TCP/11/16(319)
Planning Application 14/01175/IPL – Erection of dwellinghouse (in principle), land 340 metres south east of Masterfield Farm, Dunning

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PAPERS SUBMITTED BY THE APPLICANT

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

MD403

27th August 2014

Dear Sirs,

Planning Application – Refs; 000098420 & 000098424
Masterfield Farm, Dunning, PH2 0QQ

We write in support of the above-noted applications for Local Review and would wish to highlight concerns in relation to the assessment of applications for planning consent (in principle) previously submitted and to which the former mentioned Local Review applications pertain.

During consultation with the planning officer assigned the applications it became apparent to both ourselves and to the Planning Consultant appointed by the applicant that a number of incorrectly founded perceptions have been formed by the planning officer, principally relating to the long term intentions of the applicant, our client, in their wish to build two dwelling houses for essential farm workers.

As all of the supporting documentation clearly states in order for the applicants to continue to operate their agricultural business they have been required to relocate the agricultural storage and operational centre for the business away from the existing dwellings within a new agricultural shed adjacent to the local access road. This is principally due to weight restrictions on an access bridge over a railway that forms the only possible access to the original farm buildings.

In consultation with the planning officer assessing the application it became apparent and indeed it was suggested that the newly built shed was not being operated by the applicant and that there was little or no agricultural activity in operation.

The applicant was clearly appalled that such an ill informed judgement has been made over both their intentions for the long term use of the site, as well as the suggestion that little or no agricultural business is operating from their farm.

We enclose a number of photographs with this letter which clearly demonstrate the full operational use of the agricultural shed at the core of the applicants agricultural business.

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MILL design LLP, incorporated in Scotland with Partnership Number SO301538. Registered Office: 3 Ponton Street . Edinburgh EH3 9QQ

It would appear that the planning officers suspicion over the long term wishes of the applicant over the proposed dwelling houses has allowed their judgement to become somewhat clouded and we would suggest that as a result a balanced determination of these applications will not be possible without seeking a Local Review of the applications.

Yours faithfully,

RICHARD WEBB
for MILL DESIGN LLP (Enc)

cc Messrs Patrick (+enc)
Arthur Stone Planning

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Tel: 01738 475300

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Email: onlineapps@pkc.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 000098420-001

The online ref number 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:	Mill Design LLP
Ref. Number:	
First Name: *	Richard
Last Name: *	Webb
Telephone Number: *	0131 226 5203
Extension Number:	
Mobile Number:	[redacted]
Fax Number:	
Email Address: *	[redacted]

You must enter a Building Name or Number, or both:*

Building Name:	The Mill House
Building Number:	21
Address 1 (Street): *	Buteland Road
Address 2:	Balerno
Town/City: *	Edinburgh
Country: *	UK
Postcode: *	EH14 7JJ

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

☑ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title: *	Mr	You must enter a Building Name or Number, or both:*	
Other Title:		Building Name:	Masterfield Farm
First Name: *	William R W	Building Number:	
Last Name: *	Patrick	Address 1 (Street): *	Dunning
Company/Organisation:		Address 2:	
Telephone Number:		Town/City: *	Perth
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	PH2 0QQ
Fax Number:			
Email Address:			

Site Address Details

Planning Authority: Perth and Kinross Council

Full postal address of the site (including postcode where available):

Address 1:	Masterfield Farm	Address 5:	
Address 2:	Dunning	Town/City/Settlement:	Perth
Address 3:		Post Code:	PH2 0QQ
Address 4:			

Please identify/describe the location of the site or sites.

Northing	716951	Easting	300815

Description of the Proposal

Please provide a description of the 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)

Proposed development of Plot 2 for 1no. new residential dwelling house to provide accommodation for essential farm workers on site. Plot 1 subject to separate application.

