

LRB-2021-26
20/01729/FLL – Erection of an agricultural building and associated works, land 250 metres north east of Bankhead Farmhouse, Bankhead of Alyth, Alyth

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LRB-2021-26

20/01729/FLL – Erection of an agricultural building and associated works, land 250 metres north east of Bankhead Farmhouse, Bankhead of Alyth, Alyth

**PAPERS SUBMITTED
BY THE
APPLICANT**

NOTICE OF REVIEW

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

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)
(SCOTLAND) REGULATIONS 2013

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

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

Use **BLOCK CAPITALS** if completing in manuscript

Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name

Address

PERTH

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

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

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

Yes ☒ No ☐

Planning authority

Planning authority's application reference number

Site address

Description of proposed
development

Date of application

Date of decision (if any)

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

Nature of application

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

Reasons for seeking review

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

Review procedure

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

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

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

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

Please refer to the LRB Appeal Statement

Site inspection

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

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

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

Statement

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

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

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

Please refer to the LRB Appeal Statement

houses

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

Yes ☒ No ☐

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

One of the reasons for refusing the planning application was the lack of an Odour Assessment being carried out to demonstrate that the proposed development would not have a detrimental impact on the amenity of the nearby residential properties. Having consulted with an Agricultural Consultant from the Scottish Agricultural College (SAC) during the Planning Application Process, the Applicant was informed that due to the size of the shed, its proposed use and distance from houses, an Odour Assessment was NOT required. The Council were informed of this. However, to assist the determination of this LRB Appeal, an Agricultural Consultant from SAC has thoroughly reviewed this proposal, considered the Council's comments regarding Odour in relation to this proposal and (in a letter) conclude; 'Due to its proposed use, size and setting, the risk of odour being a concern from this proposal is low, providing best practice is followed.' The Agricultural Consultant also made the following comments: 'In our previous experience, we usually only do detailed odour assessments for sites that are much larger and pose a much greater risk of odour nuisance than your (this) proposal'. The Agricultural Consultant also states that, SAC can propose mitigation and odour management plans to address any concerns, which could be conditioned in the Planning Consent.

List of documents and evidence

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.

Please refer to the LRB Appeal Statement

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

Checklist

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

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

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

Declaration

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

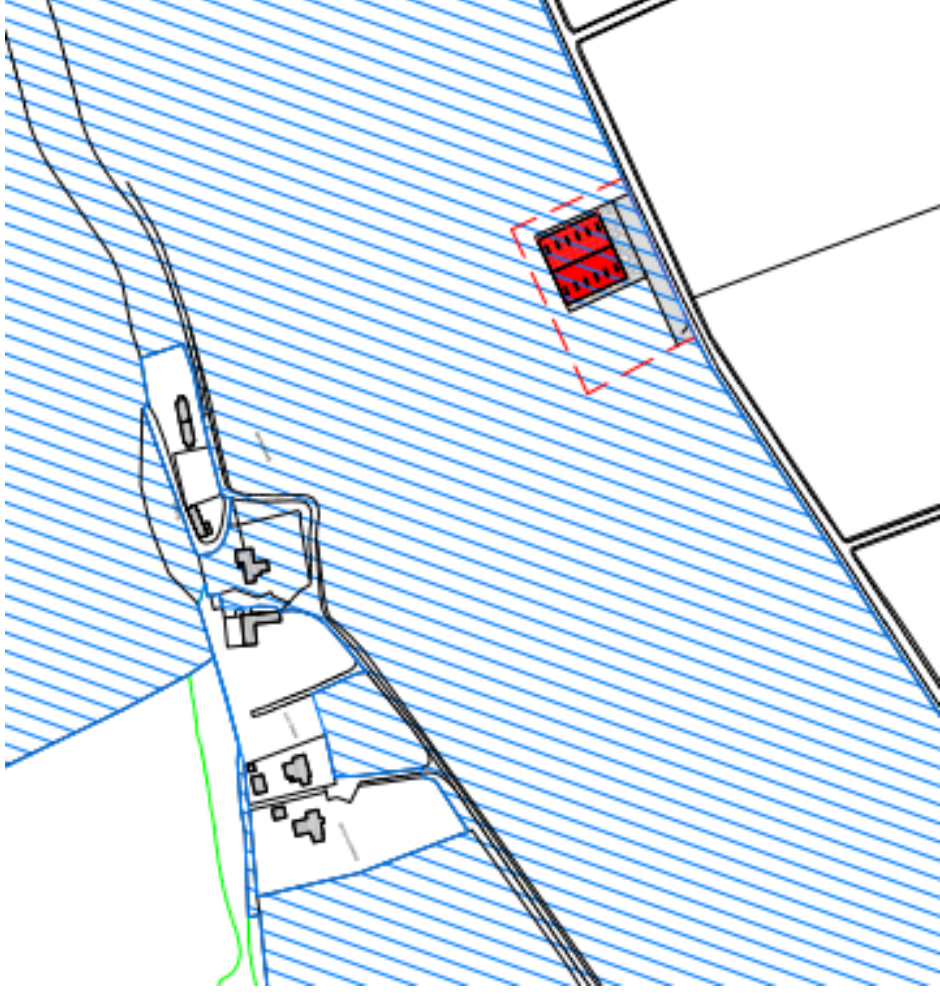
Signed

[Redacted Signature]

Date

09.07.2021

**LRB Appeal: Erection of an agricultural building and
associated works at Bankhead Farm, Alyth**



Applicant: Mr & Mrs Knox
Bankhead Farm
Alyth
Perthshire

LRB/Planning

Consultant: Keir + Co
29 Barossa Place
Perth
PH1 5HH

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- 1. Introduction**
- 2. Background**
- 3. Proposed Development**
- 4. Overview of decision to refuse consent**
- 5. National Planning Policy**
- 6. Summary**

1.0 Introduction

On behalf of the Applicants, we request that the Council's Local Review Body (LRB) review the decision to refuse the Detailed Application (20/01729/FLL) which proposed the erection of an agricultural building and associated works at Bankhead Farm, Alyth.

The detailed application proposed the erection of an agricultural shed which would be used as a general purpose shed to store farm machinery, equipment, straw and feed. In the winter months (October – April), approximately 1/3 of the shed would be used to store approximately 80 head of cattle. The 80 head of cattle are currently housed during the winter months in various sheds at separate locations in the in the local area (with the Cattle distributed to different locations).

This LRB Appeal is intended to set out the facts of the case and make reference to and analyse the relevant planning policy, allowing the LRB to make a balanced and informed decision as to whether the planning officer's subjective decision to refuse the detailed application should be overturned or not.

Image 1: Extent of Bankhead Farm



2.0 Background

The Applicants purchased Bankhead farm in December of 2015. The main farming enterprise is cattle and sheep rearing. The farm comprises; a farmhouse, traditional L shaped farm steading, adjoining modern shed, traditional shed and approximately 190 acres of farmland.

The existing farm sheds at Bankhead Farm are not suitable for modern farming. Additionally, cattle cannot be kept in these sheds as they are in close proximity to 5 neighbouring residential properties.

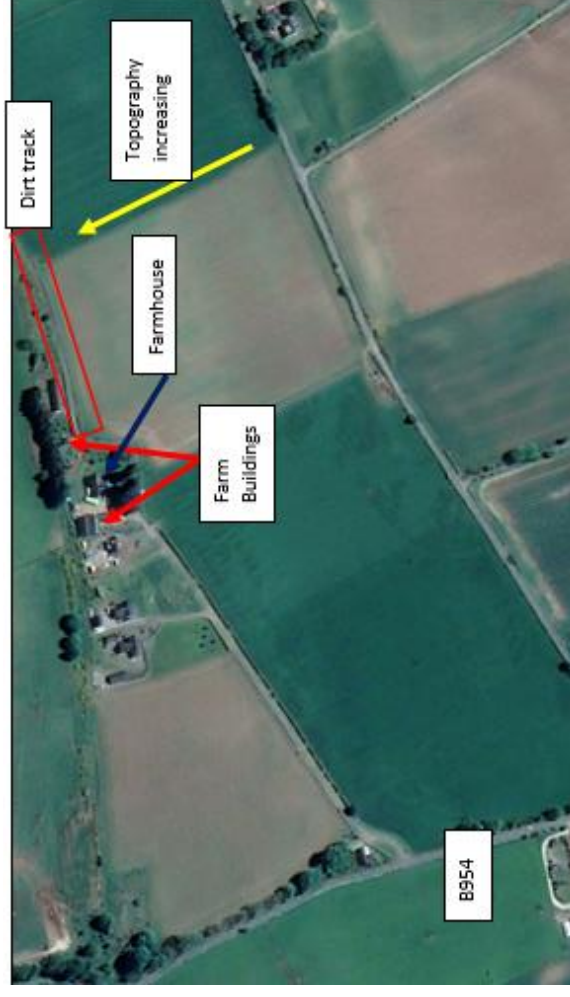
A general purpose shed at Bankhead Farm, away from the existing houses and with adequate space to accommodate it, is desperately required for the farm business and cattle welfare.

A shed at Bankhead Farm, at the proposed location would allow the Applicants to monitor their cattle on a more regularly basis and react more quickly to any cattle health issues or calving complications.

The construction of a shed at Bankhead Farm, will also result in considerable economical and business benefits for the farm business, including:

- Less rental outgoings (as all the cattle would be housed in the proposed shed)
- Less time spent travelling between the various sheds in the winter months
- Less fuel costs
- Less feeding cost
- Less bedding costs
- Less time spent mucking out various cattle sheds
- Less machinery costs

Image 2: Bankhead Farm Aerial Image



3.0 Proposed Development

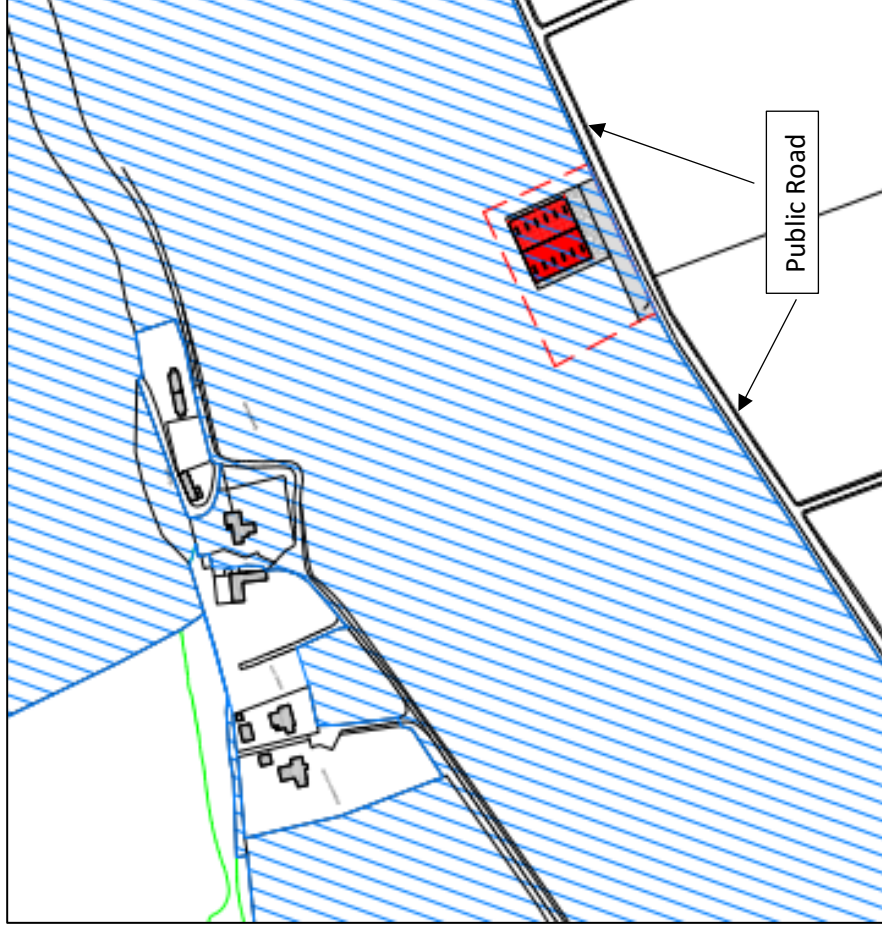
It is proposed the agricultural shed be located in a field to the south of the farmhouse and would be steel portal frame construction with a box profile roof and sides. It would be 120 feet long x 120 feet wide (36 x 36m).

