across the globe.

2017 saw Netherton welcome over 1000 overseas visitors to the farm.



BULL

APPENDIX 2
PANORAMA IMAGES



SITE
VIEWED TO NORTH



FARM STEADING BUILDINGS, ACCESS ROAD AND SITE
VIEWED FROM FARM STEADING

TCP/11/16(575) – 18/00874/FLL – Erection of a dwellinghouse on land 300 metres south west of Nether Allan, Blackford

PLANNING DECISION NOTICE *(included in applicant's submission, see pages 359-360)*

REPORT OF HANDLING *(included in applicant's submission, see pages 361-371)*

REFERENCE DOCUMENTS *(included in applicant's submission, see pages 373-391)*

TCP/11/16(575) – 18/00874/FLL – Erection of a dwellinghouse on land 300 metres south west of Nether Allan, Blackford

REPRESENTATIONS

Memorandum

To Development Quality Manager

From Regulatory Service Manager

Your ref 18/00874/FLL

Our ref ALS

Date 01/06/2018

Tel No [REDACTED]

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

RE: Erection of a dwellinghouse Land 300 Metres South West Of Nether Allan Blackford for Mr And Mrs W McLaren

I refer to your letter dated 24/05/2018 in connection with the above application and have the following comments to make.

Water (assessment date – 01/06/2018)

Recommendation

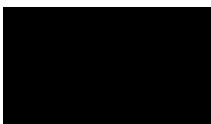
I have no objections to the application but recommend the undernoted condition and informatives be included in any given consent.

Comments


The development is for a dwelling house in a rural area with private water supplies believed to serve properties in the vicinity. To ensure the new development has an adequate and consistently wholesome supply of water please note the following condition and informative/s. No public objections relating to the water supply were noted at the date above.

PWS - Informative 2

The applicant shall ensure the private water supply for the dwellinghouse/ development complies with the Water Scotland Act 1980 (Section 63), The Private Water Supplies (Scotland) Regulations 2006 and The Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017. 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.



Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	18/00874/FLL	Comments provided by	Euan McLaughlin
Service/Section	Strategy & Policy	Contact Details	Development Negotiations Officer: Euan McLaughlin 
Description of Proposal	Erection of a dwellinghouse		
Address of site	Land 300 Metres South West Of Nether Allan, Blackford		
Comments on the proposal	<p>NB: Should the planning application be successful and such permission not be implemented within the time scale allowed and the applicant subsequently requests to renew the original permission a reassessment may be carried out in relation to the Council's policies and mitigation rates pertaining at the time.</p> <p>THE FOLLOWING REPORT, SHOULD THE APPLICATION BE SUCCESSFUL IN GAINING PLANNING APPROVAL, <u>MAY</u> FORM THE BASIS OF A SECTION 75 PLANNING AGREEMENT WHICH MUST BE AGREED AND SIGNED PRIOR TO THE COUNCIL ISSUING A PLANNING CONSENT NOTICE.</p> <p>Primary Education</p> <p>With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.</p> <p>This proposal is within the catchment of Braco Primary School.</p> <p>Education & Children's Services have no capacity concerns in this catchment area at this time.</p>		
Recommended planning condition(s)	<p>Summary of Requirements</p> <p>Education: £0</p> <p><u>Total:</u> £0</p>		
Recommended informative(s) for applicant			
Date comments returned	06 June 2018		

Response On Development Affecting Trunk Roads and Special Roads

The Town and Country Planning (Scotland) Act 1997

**The Town and Country Planning (Development Management Procedure)
(Scotland) Regulations 2013 S.I.2013 No 155 (S.25)**

Town and Country Planning (Notification of Applications) (Scotland) Direction 2009

To Perth and Kinross Council Pullar House, 35 Kinnoull Street, Perth PH1 5GD	Council Reference:-	18/00874/FLL
	TS TRBO Reference:-	NE/92/2018

Application made by Mr And Mrs W McLaren per Slorach Wood Architects, Kirsty Watson Station Masters Office Station Road South Queensferry, United Kingdom EH30 9JP and received by Transport Scotland on 30 May 2018 for planning permission for erection of a dwellinghouse located at Land 300 Metres South West Of Nether Allan Blackford affecting the A9 Trunk Road.

Director, Trunk Roads Network Management Advice

1. The Director does not propose to advise against the granting of permission ☒
2. The Director advises that planning permission be refused (see overleaf for reasons). ☐
3. The Director advises that the conditions shown overleaf be attached to any permission the council may give (see overleaf for reasons). ☐

To obtain permission to work within the trunk road boundary, contact the Route Manager through the general contact number below. The Operating Company has responsibility for co-ordination and supervision of works and after permission has been granted it is the developer's contractor's responsibility to liaise with the Operating Company during the construction period to ensure all necessary permissions are obtained.