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 of 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 SEPARATE DOCUMENT WITHIN SUPPORTING DOCUMENTS SECTION

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made? * ☐ Yes ☑ No

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)

Planning Application Drawings;
403(90)004 - Proposed Site layout - Plot 2
403(90)102 - Context Plan
403(90)103 - Location Plan

Supporting Documents
Masterfield Farm - Justification Statement, Parts 1 & 2
Supporting Statement Summary
Photos of existing shed in use

Application Details

Please provide details of the application and decision.

What is the application reference number? * 14/01175/IPL

What date was the application submitted to the planning authority? * 01/07/14

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

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

Please select a further procedure *

Holding one or more hearing sessions on specific matters

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? * (Max 500 characters)

For reasons as stated in the supporting letter as included within the supporting documentation, we would welcome the opportunity to present to the Local Review body as we feel the application has been unfairly prejudiced due to the appointed officers ill founded suspicions about the applicants intentions for the proposed houses, ultimately resulting clouding the judgement of this application.

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

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:	Richard Webb
Declaration Date:	28/08/2014
Submission Date:	28/08/2014

KEY;

- Denotes planning application boundary line
- Denotes plot 1 subject to separate planning application

REV.	DESCRIPTION	DATE	DRN BY	CKD BY
B	Plan adjusted to include for Plot 1 application	27.06.14		
A	Key denoting boundary lines added Planning application boundary line adjusted	16.06.14		