The application site would be accessed directly on/off the public road. The proposed shed would be similar to other agricultural sheds in the Alyth area.

Image 3: Nearby Agricultural Shed



Image 4: Location of proposed Agricultural Shed



4.0 Overview to decision refuse consent

4.1 Reasons for refusal of PPP Application

The decision to refuse the PPP Application was made by a Planning Officer under delegated powers.

There were three reasons for refusing the planning consent. The reasons for refusal are set out below;

1. The proposal is contrary to criterion (c) of Policy 8: Rural Business and Diversification of the adopted Perth and Kinross Local Development Plan 2 (2019). No odour assessment has been submitted to demonstrate that the proposed use is compatible with the surrounding land uses and will not detrimentally impact on the amenity of residential properties adjacent to the site.

2. The proposal is contrary to Policy 39: Landscape of the adopted Perth and Kinross Local Development Plan 2 (2019) as the siting/layout next to the public road with no landscape containment does not respect the landscape character of the Broad Valley Lowland landscape of the Tayside Landscape Character Assessment.

3. The proposal is contrary to Policy 1A: Placemaking of the adopted Perth and Kinross Local Development Plan 2 (2019) as the siting/layout does not respect the landscape character and amenity of the place. It does not contribute positively to the quality of the surrounding built and natural environment.

4.2 Overview of the decision and Report of the Handling

In the Report of Handling, the Planning Officer refers to 3 potential alternative sites. See opposite image.

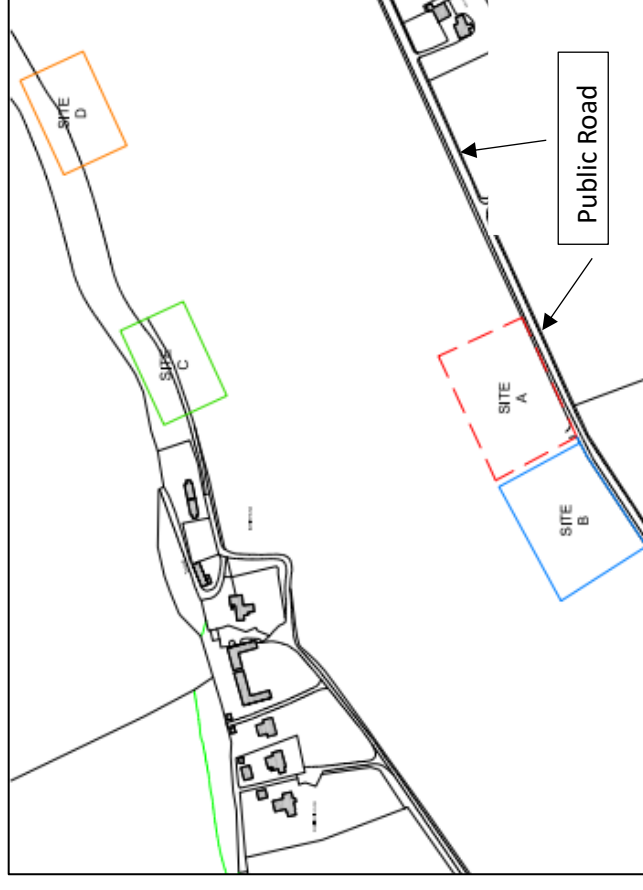
Site A is the Application Site. Sites B, C and D are alternative sites.

The Planner Officer's preference is for the agricultural shed to be constructed on Site D.

Site A is the most logical location for the agricultural shed to be constructed, as it;

- Has direct access onto/off the public road
- Has the least impact on the landscape
- Has the least impact on neighbouring residential properties
- Is the safest site (for cattle and workers)
- Is directly adjacent to a water supply and electricity supply
- Is the most cost efficient/feasible.
- Is the most environmentally friendly (does not require considerable ground works and concrete)

Image 5: Proposed site locations



4.2.1 Access to site

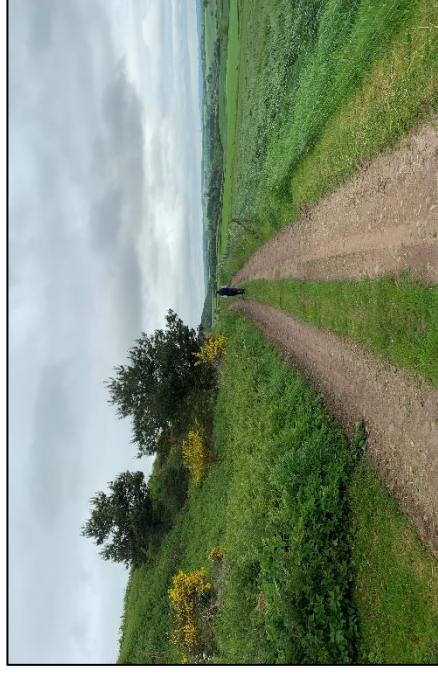
The Application Site (Site A) is located next to an adopted public road. This would make the delivering of machinery, feed and livestock to the Site easier for large lorries. This would be the same for Site B.

Access to Site C and D are via a metalled road (in poor condition) and dirt track which would not be suitable for large lorries (without considerable upgrade).

Photograph 1: Dirt track (to Sites C and D)



Photograph 2: Dirt track (to Sites C and D)



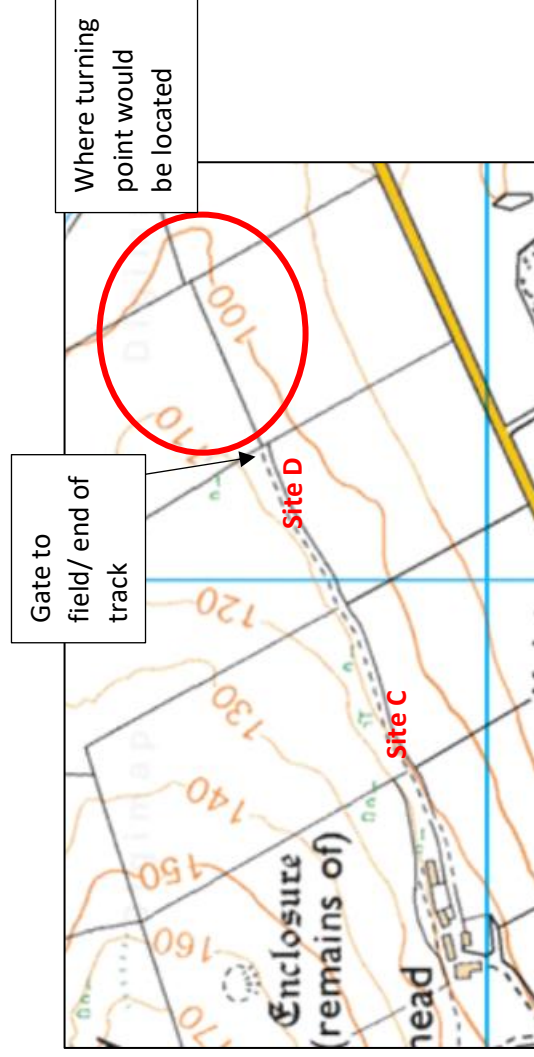
Photograph 3: Metalled Road (to Sites C and D)



In order to upgrade the access road (to Site C and D) to a standard which could facilitate access to HGV lorries, the costs will be substantial.

Furthermore, a turning area would require to be created, which again would require considerable ground works (see image below) and costs.

Image 6: Site topography C and D



4.2.2 Impact on the landscape

In the Delegated Report the Planning Officer expresses concern regarding the impact an agricultural shed at Sites A and B would have on the landscape (and its compliance with Placemaking Policies).

Two of the three reasons for refusing the Planning Application are due to the Planning Officer's subjective opinion that an agricultural shed at the Application Site (Site A), is not respectful of the landscape –

Reason 2 for refusal (in the decision notice):

The Proposal does '*not respect the landscape character of the Broad Valley Lowland landscape of the Tayside Landscape Character Assessment*' – in the Planning Officer's opinion, contrary to Policy 39 in the Perth & Kinross Council Local Development Plan.

Reason 3 for refusal (in the decision notice):

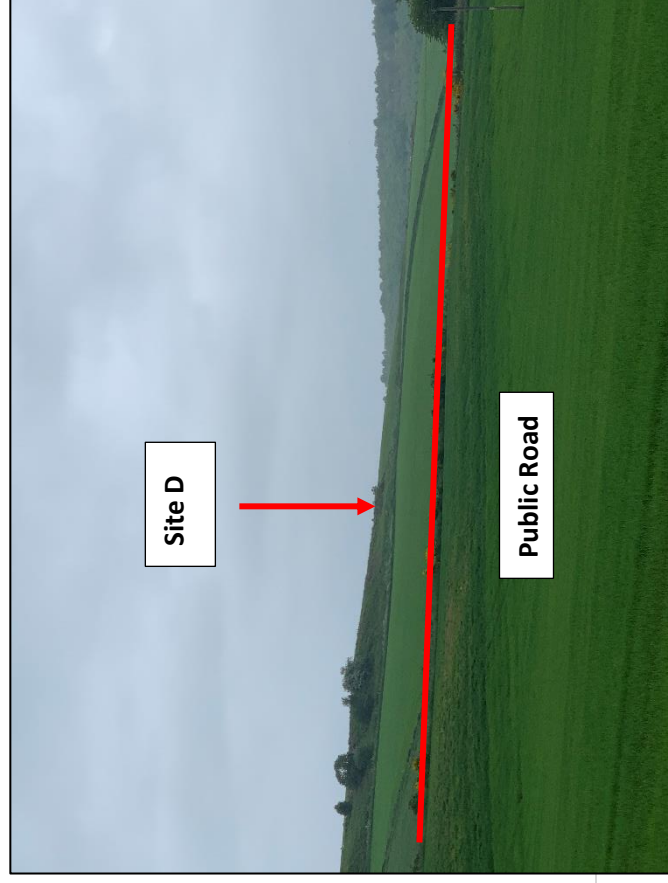
'..as the siting/layout does not respect the landscape character and amenity of the place. It does not contribute positively to the quality of the

surrounding built and natural environment' – in the Planning Officer's Opinion, Contrary to Policy 1A: Placemaking of the adopted Perth and Kinross Local Development Plan 2 (2019).