TS Contact:-	Route Manager (A9) 0141 272 7100 Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF
Operating Company:-	NORTH EAST
Address:-	Bear House, Inveralmond Road, Inveralmond Industrial Estate, PERTH, PH1 3TW
Telephone Number:-	01738 448600
e-mail address:-	NEplanningapplications@bearsotland.co.uk

Transport Scotland Response Date:- 07-Jun-2018

Transport Scotland Contact:- Fred Abercrombie

Transport Scotland Contact Details:-

Trunk Road and Bus Operations, Network Operations - Development Management

Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF

Telephone Number: 0141 272 7382

e-mail: development_management@transport.gov.scot

NB - Planning etc. (Scotland) Act 2006

Planning Authorities are requested to provide Transport Scotland, Trunk Road and Bus Operations, Network Operations - Development Management with a copy of the decision notice, and notify Transport Scotland, Trunk Roads Network Management Directorate if the recommended advice is not accepted.

Memorandum

To Development Quality Manager

From Regulatory Services Manager

Your ref 18/00874/FLL

Our ref LRE

Date 11 June 2018

Tel No [REDACTED]

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission PK18/00874/FLL RE: Erection of a dwellinghouse land 300 metres South West of Nether Allan Blackford for Mr and Mrs W McLaren

I refer to your letter dated 24 May 2018 in connection with the above application and have the following comments to make.

Environmental Health (assessment date – 11/06/18)

Recommendation

I have no objection in principle to the application but recommend the under noted condition be included on any given consent.

Comments

This Service made comment to previously refused planning application 17/00466/FLL, recommending conditions with regards to road traffic noise.

This application is for a proposed dwelling at the same application site 17/00466/FLL but located to the north-west corner of the site.

The proposed single storey dwelling house is to be situated within close proximity of the A9, therefore my contention that future occupant of the property will be aware of road traffic noise. However there are other existing dwelling properties within close proximity to the A9 and planning permission 16/00495/FLL was granted for the erection of 13 dwellinghouses and 6 flats.

The aforementioned approved application required the applicant to carry out a noise impact assessment (NIA), therefore the findings of that submitted NIA are appropriate to this application due to the proximity of the A9.

The applicant states in the design and access statement submitted with this application;

“ To minimise the impact the farmhouse has on the landscape, new planting will be used to extend the existing landscaped verge to obscure the dwelling from the road. This will also assist in the acoustic screening from the road to the house and is preferred to a large unsightly acoustic fence.”

Trees and shrubs produce a masking effect through the rustling of leaves, the movement of branches and by creating a visual barrier which reduces the perception of the noise.

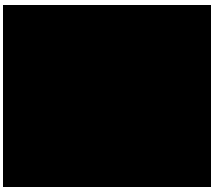
The planting of trees would need to be a dense belt of trees between 15-30 metres wide which would give a sound reduction of 6-8 dB.

My contention is that the new planting, which plans indicate as a single row, will not be dense enough to give a significant reduction to protect residential amenity, I also appreciate that the new proposed property is now single storey and sits lower than the existing properties.

Therefore the previous conditions recommend still apply to this application as such I reiterate the mitigation measures for road noise from the A9 as advised in the NIA.

Therefore I recommend that the under noted conditions be included on any given consent, to ensure residential amenity is not adversely affected by road traffic noise.

- A close boarded timber fence constructed of double skinned 25mm thick boards shall be erected along the southern boundary of the site. The fence shall be no less than 2.5 metres in height : there must be no holes or gaps in the fabric of the barrier, and there must be no gaps between the lower edge of the barrier and the ground.
- The house shall be positioned, designed and constructed such that at the time of completion internal noise levels in bedrooms from road traffic noise shall not exceed $L_{Aeq} 2300-0700$ 35dB, with windows open. In any bedroom where such a level is not achievable with windows open, sound insulating mechanical ventilators shall be installed. This would be in addition to any acoustic trickle ventilators to be provided.



Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	18/00874/FLL	Comments provided by	Mike Lee Transport Planning Officer
Service/Section	Transport Planning	Contact Details	██████████ ████████████████████
Description of Proposal	Erection of a dwellinghouse		
Address of site	Land 300 Metres South West Of Nether Allan Blackford		
Comments on the proposal	<p>Insofar as the Roads matters are concerned I have no objections to this proposal.</p> <p>It is detailed on drawing 18/00874/2 and stated in the design and access statement that <i>"To minimise the impact the farmhouse has on the landscape, new planting will be used to extend the existing landscaped verge to obscure the dwelling from the road. This will also assist in the acoustic screening from the road to the house and is preferred to a large unsightly acoustic fence."</i></p> <p>The additional planting is shown on the drawing to be out with the site boundary. It is unclear from the drawing whether the additional planting is within the extents of the A9 road boundary. There is no mention in Transport Scotland's consultation response regarding the planting so I would assume the applicants own this area of land south of the existing private access.</p>		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	03/07/18		