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PROJECT
PROPOSED DWELLING HOUSES – MASTERFIELD FARM

TITLE
PROPOSED SITE LAYOUT – PLOT 2

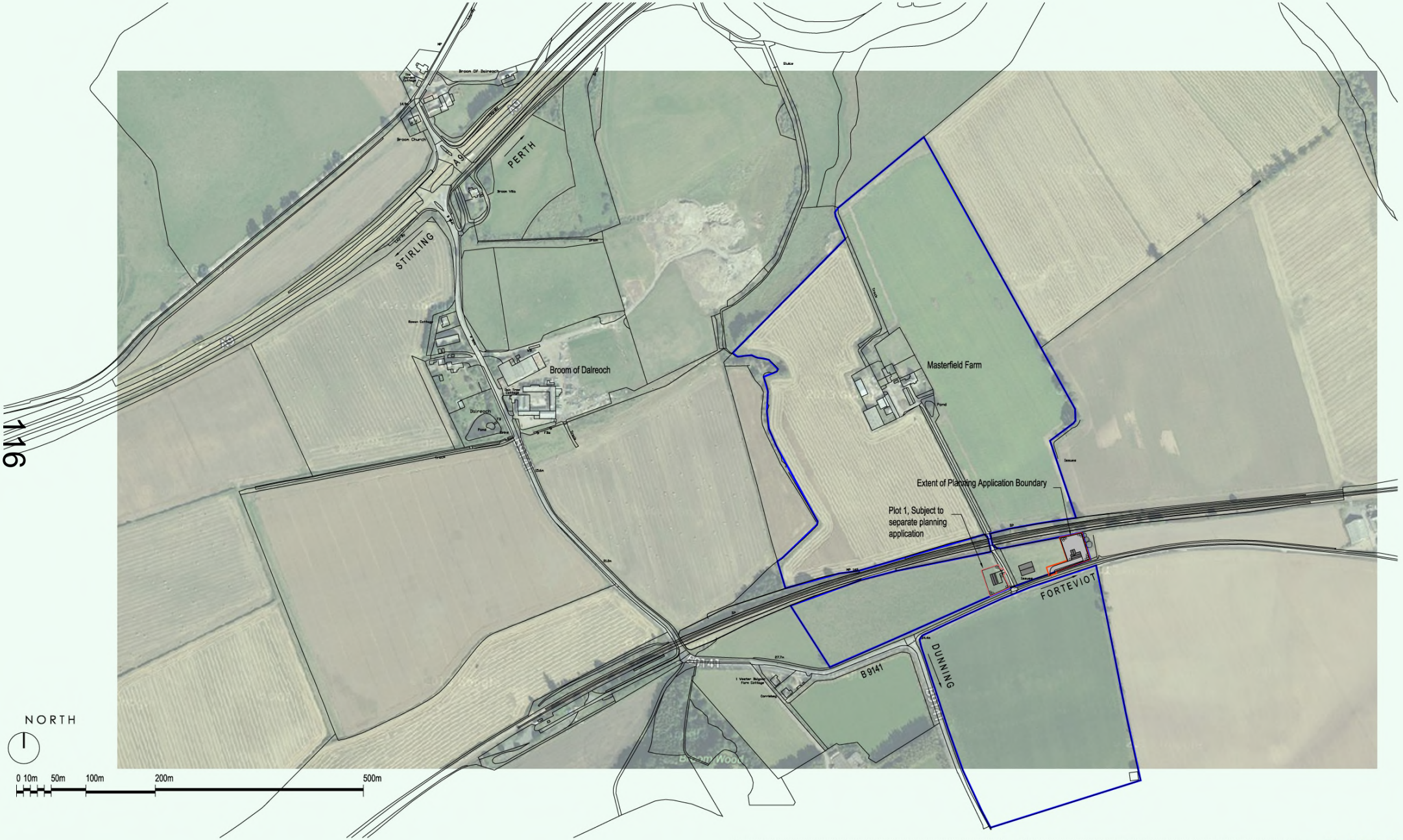
CLIENT
MESSRS PATRICK

JOB No.	DRAWING No.	REVISION
403	(90)004	B

SCALE	DRAWN BY	CHECKED BY
1:500 @ A2	RJW	

STATUS
OUTLINE PLANNING

DATE
MAY 2014



776

REV.	DESCRIPTION	DATE	DRN BY	CKD BY

PROJECT
PROPOSED DWELLING HOUSES – MASTEFIELD FARM

JOB No. RJW | DRAWING No. (90)102 | REVISION

TITLE
CONTEXT PLAN – PLOT 2

SCALE 1:5000 @ A3 | DRAWN BY RJW | CHECKED BY

CLIENT
Messrs Patrick

STATUS OUTLINE PLANNING | DATE JUNE 2014

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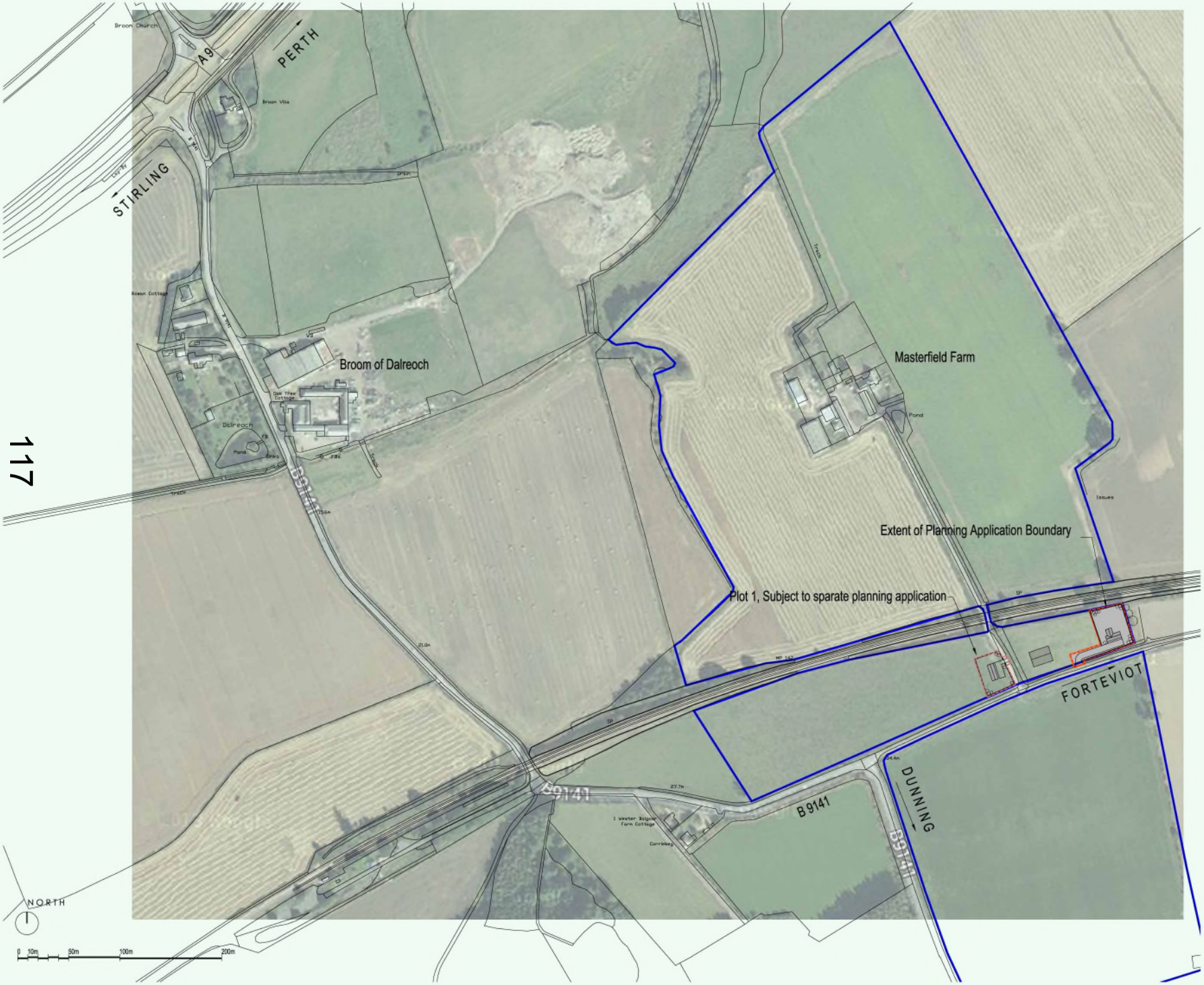
NOTES:



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PROJECT: PROPOSED DWELLING HOUSES – MASTERFIELD FARM

TITLE: LOCATION PLAN – PLOT 2

CLIENT: MESSRS PATRICK

JOB No.	DRAWING No.	REVISION
403	(90)103	A

SCALE	DRAWN BY	CHECKED BY
1:2500 @ A2	RJW	

STATUS: OUTLINE PLANNING — DATE: MAY 2014

ARTHUR STONE
PLANNING

Statement in Support of Agricultural Workers Dwellings (Plot 2)

Messers Patrick
Masterfield Farmhouse
Dunning,
Perthshire.
PH2 0QQ

Introduction

This application relates to an established agricultural business which is located at Masterfield, approximately 1.5 miles to the west of Dunning, Perthshire. The farm incorporates a total of 152 acres of land and is a mixture of grassland and cereal. The majority of cereals grown on the land are for resale and the remainder of the land is leased for agricultural grazing. The entire farm enterprise is run and managed by the Patrick family, Billy and William, who are father and son. The father currently resides in the main farmhouse whilst the son resides in an adjacent small cottage with his wife. The Patrick family have been in residence on the farm since 1991 and prior to that date farmed land at Balfron Farm.

The Proposal

This planning application seeks planning permission in principle for the provision of a new agricultural dwelling on Plot 2 at the abovenoted site. Plot 1 is subject to a separate planning application. The proposed dwelling house is for the applicants, Billy and Isabel Patrick and their daughter to reside. It is intended that this dwelling would be of a very modest size; a simple but traditionally designed single storey cottage, built purely to allow for the continued operation of the farm business. The applicants are more than agreeable to a condition attached to any consent that limits the occupation of the dwellings to that of essential farm workers.