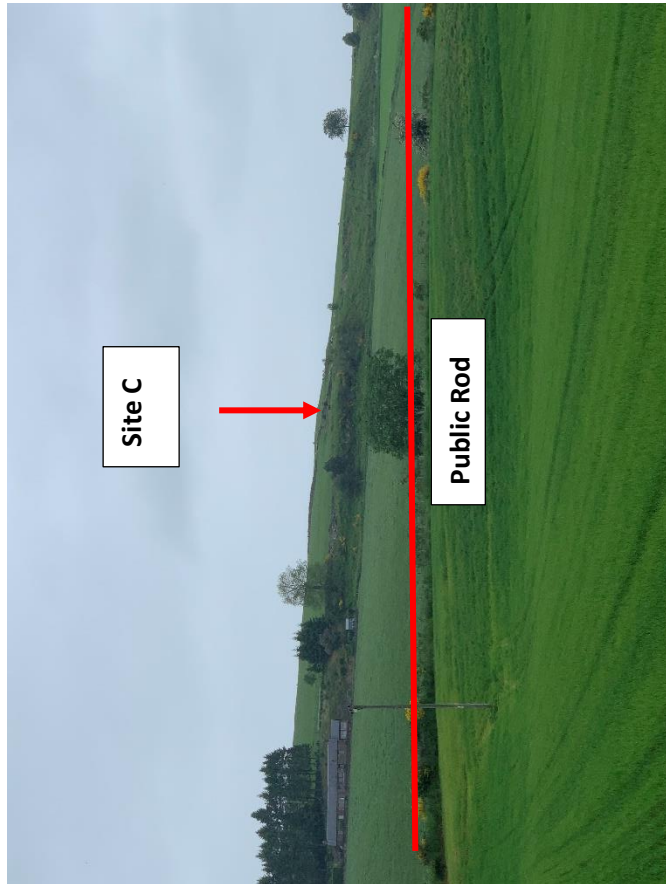
However, we are of the opinion that an agricultural shed at Site A, would be the location which would be most compliant with the Placemaking Policies.

Sites C and D are the most prominent in the landscape – see photographs below and on the next page.

Photography 4: Site D location on the landscape



Photograph 5: Site C location on landscape



Photograph 6: Site D on landscape from public road



Site A and B will sit better in the landscape. The rising topography to the north provides a backdrop. An agricultural shed at Site A and B will also NOT be seen from further afield.

An agricultural shed at Sites C and D will be seen from Alyth and Newtyle. This is not exaggerated.

Existing hedging, supplementary hedging and trees around the perimeter of Site A will further screen the shed.

Photograph 7: Site A location on the landscape



When comparing Photograph 7 to Photographs 5 and 6, it is clear the Site A would be the most respectful of the landscape.

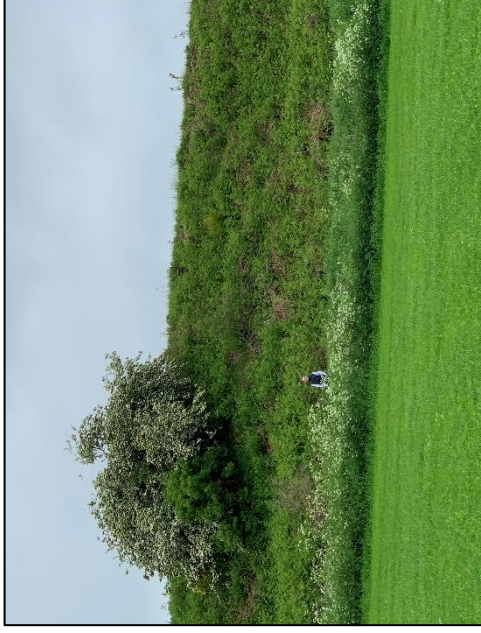
Sites C and D would require siting the cattle shed into an embankment. The topography on this site has a circa 12m difference from the northern to the southern boundaries of the site. A shed at these locations would require substantial amount of ground works.

Photographs 8, 9 & 10 illustrate Site D from different angles.

Photograph 8: Site D



Photograph 9: Site D



Photograph 10: Site D

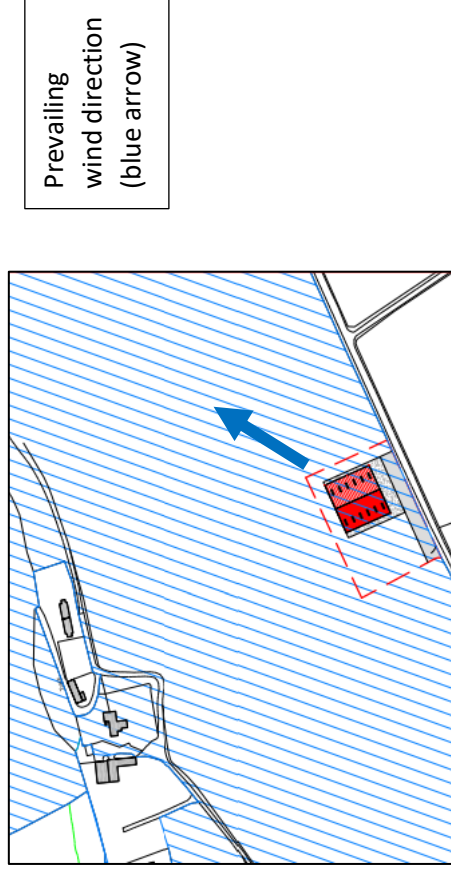


4.2.3 Impact on Neighbouring Residential Properties

The proposed shed will predominantly be used as an agricultural storage building with livestock (including 80 cows) only being kept in the shed in the winter months (October – April).

The prevailing south-westerly wind would mean that the any odour from the shed at Site A, would be carried in a direction where there are no houses.

Image 7: Odour movement with prevailing wind



One of the reasons for refusing the planning application was the lack of an Odour Assessment being carried out to demonstrate that the proposed

development would not have a detrimental impact on the amenity of the nearby residential properties.

Having consulted with an Agricultural Consultant from the Scottish Agricultural College (SAC), the Applicant was informed that due to the size of the shed, its proposed use and distance from houses, an Odour Assessment was not required. The Council were informed of this.

However, to assist the determination of this LRB Appeal, SAC have thoroughly reviewed this proposal, considered the Council's comments regarding Odour in relation to this proposal and (in a letter) conclude; ***'Due to its proposed use, size and setting, the risk of odour being a concern from this proposal is low, providing best practice is followed.'***

The Agricultural Consultant also made the following comments:

'In our previous experience, we usually only do detailed odour assessments for sites that are much larger and pose a much greater risk of odour nuisance than your (this) proposal'.

The Agricultural Consultant also states that, SAC can propose mitigation and odour management plans to address any concerns, which could be conditioned in the Planning Consent.

Interestingly, an Odour Assessment does not appear to have been carried out for the Bruceton Farm Shed Planning Application (which was approved in 2012 – see Precent Section) - where the neighbouring residential properties are closer to the shed. At Bruceton Farm, concerns regarding odour where initially raised but dismissed.

4.2.4 Safety

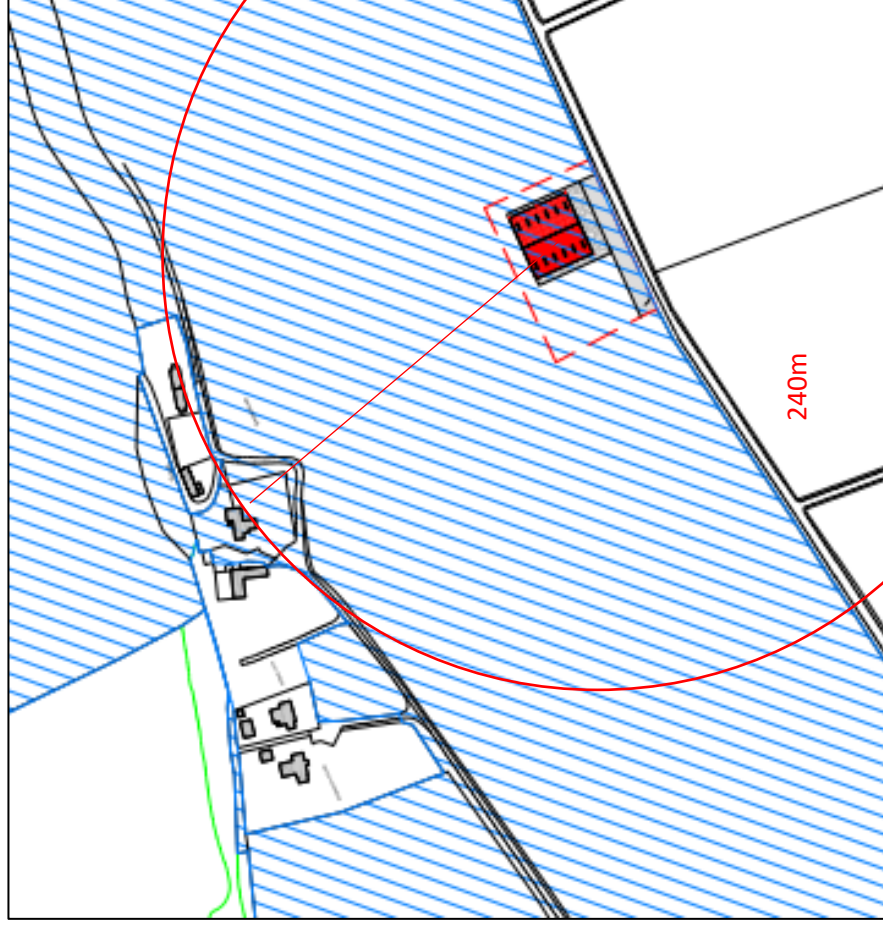
Cattle welfare is important. A shed at Bankhead of Alyth Farm, approximately 240m from the Applicants house allows them to monitor their cattle on a more frequent basis and they can react quickly to any cattle health issues or calving issues/complications.

Site A is located south of Bankhead farmhouse (where the Applicants stay) and there is a good line of site down the hill towards Site A.

There is not a clear line of site towards Sites C and D.

As site A is flatter and is also a safer site for cattle and the Applicants/staff to work the cattle from.