The proposed dwelling by their nature will be modest additions to the surrounding working rural environment within which they will be located. This section of the report will briefly present the proposed design ethos behind the proposal, demonstrating the proposed massing, and materiality of the proposed dwellings for both plots 1 & 2.

Massing

Both of the proposed dwellings will be of a single storey construction reflecting the nature of small residential dwelling buildings prevalent within the area.

The dwelling to be located on plot 1 will have a gross internal floor area of approximately 100m², while the second dwelling to be located on plot 2 will have a slightly larger gross internal floor area of approximately 120m².

It is anticipated at this stage that the proposed eaves level for both dwellings will be at approximately 2.4m above ground floor level, while the anticipated ridge height levels will be at approximately 5.4m above ground floor level assuming an approximate 45ºroof pitch.

Materiality

The proposed dwellings will be designed to reflect the working rural environment within which the sites are bounded. A simple palette of materials will be used for the proposed external finishes of the dwellings with the extensive use of slate roofing

with elements of smooth render, indigenous timber cladding and selective areas of stone cladding used for the external walls.

Landscaping & Amenity

The proposed dwellings will be located within relatively large site boundaries ensuring that generous amenity space is afforded to each dwelling. Existing hedgerows that currently bound the sites to the east will be retained and enhanced with additional planting where appropriate and proposed hedgerow planting will be included to bound each site in their entirety. The existing tree planting to the eastern boundary of the second plot will be retained and selective new tree planting will be provided for within the boundaries of each plot.

Road Safety

It is proposed to provide a separate vehicular access for each dwellinghouse. The first would be located directly to the south of the existing access into Masterfield Farm. The second access point would be located approximately 70 metres to the north of the existing access into Masterfield Farm towards Forteviot. The existing (unclassified) public road does not generate a high volume of passing traffic. In addition, it is not anticipated that there would be any road safety concern created by the location of either access due to the sharp bend in the road to the north of the residential plots, which would naturally reduce the speed of oncoming traffic from that direction.

Photo 1: View of proposed location of second access point for residential plot

Water Supply

A new public water supply is available on the site. It is proposed to extend the existing electrical supply presently serving the farm to serve the new dwellings.

Proposed Method of Foul Treatment

The proposed dwelling houses will be supplied with waste water treatment tanks within the boundaries of each plot which will in turn feed in to a soakaway system, subject to the approval of SEPA.

Surface Water Drainage

Surface water drainage requirements for the modest roofs of the proposed dwellings will be served via polyester powder coated aluminium rainwater goods to separate surface water underground drainage which will in turn feed into existing field drain arrangements.

Flooding

The site is not located within a known flood area (SEPA, 2014) and therefore flood risk is not considered to be a planning constraint in this instance.

Justification for the New Dwellings

The need for 2 new residential units is based upon the requirement for the farm to relocate their existing agricultural business base, which includes a large agricultural storage shed, to a new location. In addition, land for the essential provision of a further agricultural shed of similar proportions to the existing has been integrated into the layout proposed and will form part of a separate application in the near future. This new site is located some 350 metres away from the existing base. The need to relocate the existing agricultural buildings is due to the existing agricultural buildings being in a state of disrepair and the poor condition of the existing vehicular access to the farm.

Photo 2: View of existing agricultural shed at Masterfield Farm.

The existing farm base at Masterfield, which includes the farmhouse, 2 farm cottages and various agricultural sheds, can only be accessed via a small, narrow single track bridge that crosses over the main railway line. This bridge has a maximum load capacity of 13 tonnes and is 3.6 metres wide at its widest point, which does not allow for modern farm traffic or any heavy loads to enter the site. This has resulted in the business being unable to keep up with modern farm practices or to continue to generate a workable income. In addition the business has found it almost impossible to expand as a result of this limitation.

Photo 3: View of existing vehicular bridge across railway looking west from public road

The applicants have explored the possibility of improving the condition of the existing bridge to allow for heavier and larger vehicles to cross it. However, given the age of the structure and the costs involved in its reconstruction it is considered that this would not be a financially viable solution.