Image 8: Distances from site A

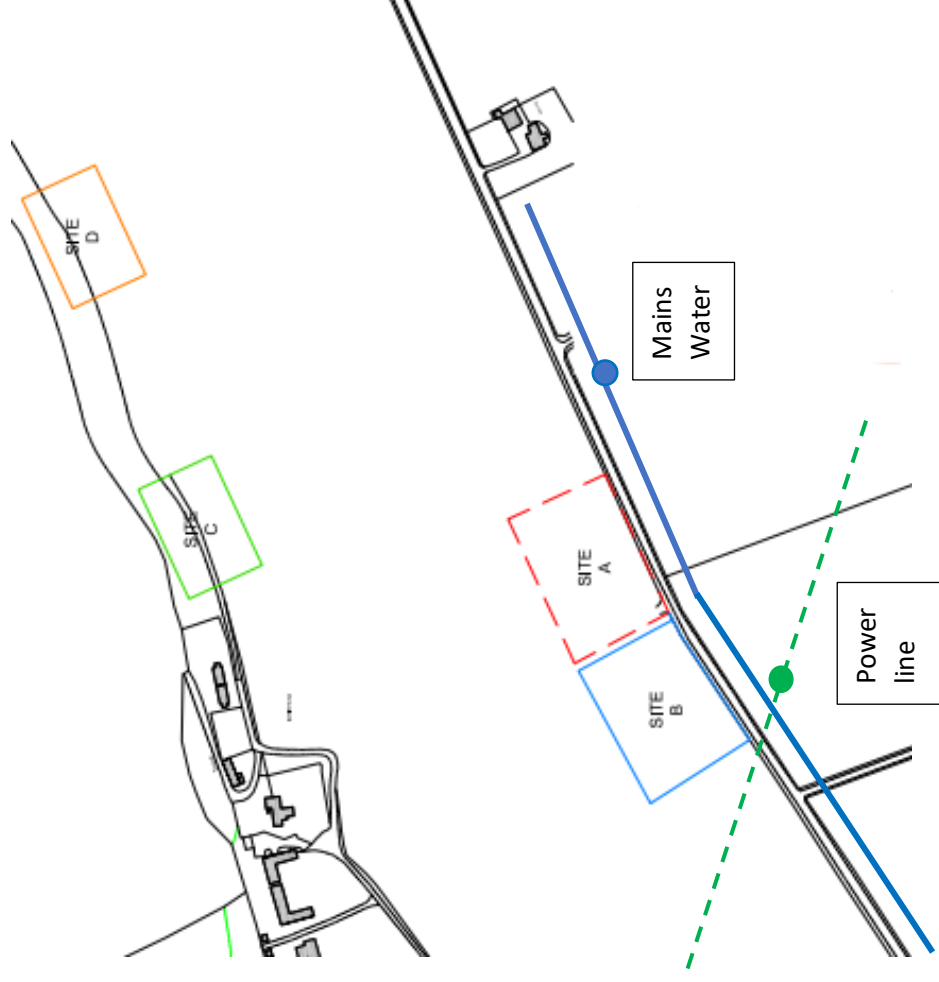


4.2.5 Water and electricity

Site A and B both located next to an overhead electricity line and water pipe – both very important for an agricultural shed.

Sites C and D are NOT located next to a water or electricity supply and would require these services to be ran up to them – which again, would be a considerable expense.

Image 9: Electricity and Water



4.2.6 Cost

Building a Cattle Shed on either Sites A or B is feasible.

Building a Cattle Shed on either Site C or D is NOT feasible, due to:

- Extensive ground works for the shed and HGV turning area
- Upgrading of the access road
- Taking water and electricity to the sites.

4.2.7 The Environment

Constructing a shed at Site A is considerably better for the environment.

If a shed were to be constructed at either Site C or D, considerably more ground works would be required (including concrete) and there would be a high level of vehicle emissions once the shed was constructed and operational (getting to and manoeuvring on the site).

4.2.8 Archaeology Considerations

In the Report of Handling, the Planning Officer has raised concerns over historically important ruins/fort in the area. From the figure below taken from historic environment Scotland's (HER) website, the proposed developments are nowhere near the Application Site and would not be affected by the construction of the proposed cattle shed.

Image 12: HER map of land around Bankhead farm



5.0 Precedent (Similar case)

5.1 Bruceton Farm

Erection of a steel framed cattle court building, Bruceton farm Alyth Blairgowrie, PH11 8JT (Planning Ref: 12/00758/FLL).

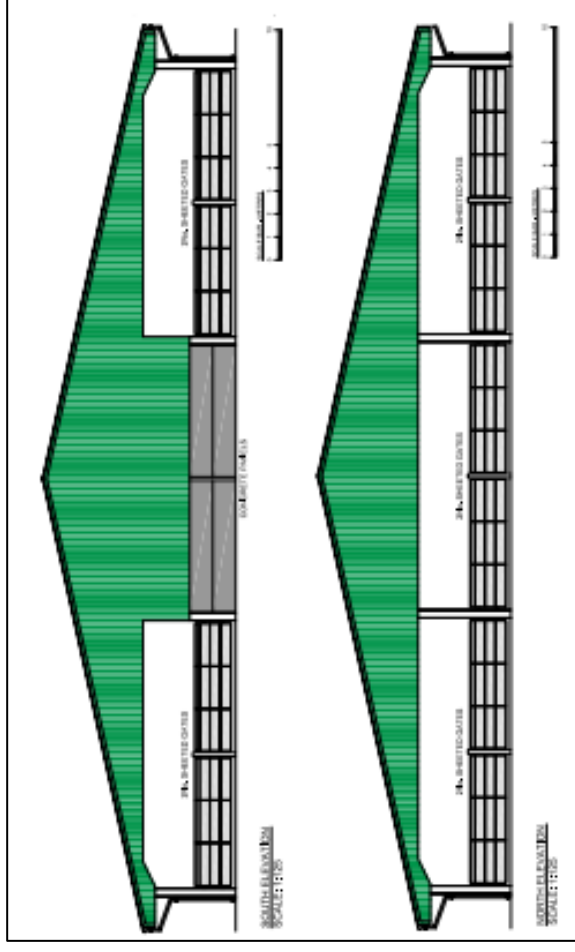
Bruceton farm is located approximately 2.4km Northeast from Application Site. The cattle shed received approval in May 2012.

The cattle shed at Bruceton farm is approximately the same size as the shed proposed at the Application Site.

Photographs 11 & 12: Bruceton farm shed



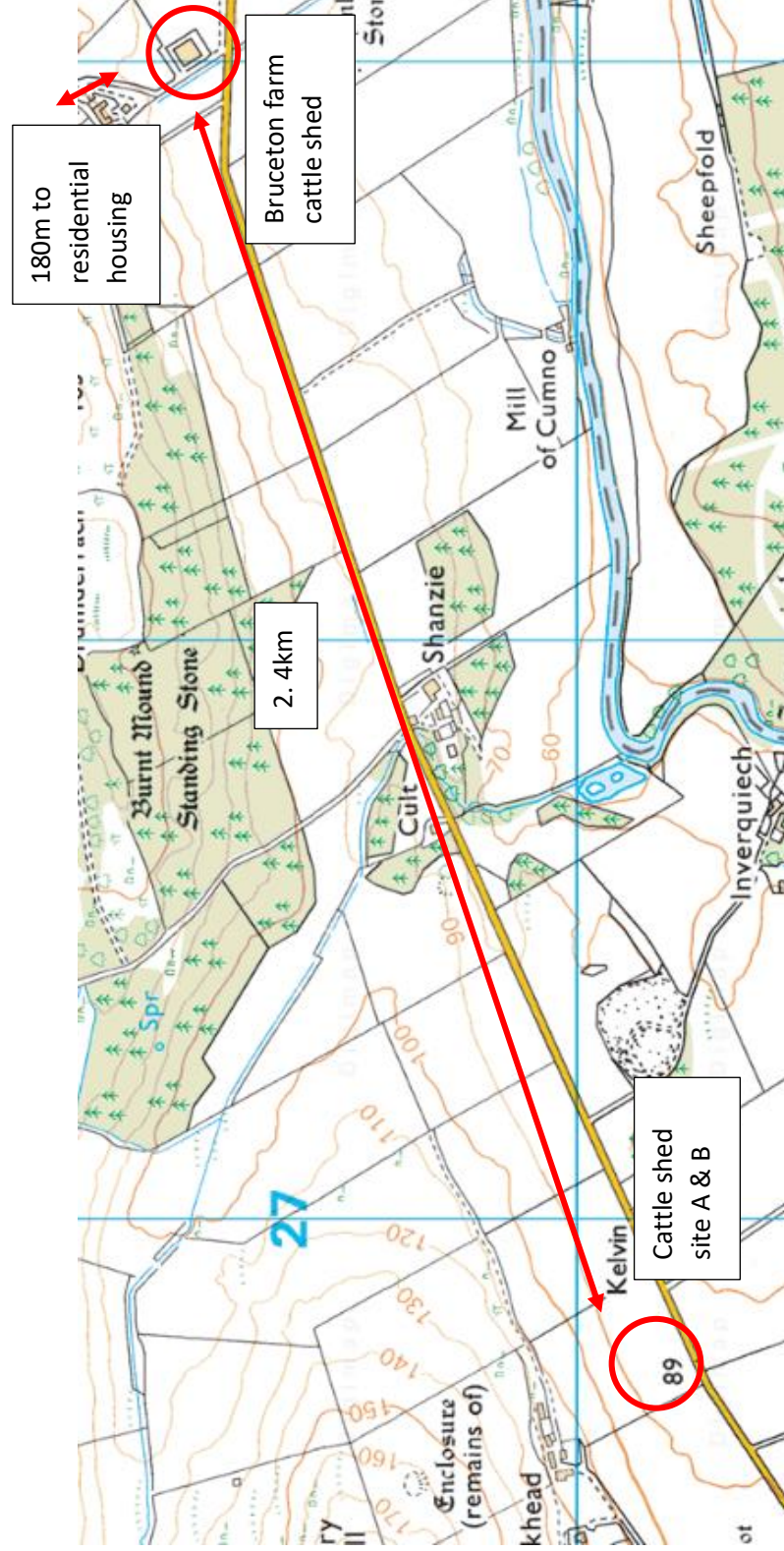
Image 10 & 11: North & South elevations for proposed shed at Bankhead farm



The proposed agricultural shed at Bankhead farm, similarly to the Bruceton Farm Shed, is located just off the public road. See below.

Image 13: Bankhead Application Site and Bruceton farm Cattle Shed

Both Bruceton and Bankhead sites are similar. Bruceton farm is located 180m south from the nearest residential property. The closest house to the Application Site is Bankhead Farmhouse (in the ownership and occupied by the Applicants). Bankhead Farmhouse is circa 240m from the shed site.



5.2 Howie Farm

Erection of 3 agricultural buildings and workshop/office/staff accommodation building and land engineering operations (in part retrospect)

Land 200 Metres Southeast Of A M Howie Yard Yetts Road Dunning

15/02097/FLL

The erection of a cattle shed was approved in 2017 by the Scottish government after the application was refused (and several objections were made by nearby residential properties).

A Noise and Odour Assessment reported that the proposed development would be compliant with noise and odour regulations. This is significant due to the cattle shed being only 50 meters away from the nearest residential property. The Application site is 240 meters from the nearest residential property (a property owned and occupied by the Applicants).

Image 14:
Site location
from
residential
housing



Image 15:
Site plan



5.0 National planning policy

Scottish Planning Policy states that

‘the planning system should, in all rural and island areas, promote a pattern of development that is appropriate to the character of the particular rural area and the challenges it faces, encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality’.

‘NPF3 sets out a vision for vibrant rural, coastal and island areas, with growing, sustainable communities supported by new opportunities for employment and education’.

‘NPF3 supports the many and varied opportunities for planning to support business and employment. These range from a focus on the role of cities as key drivers of our economy, to the continuing need for diversification of our rural economy to strengthen communities and retain young people in remote areas. Planning should address the development requirements of businesses and enable key opportunities for investment to be realised. It can support

sustainable economic growth by providing a positive policy context for development that delivers economic benefits’.

As the blue highlighted text illustrates, the proposed development complies with Scottish Planning Policy.

6.0 Summary

We are firmly of the Opinion that Site A is the most logical site and the site which is the most compliant with Local and National Planning Policy.

It is worth noting that due to COVID protocols, the Planning Officer has NOT visited the Application site nor the alternative sites (Sites B, C or D) he refers to.

For reasons already mentioned, including; accessibility, impact on the landscape, impact on neighbouring residential properties, safety, proximity to water and electricity connections, impact on the environment and cost efficiency/feasibility, Site A is the best site for accommodating an Agricultural Shed and better suited than Sites C and D.

Furthermore, an agricultural shed at the proposed site (Site A), would be very similar to the shed 2.4km along the road at Bruceton Farm, which was approved in 2012.

As stated in Section 4.2.3 (Impact on Neighbouring Residential Properties), the Agricultural Consultant from the Scottish Agricultural College, concludes that the risk of odour being a concern for this proposal, is low. He also confirms that the Odour Assessments would not normally be done for proposals of this scale and nature, but regardless, mitigation and odour management plans could be conditioned in the planning consent to address any future concerns.

Mr Steven Knox
Bankhead Farm
Alyth
Perthshire
PH11 8HQ

Environment
2 Technopole Centre
Bush Estate
Midlothian
EH26 0PJ
Scotland UK

t: +44 (0)131 603 7527
e: iain.boyd@sac.co.uk
w: www.sruc.ac.uk

8th July 2021

Dear Mr Knox,

ODOUR ASSESSMENT FOR PROPOSED AGRICULTURAL BUILDING AT BANKHEAD FARM

Having reviewed your proposal and the previous feedback received from the local planning authority, please find further information below in relation to your potential need for an odour assessment.

The proposed building will predominantly be an agricultural storage building with animals only occupying the shed during the winter months. Approximately 80 cattle will be housed between October and April. The main use of the shed throughout the year will be for the storage of agricultural supplies and equipment.

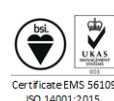
The shed is of a modern design and it is not an intensive livestock building. Having looked at the site location, there are some residential properties in the vicinity (within 400m), however, the area is very agricultural and the proposed building is not out of place with the existing landscape characteristic and surrounding land uses. All livestock buildings will emit odour to some degree, however, good general housekeeping procedures and farm management will control and reduce the likelihood of odours. This includes the correct management and storage of manure, slurry and animal feed, well-designed and maintained buildings and ventilation, appropriate levels of cleanliness, good site management and high standards of animal health and welfare on farm will all minimise the odour risk.

Due to its proposed use, size, and setting, the risk of odour being a concern from this proposal is low, providing that best practice is followed. The requirements of The Code of Good Practice for the Prevention of Environmental Pollution from Agricultural Activity (PEPFAA code) should be adhered to. Existing practices for managing, storing and spreading slurry, contaminated water and manure on farm should be followed, including updating your soil and nutrient management plan (farm waste management plan) to incorporate the new shed.

In our previous experience, we usually only do detailed odour assessments for sites that are much larger and pose a much greater risk of odour nuisance than your proposal. However, if odour is deemed to be a concern for this development, SAC Consulting can propose mitigation and odour management plans as necessary, to adhere to any planning conditions or to address any future concerns.

Yours sincerely,

Iain Boyd
Senior Environmental Consultant



LRB-2021-26

20/01729/FLL – Erection of an agricultural building and associated works, land 250 metres north east of Bankhead Farmhouse, Bankhead of Alyth, Alyth

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS



Mr Steven Knox
c/o Algo Design And Build
Lucy Normand
Algo Business Centre
Glenearn Road
Perth
PH2 0NJ

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: **12th April 2021**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **20/01729/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 3rd December 2020 for Planning Permission for **Erection of an agricultural building and associated works Land 250 Metres North East Of Bankhead Farmhouse Bankhead Of Alyth Alyth Blairgowrie**

David Littlejohn
Head of Planning and Development

Reasons for Refusal

- 1 The proposal is contrary to criterion (c) of Policy 8: Rural Business and Diversification of the adopted Perth and Kinross Local Development Plan 2 (2019). No odour assessment has been submitted to demonstrate that the proposed use is compatible with the surrounding landuses and will not detrimentally impact on the amenity of residential properties adjacent to the site.
- 2 The proposal is contrary to Policy 39: Landscape of the adopted Perth and Kinross Local Development Plan 2 (2019) as the siting/layout next to the public road with no landscape containment does not respect the landscape character of the Broad Valley Lowland landscape of the Tayside Landscape Character Assessment.
- 3 The proposal is contrary to Policy 1A: Placemaking of the adopted Perth and Kinross Local Development Plan 2 (2019) as the siting/layout does not respect the landscape character and amenity of the place. It does 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 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 Reference

04

06

07

08

09

10

REPORT OF HANDLING

DELEGATED REPORT

Ref No	20/01729/FLL	
Ward No	P2- Strathmore	
Due Determination Date	2nd February 2021	
Draft Report Date	17th February 2021	
Report Issued by	JHR	Date 12.04.2021

PROPOSAL: Erection of an agricultural building and associated works

LOCATION: Land 250 Metres North East Of Bankhead Farmhouse
Bankhead Of Alyth Alyth Blairgowrie

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: 21 December 2020

DATE OF SITE VISIT: N/A - In accordance with the on-going restrictions of the coronavirus pandemic, the application site has not been visited by the case officer. The application site and its context have, however, been viewed by mapping databases and streetview. This information means that it is possible and appropriate to determine this application as it provides an acceptable basis on which to consider the potential impacts of this proposed development.

BACKGROUND AND DESCRIPTION OF PROPOSAL

This application is for the erection of a cattle shed on land at Bankhead Farm to the east of Alyth. The proposed building is some 36 metres deep and 39 metres wide. It is sited on the extremities of the farm holding in the corner of the field next to the public road between Alyth and Kirriemuir. Bankhead Farm House is approximately 235 metres away from the proposed cattleshed. There is no access track between the farm house the cattleshed, as a consequence the public road would have to be utilised.

The proposal was subject to pre-application discussions an alternative location was suggested. Along the farm track from Bankhead Farmhouse to the East. This would result in the building occupying a central position within the Bankhead Farm Holding, allowing a backdrop to the building from the

south, cut and fill could also reduce the prominence of the building and the location would mean the access track to the cattle shed would be supervised by the existing farmhouse.

SITE HISTORY

94/01386/FUL Extension to house at The Garret 26 September 1994
Application Approved

PRE-APPLICATION CONSULTATION

Pre application Reference: Undertaken advice provided under
20/00456/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 2 (2019).

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 2 – Adopted November 2019

The Local Development Plan 2 (LDP2) is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are:

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 8: Rural Business and Diversification

Policy 26A: Scheduled Monuments and Archaeology: Scheduled Monuments

Policy 26B: Scheduled Monuments and Archaeology: Archaeology

Policy 39: Landscape

Policy 53C: Water Environment and Drainage: Surface Water Drainage

Policy 56: Noise Pollution

Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

OTHER POLICIES

Planning Advice Note 39: Farm and Forestry Buildings

CONSULTATION RESPONSES

Transport Planning – No objection.

Perth And Kinross Heritage Trust - Recommended that an archaeological evaluation should take place to assess the presence / absence, character and significance of archaeological deposits on the site

Environmental Health (Noise Odour) – Lack of information with regards to odour.

REPRESENTATIONS

None

ADDITIONAL STATEMENTS

Screening Opinion	Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not Required
Appropriate Assessment	AA Not Required
Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact eg Flood Risk Assessment	Required (as per environmental health response)

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 and the adopted LDP2.

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

This proposal is associated with agricultural activity and the principle of this development is generally supported under Policy 8 - Rural Business and Diversification. However, this is subject to appropriate siting and design see Policy PM1A and PM1B – Placemaking. As well as taking account of noise and odour Policy 56. Ensuring a suitable landscape fit Policy 39 and taking cognisance of Scheduled Ancient Monuments and Archaeology Policy 26A and 26B are applicable. The formation of built development, hardstanding's and a new access means policy 53C Sustainable Drainage and 60B Transport are also engaged.

Residential Amenity

Consultation has been undertaken with Environmental Health. They advise that Code of Good Practice for the Prevention of Environmental Pollution from Agricultural Activity which was prepared in 2005 by the Scottish Executive recommends that new livestock buildings should not be within 400 metres of residential properties and where possible should be downwind of residential areas.

They note that an odour assessment should be undertaken to assess the likely impact on sensitive residential receptors and include the following: -

- Detailed information on the total number of cattle and times of year the livestock are to be housed.
- An odour impact assessment to identify and quantify the likely sources of emissions from the operation. The methodology for the assessment should be agreed in writing with this department prior to the assessment being undertaken. The assessment would also need to include an odour management plan, to demonstrate how odour will be controlled and managed on the site and incorporate a complaint investigation procedure.
- The odour impact assessment should also include a waste management plan detailing how waste will be adequately handled, stored and removed from site.

- Details of any proposed ventilation system/plant equipment associated with the building.

Given that all 4 possible locations are within 400m of neighbouring residential properties, Environmental Health are concerned that residential amenity will be adversely impacted due to the proposed cattle housing.

Environmental Health have reviewed the alternative sites suggested by the agent and advise that the site furthest from and generally downwind of residential receptors, site D would be their preferred location.

This was discussed further with Environmental Health and they verbally advised that conditional control could be applied to site D (due to the distance and downwind location). to secure an odour management plan. This was feedback to the agent, but their preference was to pursue site A.

The agent was advised that even if an odour assessment was submitted for site A there were still concerns how the proposal design, siting and layout related to the landscape and advice contained within Planning Advice Note 39 Farm and Forestry Buildings.

No odour assessment has been submitted to support site A. Therefore, it has not been shown that the proposed site is suitable for the erection of a cattle shed. The proposal is contrary to Policy 8 criterion c.

Design, Siting, Layout and Landscape

In terms of siting and design Planning Advice Note 39 Farm and Forestry Buildings which is produced by the Scottish Government is of relevance. The document emphasises how development, through the application of appropriate siting and design criteria, can be reconciled with environmental and landscape considerations to achieve a high standard of design throughout the countryside. It specifies that new agricultural buildings should be located within or beside existing farm groupings unless there is an overwhelming operational need for an isolated siting.

Due to the proximity of other residential properties next to the existing Bankhead Farmhouse the need for an isolated site is recognised in this instance. However, it has not been demonstrated that site A is an appropriate location.

As part of the pre-application response it was recognised that the cattle shed had been positioned away from the existing farm and neighbouring residential dwellings that were not associated with the farming operation, to reduce issues from noise (Policy 56) and odour as well as other residential amenity issues (criterion c of Policy 8). However, concerns were raised regarding the building's relationship with the Broad Valley Lowland landscape and there also appeared to be security/supervision issues with the location (on a public road).

The agent was advised to consider alternative locations such as locating the building along the track from Bankhead Farmhouse to the East (Site D).

Site D is preferable as it occupies a central position within the Bankhead Farm Holding. The location would mean the access track to the cattle shed would be supervised by the existing farmhouse and there would not be a requirement to utilise the public road between farmhouse and cattle shed. The siting would be consistent with existing building which sit along this contour line. Cut and fill could also reduce the prominence of the building.

This location has been discounted by the agent along with another two alternatives (B and C) in preference for site A stipulating (access upgrades, precedent, development costs and ground conditions).

However, the acceptability of site A has not been demonstrated appropriate from a residential amenity perspective and the siting of the cattle shed in this location, directly adjacent to the road with no landscape containment is considered to adversely impact on the Broad Valley Lowland landscape, Policy 39.