In addition to the limitations put upon the business by the vehicular access, the existing agricultural sheds located at Masterfield are considered to have outlived their usefulness for agricultural purposes. The sheds are in a state of general disrepair and are unable to be efficiently used for modern agricultural purposes owing to their age and the condition of the walls and roofs.

As a result, the applicants have recently put substantial financial investment into a new, large agricultural shed which has been erected on land to the east of the existing farm (planning application reference 12/00350/FLL). Whilst the new site is only approximately 360 metres from the existing farm base it is crucially on the other side of the bridge and directly adjacent to the public (unclassified) road, which runs between the B9141 to Dunning and the B934 to Forteviot. The relocation of the shed now allows for work traffic to enter and exit the site easily, which enables the business to run far more efficiently.

The shed is used for the storage of grain and cereals and also holds various other important agricultural equipment, including portable grain drier, tractors, trailers etc. The applicants intend to relocate all their agricultural related goods/products to this location, which would include their storage of nitrogen fertiliser.

In order for the business to continue to generate an income there needs to be further investment made, which involves relocating their base completely from the existing farm site. The applicant intends to build a further agricultural shed of a similar size directly adjacent to their new shed on the new site in due course. In addition, and the subject of this application the applicant wishes to relocate both their existing residential units to be positioned directly adjacent to the shed(s).

The desire to live beside their new farm location is so as to efficiently run their business, to carry out late night/early morning labour requirements and to ensure a constant site presence for security purposes. It is considered that these matters could not be achieved from the existing farmhouse.

In order to generate the necessary income required to invest in the development of this new farm base, the applicants have gained planning consent to develop the existing agricultural sheds at the farm at Masterfields for 6 private residential units (planning reference no. 08/01650/FUL). The sale of these units and the farmhouse is currently under negotiation with a private seller. This effectively renders a working farm within that immediate area unviable due to potential conflicts and compromise between residential and agricultural operations e.g. the noise generated from grain drying and out of hours labour requirements.

Expansion of the need for On-Site Accommodation

The business has been owned by the same family for a number of years and the desire to live directly adjacent to the farm base is essential to the running of the business. If the staff taking the business decisions are not located at Masterfield the business could quickly reverse into a loss making business.

On site accommodation eliminates the need to travel to and from the farming unit. During peak working periods such as grain harvest period some of the farming preparations take place 24 hours a day. Residential workers on site are essential to conduct other aspects of running the farm business e.g. taking delivery of supplies such as seeds, feeds, fertilisers and chemicals and the loading of cereals, all of which can be at unsociable hours. Key employees should always be on site to cover for the other staff holidays.

Constant on site security is particularly important for the farm business given the high costs of the equipment and goods stored within the sheds. There have been many acts of theft and vandalism in recent years and the farm has been targeted by groups of youths in previous years leaving the owners of the land in a state of fear and stress. Clearly the more people living on site the greater deterrent there is.

Large quantities of nitrogen fertiliser are intended to be stored in the new farm base and farm and this must be stored in a safe and efficient manner with constant supervision in order to meet the relevant health and safety regulations.

Cereals such as barley or food products as such the farmer is required to prove due diligence under the food safety act. This means they must do everything within their power to ensure that food is free from foreign bodies and contamination. An on site presence enforces the business commitment to meeting this due diligence.

Visitors to farms can often arrive unannounced. If no one is present then there is an opportunity for people to cause undue harm to themselves. The farm operated dangerous machinery and combines. Visitors often are not aware of the dangers of these and approach unaware.

Location of New House

When considering the options for the new housing site the applicant was aware of the need to provide an acceptable residential environment in which to operate their farm business whilst ensuring that any new buildings would integrate sympathetically into the landscape. In addition, they sought to avoid sites that were isolated from existing building or established landscape features.