Archaeology Considerations

The proposed development lies within an area that is archaeologically sensitive due to the archaeological sites located in close proximity. One of these archaeological sites, Balloch House (MPK4866) is located directly south of the proposed development, is visible on aerial photographs as a crop mark and comprises a 220m diameter circular enclosure potentially prehistoric in date. The road truncates the north section, but should it continue as expected the proposed development is located on the top section of this feature. Approximately 400m to north sits the scheduled monument of Barry Hillfort (SM1591) and Iron age Homestead (SM6549), supporting that this area has a rich history from prehistoric times.

Given the evidence above, the rich prehistoric landscape this development sits in and the likelihood of archaeology PKHT recommend that a 10% evaluation be undertaken in the first instance, to determine any survival of archaeological remains. The layout of these trenches should be agreed with PKHT in advance of any site works.

In line with Scottish Planning Policy historic environment section (paragraphs 135-137 and 150), PKHT recommend that conditional control should secure a programme of archaeological works. This would meet the aims of Policy 26A and 26B.

Roads/Access, Drainage and Flooding

The proposed point of access to the site is at an existing field entrance. The proposed vehicle access onto the C421, has good visibility to the left and right. To support the level of development the vehicle access will be required to be upgraded. To secure the construction of the vehicle access, Transport Planning recommended that a condition is attached to any approval.

The topography of the site is such that surface water will fall towards the public road network, therefore the applicant should ensure that no surface water or aggregates are discharged onto the public road network. These details could be secured by conditional control to comply with Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals.

Developer Contributions

The Developer Contributions Guidance is not applicable to this application and therefore no contributions are required in this instance.

Economic Impact

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

VARIATION OF APPLICATION UNDER SECTION 32A

This application was not varied prior to determination.

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

CONCLUSION AND REASONS FOR DECISION

To conclude, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to be contrary to the Development Plan. Account has been taken of the relevant material considerations and none has been found that would justify overriding the adopted Development Plan.

Accordingly, the proposal is refused on the grounds identified below:-

Reasons

- 1 The proposal is contrary to criterion (c) of Policy 8: Rural Business and Diversification of the adopted Perth and Kinross Local Development Plan 2 (2019). No odour assessment has been submitted to demonstrate that the proposed use is compatible with the surrounding landuses and will not detrimentally impact on the amenity of residential properties adjacent to the site.

- 2 The proposal is contrary to Policy 39: Landscape of the adopted Perth and Kinross Local Development Plan 2 (2019) as the siting/layout next to the public road with no landscape containment does not respect the landscape character of the Broad Valley Lowland landscape of the Tayside Landscape Character Assessment.
- 3 The proposal is contrary to Policy 1A: Placemaking of the adopted Perth and Kinross Local Development Plan 2 (2019) as the siting/layout does not respect the landscape character and amenity of the place. It does 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

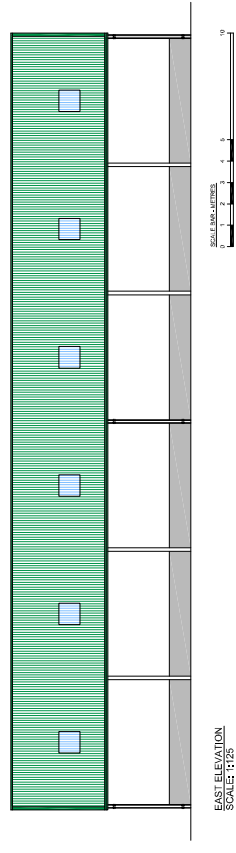
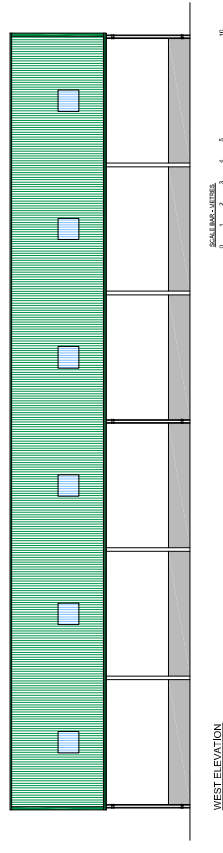
None

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

04
06
07
08
09
10

[illegible]

aligo
Blairgowrie Ltd.

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Web: www.aligo.co.uk

Drawn By LS	Checked By BL
Drawing Sheet Size A1	Scale AS SHOWN
	Date 20.11.2020

Project Title
PROPOSED STORAGE / CATTLE BUILDING
AT BANKHEAD FARMHOUSE,
BANKHEAD, ALYTH,
PERTSHIRE, PH11 8HQ

Drawing Title
**FLOOR PLAN,
SECTION &
ELEVATIONS +
CONSTRUCTION SPECIFICATION**

Project Number P20-094	Revision -
Drawing Number PL_02	

ROOF: PROTECTION OF ROOF PANELS

1. 12.5° ROOF PITCH
2. ROOF CLADDING TO BE SINGLE SKIN NON-CON. DROP POLYESTER COATED ROOF CLADDING PANELS OR EQUIVALENT
3. ROOF CLADDING PANELS ARE TO BE COLOUR GREEN
4. ROOF TO INCORPORATE PIN-ROOFLIGHTS

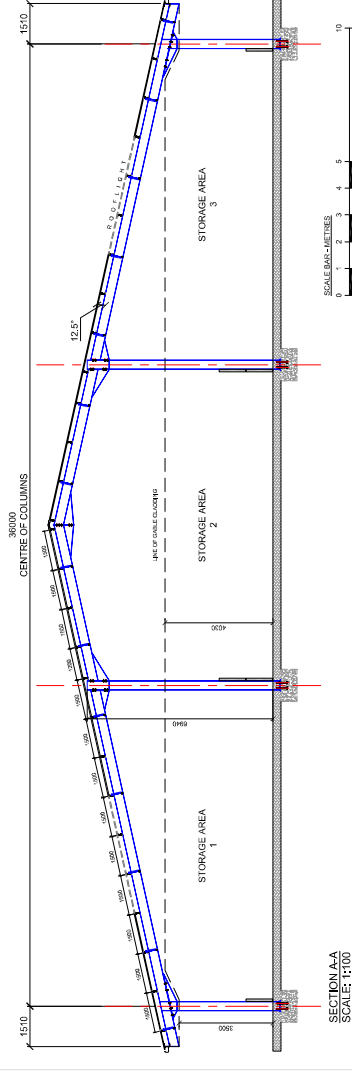
WALLS:

1. WALL CLADDING TO BE SINGLE SKIN POLYESTER COATED WALL CLADDING PANELS OR EQUIVALENT
2. WALL CLADDING PANELS TO BE COLOUR GREEN
3. SIDE ELEVATIONS TO HAVE 1m HIGH CONCRETE PANELS
4. SIDE SLOTT ELEVATION AND INTERNALLY TO HAVE 2.0m HIGH CONCRETE PANELS

FLOOR:
1 FLOOR OF BUILDING TO BE 200mm THICK CONSOLIDATED HARDCORE

GATES:

1. ALL SURFACE WATER DRAINAGE TO DISCHARGE INTO EXISTING FIELD DRAINAGE SYSTEM VIA FILTER TRENCH (SODS)
2. WITHIN A PIPEWORK SYSTEM TO BE AS PER THE ENGINEERS DESIGN SUCH SYSTEM TO IN ACCORDANCE WITH THE WATER ENVIRONMENT (CONTROLLED ACTIVITIES) (SCOTI) AND REGULATIONS 2005 - GENERAL BINDING RULES 10.8.11
3. NO Foul DRAINAGE CREATED BY THE PROPOSED DEVELOPMENT





Rev.	Date	Description	App'd
A	03.12.20	FORWARDED AS PER INVITED	
B	06.01.21	FORWARDED AS PER PLANNING	
C	07.01.21	FORWARDED AS PER PLANNING	
		COMMENTS	

ALL DIMENSIONS TO BE CHECKED ON SITE
THE CONTRACTOR SHALL BE RESPONSIBLE FOR
ANY DISCREPANCIES
TO BE REPORTED TO CONTRACT
ADMINISTRATOR

PLANNING
NOT FOR CONSTRUCTION

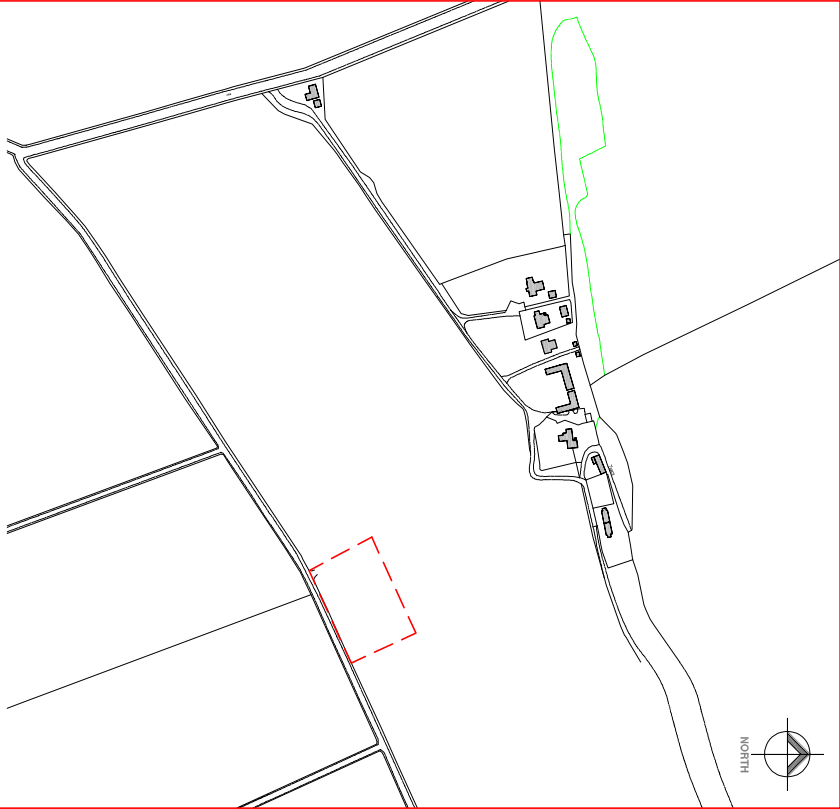


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Drawn By	LS	Checked By	BL	Date
Drawing Sheet Size	A1	Scale	AS SHOWN	20.1.2020
Project Title	PROPOSED STORAGE / CATTLE BUILDING AT BANKHEAD FARMHOUSE, BANKHEAD, ALTH, PERTSHIRE, PH11 8HQ			

Existing This
ORDNANCE SURVEY SITE LOCATION MAP A
PROPOSED SITE PLAN

Project Number	P20-094
Drawing Number	PL_01
Revision	C



EXISTING SITE LOCATION PLAN
SCALE - 1:2500
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FILTER TRENCH CALCULATIONS:

ROOF AREA:
36.2m x 39.2m = 1,420m²

FIRST 15mm OF RAINFALL TO BE TREATED:

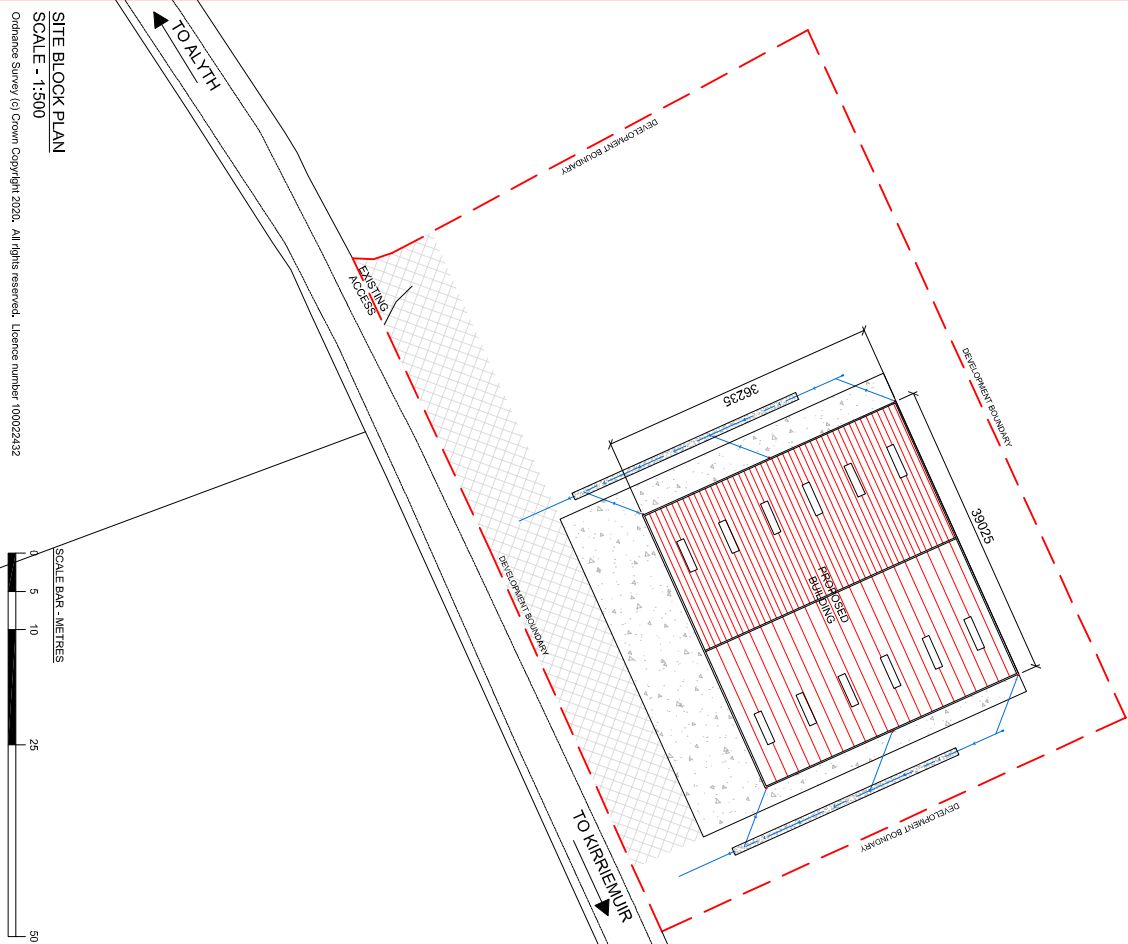
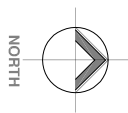
15mm = 0.015m³ x 20% = 0.003m³
15mm = 0.015m³ x 20% = 0.003m³
35% VOID SPACE WITHIN TRENCH

FILTER TRENCH DIMENSION CALCULATION:

25.6m³ / 1m (Width) / 1m (Depth) / 0.35 (Void Space) = 74m

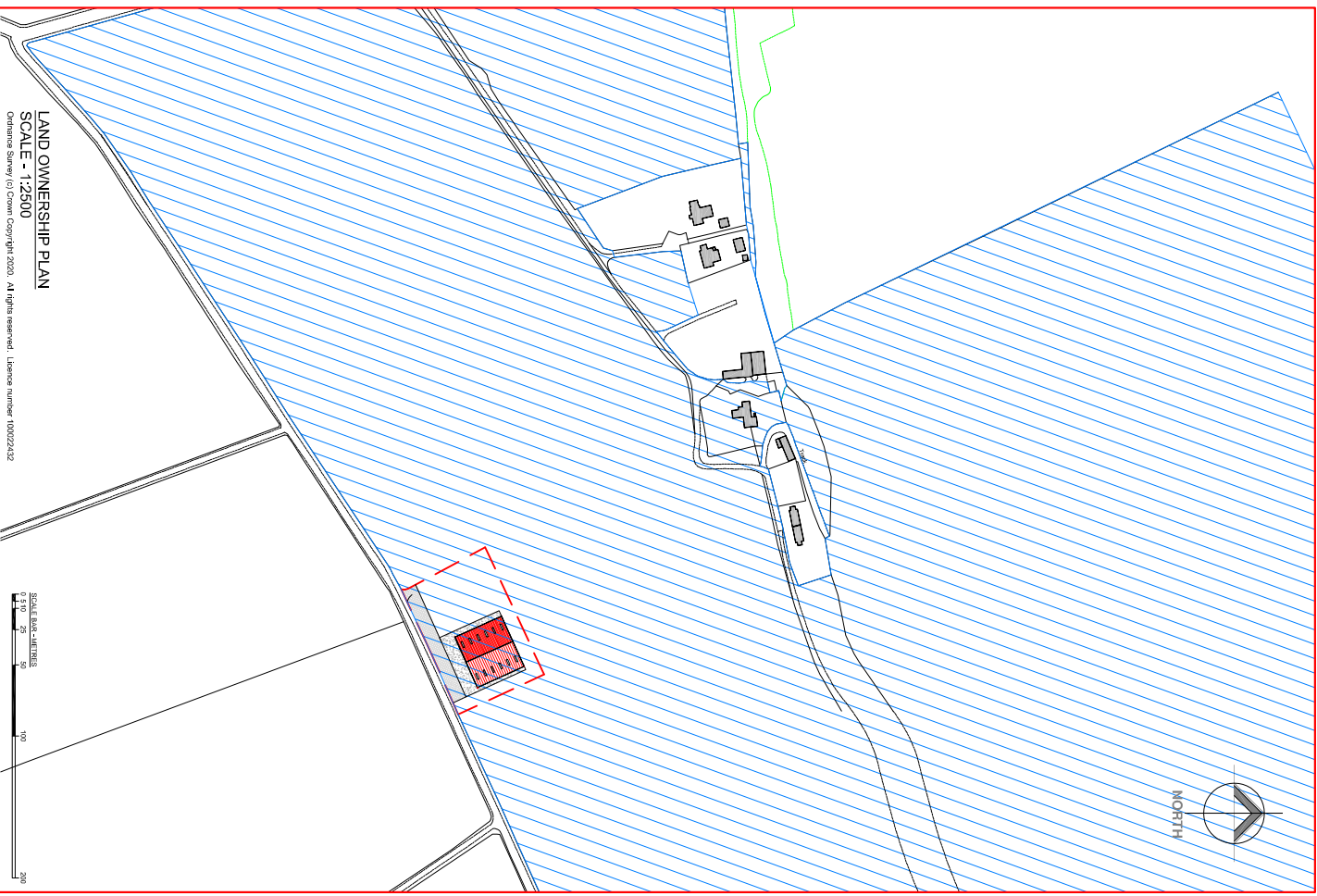
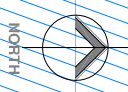
TOTAL FILTER TRENCH DIMENSIONS REQUIRED:

74m LONG x 1m WIDE x 1m DEEP



SITE BLOCK PLAN

SCALE - 1:300
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LAND OWNERSHIP PLAN

SCALE - 1:2500
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Rev.	Date	Drawn By	Check By
A	05/11/21	ALSO BLAINGOWRIE LTD	ALSO BLAINGOWRIE LTD
B	07/11/21	ALSO BLAINGOWRIE LTD	ALSO BLAINGOWRIE LTD
C			
D			
E			
F			
G			
H			
I			
J			

ALL DIMENSIONS TO BE CHECKED ON SITE
PRIOR TO CONSTRUCTION AND
ANY DISCREPANCIES OR VARIATIONS
TO BE REPORTED TO CONTRACT
ADMINISTRATOR

LEGEND:

- DEVELOPMENT BOUNDARY
- ADJACENT CONTS ALL LAND
- SHADED BLUE

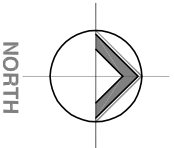
94

PLANNING
NOT FOR CONSTRUCTION

also
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Drawn By	Check By
LS	BL
Drawing Sheet Size	Scale
A3	AS SHOWN
Project Title	Date 14/03/20
PROPOSED STORAGE / CATTLE BUILDING AT BANKHEAD FARMHOUSE, BANKHEAD, ALTYTH, PERTSHIRE, PH1 8HQ	
Drawing Title	
SITE BLOCK PLAN & LAND OWNERSHIP PLAN	

Project Number	Project Name
P20-094	Bankhead
Drawing Number	Revision
PL_03	B



CONSIDERATIONS FOR VARIOUS SITE LOCATIONS :

- SITE A**
1. This site is preferred as the proposed building is best located to assist day to day farm operations. The location lends itself well to farm vehicles accessing and exiting the site to and from the west.
 2. The site is located away from any neighbouring buildings which are outwith the applicants ownership therefore causing no disturbance.
 3. The proposed development is out direct line of sight of the dwellings to the north.
 4. Existing ground levels and ground conditions are suitable for the development.
- SITE B**
1. Existing Mains Water supply and BT cable feeding the dwellings to the north are located through this site location. Diversion of these utilities would not make the proposed development feasible.
 2. The majority of farm traffic (if not all farm traffic) which would be using the new development will approach and exit the site from / to the west. This site location would make access and egress more challenging.
 3. This site location is in direct line of site of the dwellings to the north.
- SITE C**
1. Access to this site location is on the access route past dwellings to the north which are outwith the ownership of the applicant. The applicant would prefer to stay away from this location as to not disturb the neighbours unnecessarily when other more suitable site locations are available.
 2. This site location would require considerable 'cut and fill' to make the plot possible. The ground conditions include rock which would be a costly procedure to remove and would render the project unfeasible.
 3. The current access surface is unsuitable and would require considerable upgrading at a considerable cost to provide the suitable standard for the farm traffic.
 4. This site location would make the development quite prominent being on higher ground.
- SITE D**
1. This site is unsuitable for the same reasons as Site C above, but also, the proposed building is further away from the applicants farm house and cannot be seen from their house raising security concerns.