It is proposed to provide a separate vehicular access for each dwellinghouse. The first would be taken directly from the existing farm access track to Masterfield Farm along its western edge. The second access point would be located approximately 70 metres to the east of the existing farm access into Masterfield Farm. The location of these access points takes cognisance of current Designing Streets guidance for clear visibility splays of a minimum of 2.5m x 70m in both directions from the point of access.

All land in the ownership of the applicants to the west of the bridge access was considered to be unsuitable for the relocation of the farm business, as it would have similar vehicular access concerns to the existing farm. For that reason locating new housing in that area was automatically ruled out.

Photo 4: View from the residential plot illustrating landscape backdrop (tree belt) to east of public road

In considering other site options, preference was given to this particular site as it would have a visual connection to the newly erected farm building and the additional shed intended also to be erected here, forming a visual group. This would avoid isolated development and would enable the proposed houses to sit alongside the shed, crucially providing constant surveillance.

Photo 5: View of existing agricultural shed adjacent to public road

In addition, the mature trees and steep slope of the fields to the rear (east) would form a strong backdrop for these buildings such that anybody viewing the site from the public road (dual carriageway) to the west would view this development against a strong landscape feature.

Photo 6: View of site for new residential plot from public road

The undulating topography surrounding the site also means that it is largely hidden from public view and the visual impact would be predominantly limited to passing views on the public road. Beyond the existing Mastefriield Farm and Farm Cottages,

the nearest residential property is Wester Balgour to the east, which is surrounded by trees. The site is not visible form this property owing to the topography of the land and is only very briefly visible from the public road on the sky line, when driving on the unclassified road towards the B9141. When travelling towards the A9 road via the B9141, passing views would again be largely limited as a result of the existing hedge that runs parallel to the road on the boundary of the field.

The site incorporates established mature trees on the northern boundary effectively screening much of the development from public view on the road (dual carriageway) from the north. The boundaries of the site are largely defined by established mature beech hedging which allows the buildings to integrate sympathetically with the local landscape from the outset. There are considered to be no other sites within the surrounding area to provide all these benefits.

There are various examples of new build residential properties' that have been sited adjacent to the public roadside that specifically relate to rural and agricultural businesses. Examples of these builds are illustrated in Appendix 1. This demonstrates a clear precedent for locating new business related dwellings adjacent to public roads where they can be easily accessed and can practically manage the surrounding land.

As illustrated by the aerial land map in Appendix 2, the surrounding area is a rural, working landscape and should not be maintained as a 'ramblers paradise'. The location of this business adjacent to the public roadside is key to the business's survival and continuing expansion, which is considered to be the principal material consideration in the assessment of this proposal given that all other alternative options have been considered by the applicants. .

Assessment of the Proposal Against the Housing in the Countryside Policy

The Council's policies relating to new housing in the countryside are set out in the newly adopted Perth and Kinross Local Development Plan (2014) under Policy RD3 and the Housing in the Countryside Guide 2012. These documents are supported by national policy, SPP (2010) PAN 72 and PAN 68.

Essentially these documents require the applicant(s) to demonstrate that there is an essential need for any new residential unit(s) on the site and where this is approved their occupation must be limited to that of an essential worker(s).

As discussed throughout this report, the applicant intends to relocate their existing farm base to a site approximately 350 metres to the east of Masterfield, adjacent to the public road. The need to relocate the business is due to the substandard nature of the existing farm site, which can only be accessed via a narrow bridge and does not allow for modern farm traffic or any heavy loads to enter the site. This has resulted in the business being unable to continue to generate a workable income and has substantially limited the growth of the business.

The applicants have recently erected a substantial agricultural shed on this new site from which to base their farm business. They also intend to erect a further shed so they are able to fully relocate all their farm machinery and operations to this site in due course. In order to generate the income for this they have gained planning permission to redevelop their existing agricultural sheds at Masterfields to form 6 private residential units, which is currently being negotiated for purchase.