Rev	Date	Description	Author
A	09/12/20	ISSUED AS PER REVISED COMMENTS	
B	07/11/20	ISSUED PER PLANNING COMMENTS	

ALL DIMENSIONS TO BE CHECKED ON SITE
MANUFACTURE AND ANY DISCREPANCIES
TO BE REPORTED TO CONTRACT
ADMINISTRATOR

PLANNING
NOT FOR CONSTRUCTION



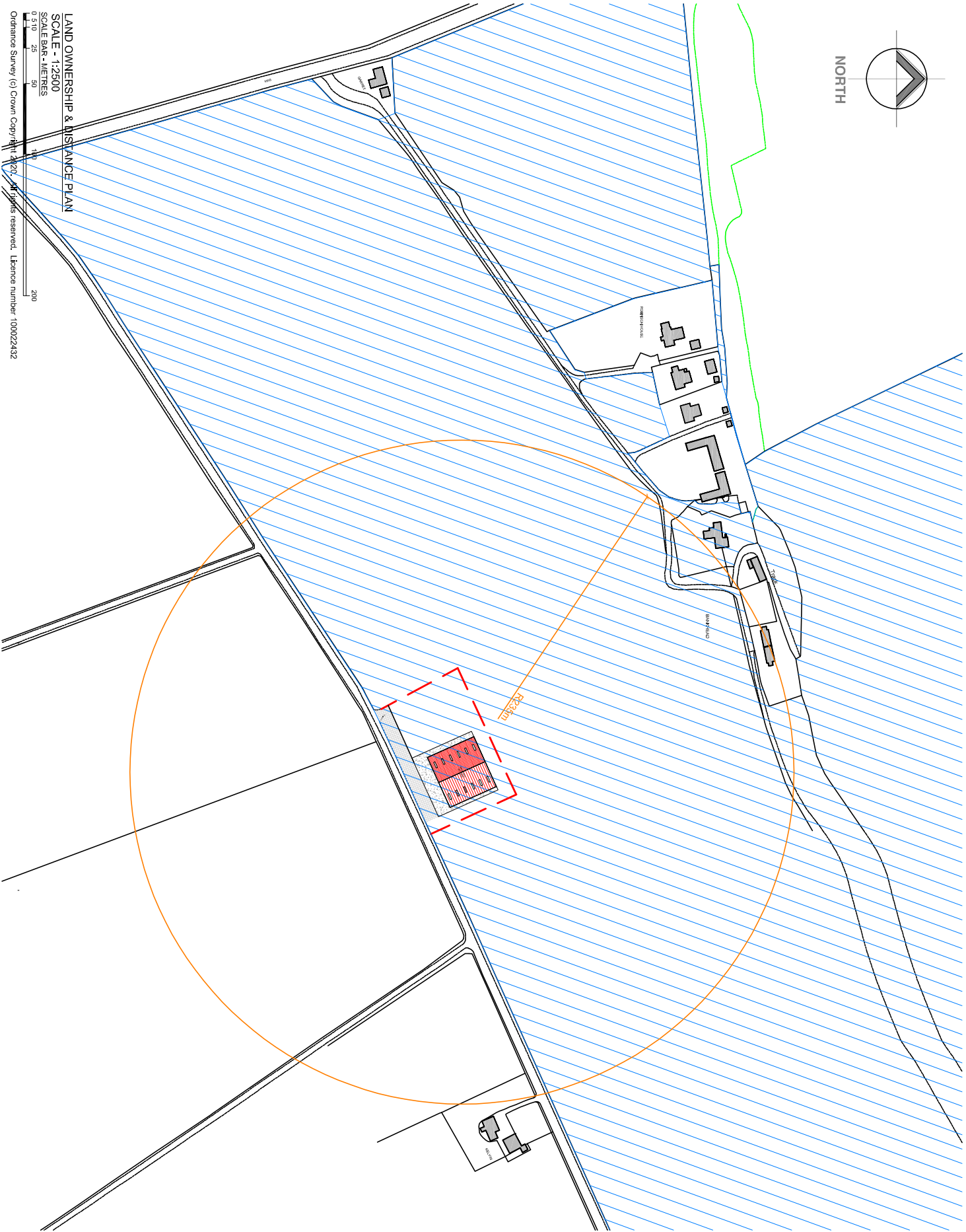
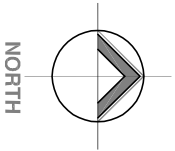
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Drawn By	BL	Checked By
LS		
Drawn Sheet Size	Scale	Date
A3	AS SHOWN	18.11.2020

Project Title:
**PROPOSED STORAGE / CATTLE BUILDING
AT BAKKHEAD FARMHOUSE,
BAKKHEAD, ALTH,
PERTSHIRE, PH11 8HQ**

Drawing Title
CONSIDERED DEVELOPMENT LOCATIONS

Project Number	Revision
P204994	B
Drawing Number	
SP_01	



REVISIONS		
No.	Date	Description

ALL DIMENSIONS TO BE CHECKED ON SITE
AND MANUFACTURE AND ANY DISCREPANCIES
TO BE REPORTED TO CONTRACT
ADMINISTRATOR

PLANNING
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Blairgowrie Ltd.

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Drawn By	LM	Checked By	-
Drawn Sheet Size	A3	Scale	AS SHOWN
Project Title	PROPOSED STORAGE / CATTLE BUILDING AT BANKHEAD FARMHOUSE, BANKHEAD, ALTH, PERTSHIRE, PH11 8HQ		

Project Title	LAND OWNERSHIP & DISTANCE BOUNDARY
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Project Number	P20-094
Drawing Number	SP_02
Revision	-

LRB-2021-26

20/01729/FLL – Erection of an agricultural building and associated works, land 250 metres north east of Bankhead Farmhouse, Bankhead of Alyth, Alyth

REPRESENTATIONS



To:	John Russell, Planning Officer
From:	Sophie Nicol, Historic Environment Manager
Tel:	01738 477027
Email:	Sophie.Nicol@pkht.org.uk
Date:	17th December 2020

20/01729/FLL | Erection of an agricultural building and associated works | Land 250 Metres North East Of Bankhead Farmhouse Bankhead Of Alyth Alyth Blairgowrie

Thank you for consulting PKHT on the above application. I can confirm that the proposed development lies within an area that is considered to be archaeologically sensitive due to the archaeological sites located in close proximity. One of these archaeological sites, Balloch House (MPK4866) is located directly south of the proposed development, is visible on aerial photographs as a crop mark and comprises a 220m diameter circular enclosure potentially prehistoric in date. The road truncates the north section, but should it continue as expected the proposed development is located on the top section of this feature. Approximately 400m to north sits the scheduled monument of Barry Hillfort (SM1591) and Iron age Homestead (SM6549), supporting that this area has a rich history from prehistoric times.

Given the evidence above, the rich prehistoric landscape this development sits in and the likelihood of archaeology we recommend that a 10% evaluation be undertaken in the first instance, to determine any survival of archaeological remains. The layout of these trenches should be agreed with PKHT in advance of any site works.

Therefore, PKHT recommended that an archaeological evaluation should take place to assess the presence / absence, character and significance of archaeological deposits on the site. The evaluation will inform a mitigation strategy, if required, to either preserve significant deposits within the development or for further archaeological works, to consist of the excavation and post-excavation analysis / publication of these deposits.

Recommendation:

In line with Scottish Planning Policy historic environment section (paragraphs 135-137 and 150), it is recommended that the following condition for a programme of archaeological works be attached to consent, if granted:

- HE25** Development shall not commence until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of archaeological investigation which has been submitted by the applicant, and agreed in writing by the Council as Planning Authority, in consultation with Perth and Kinross Heritage Trust. Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented including that all excavation, preservation, recording, recovery, analysis, publication and archiving of archaeological resources within the development site is undertaken. In addition, the developer shall afford access at all reasonable times to Perth and Kinross Heritage Trust or a nominated representative and shall allow them to observe work in progress.

Notes:

1. **Should consent be given, it is important that the developer, or their agent, contact me as soon as possible. I can then explain the procedure of works required and, if necessary, prepare for them written Terms of Reference.**
2. This advice is based on information held on the Perth and Kinross Historic Environment Record. This database of archaeological sites and historic buildings is regularly updated.

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	20/01729/FLL	Comments provided by	Lachlan MacLean Project Officer – Transport Planning
Service/Section	Transport Planning	Contact Details	TransportPlanning@pkc.gov.uk
Description of Proposal	Erection of an agricultural building and associated works		
Address of site	Land 250 Metres North East Of Bankhead Farmhouse, Bankhead Of Alyth, Alyth, Blairgowrie		
Comments on the proposal	<p>The applicant is proposing to erect an agricultural building adjacent to the C421 approximately 0.5km east of the B954.</p> <p>The proposed point of access to the site is at an existing field entrance. The proposed vehicle access onto the C421, has good visibility to the left and right. To support the level of development the vehicle access will be required to be upgraded. To secure the construction of the vehicle access, it is recommended that a condition is attached to any approval.</p> <p>The topography of the site is such that surface water will fall towards the public road network, therefore the applicant should ensure that no surface water or aggregates are discharged onto the public road network.</p> <p>Insofar as the Roads matters are concerned I have no objections to this proposal on the following conditions.</p>		
Recommended planning condition(s)	<p>Prior to the development hereby approved being completed or brought into use, the vehicular access shall be formed in accordance with Perth & Kinross Council's Road Development Guide Type C Figure 5.7 access detail, of Type B Road construction detail. The Type B Road construction detail shall continue into the entrance for a minimum distance of 6 metres from the boundary of the public road surface. For the avoidance of doubt, no dropped kerbs will be required at this location as there is no existing footway at this location.</p> <p>Reason - In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.</p> <p>Prior to the development hereby approved being completed or brought into use, the development shall be constructed so that no surface water or surfacing aggregate is discharged onto the public road.</p> <p>Reason - In the interests of road safety</p>		

Recommended informative(s) for applicant	The applicant should be advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
Date comments returned	05 January 2021

Memorandum

To	Development Quality Manager	From	Regulatory Service Manager
Your ref	20/01729/FLL	Our ref	DS
Date	9 February 2021	Tel No	

Communities

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

PKC20/01729/FLL RE: Erection of an agricultural building and associated works Land 250 Metres North East Of Bankhead Farmhouse Bankhead Of Alyth Alyth Blairgowrie for Mr Steven Knox

I refer to your letter dated 26 January 2021 in connection with the above application and have the following comments to make.

Recommendation

I do not believe that sufficient information has been provided to demonstrate that this development will not adversely impact on residential amenity of nearby properties

Comments – Odour

The applicant is proposing the erection of an agricultural building which will be utilised to house cattle, measuring approximately 39mx36m. The applicant has identified 4 possible locations for siting of the building and refers to Site A as the preferred location.

The Code of Good Practice for the Prevention of Environmental Pollution from Agricultural Activity which was prepared in 2005 by the Scottish Executive recommends that new livestock buildings should not be within 400 metres of residential properties and where possible should be downwind of residential areas.

Given that all 4 possible locations are within 400m of neighbouring residential properties, I am concerned that residential amenity will be adversely impacted due to the proposed cattle housing.

I would advise that if intensive livestock buildings are situated within 400 metres from sensitive properties it is normal practice for an odour assessment to be undertaken to assess the likely impact on these receptors.

I would also advise that of the given 4 proposed locations, the one furthest from and generally downwind of residential receptors is Site D and would therefore be the preferred location of this Service.

In light of the above, I would request that the applicant be requested to provide the following additional information;

- Detailed information on the total number of cattle and times of year the livestock are to be housed.
- An odour impact assessment to identify and quantify the likely sources of emissions from the operation. The methodology for the assessment should be agreed in writing with this department prior to the assessment being undertaken. The assessment would also need to include an odour management plan, to demonstrate how odour will be controlled and managed on the site and incorporate a complaint investigation procedure.
- The odour impact assessment should also include a waste management plan detailing how waste will be adequately handled, stored and removed from site.
- Details of any proposed ventilation system/plant equipment associated with the building.