The desire to live directly beside their new farm location is so as to efficiently run their business, to carry out late night/early morning labour requirements and to ensure a constant site presence for security purposes. It is considered that these matters could not be achieved from the existing farm unit where the existing residences are located.

It should also be noted that the existing farmhouse, currently inhabited by the applicant Billy Patrick, is in need of substantial works to adapt it to a more habitable standard. The property has no central heating and is generally in a state of disrepair, having had little maintenance conducted over the past 20 years. The property would require a substantial degree of finance in order to improve this situation. The cottage currently inhabited by the applicant's son, William Patrick, and his wife and family is one bedroom and is not in a location that could be easily expanded. The farm business also owns a further cottage directly adjacent to the farmhouse, which is rented to a long term tenant.

Specific reference is made in Perth and Kinross's housing in the countryside guide, Item H of the siting criteria, which states the need to avoid locating residential properties on a working farm where they will not achieve a satisfactory residential environment. Conversely, there needs to be assurance that the location does not compromise the existing farming activities.

As discussed in the previous section of this report, it is considered that the approval of planning consent for the redevelopment of the existing agricultural sheds at Masterfield effectively makes the operation of the existing farm business from this area unviable as it would create a conflict between the residential units and an agricultural use. This would relate to the general farm operations, which generate high levels of noise and farm traffic, all of which can be conducted during unsociable hours. Likewise, complaints from residential properties regarding farming operations can compromise the running of the business.

APPENDIX 1


B8062


iPad
13:10
57%
Station Rd
Station Rd


B9141


©2009 Google


Simon Howie
B934

APPENDIX 2


Bunning Burn
Muir Wood
B9141
Broom Wood
River Earn
Marshall's Garden Machinery
River Earn

This local review relates to Masterfield Farm a well established agricultural business approximately 1.5 miles to the west of Dunning, Perthshire. The farm incorporates a total of 152 acres of land and predominantly farms cereals for resale. The entire farm enterprise is run and managed by the Patrick family, Billy and William, who are father and son. The Patrick family have been in residence on the farm for approximately 25 years and prior to that date farmed land on a farm at Balfron.

Farming has been at the heart of this family for generations passing from father to son as is common practice within the industry. It is therefore so important for landowners in the agricultural sector to consider appropriate succession planning to allow individual skills and good practice to be passed down from father to son ensuring a smooth transition from one farming generation to another. This is why it is vital that there continues to be two operational farm dwellings at Masterfield to allow both farming partners to continue to live and work at Masterfield as although Mr Patrick junior now has more physical strength and ability to complete most of the heavier farm activities necessary, Mr Patrick senior has a wealth of knowledge and understanding of the industry which is a crucial component of the day to day operation and management of the farm. Indeed, Scottish Planning Policy (2014) seeks to encourage rural businesses to modernise and grow as part of a wider framework to protect rural communities and encourage young people to live in rural locations, build lives and develop business in rural areas.

The need for two new residential units adjacent to the existing new farm shed (grain store and dryer) alongside to the public road (Dunning to Forteviot) is based upon the requirement for the working farm to relocate their existing agricultural business base to a new location as the current farm hub is located some 360 metres away from the public road and can only be accessed via a small, narrow single track bridge that crosses over the main railway line. This bridge has a maximum load capacity of 13 tonnes and is 3.6 metres wide at its widest point, which does not allow for modern farm traffic or any heavy loads to enter the site to allow delivery or uplift of goods. This has resulted in the business being unable to keep up with modern farm practices or to continue to generate a workable income. In addition the business has found it almost impossible to expand successfully as a result of this limitation.

As a result, the applicants have recently put substantial financial investment into a new, large agricultural shed which has been erected on land to the east of the existing farm adjacent to the public road (planning application reference 12/00350/FLL). The shed is used for the storage of grain and cereals and also holds various other important agricultural equipment, including a portable grain drier. The applicants intend to relocate all their agricultural related goods/products to this location and build a 2nd shed to do this.

Whilst the new site is only approximately 360 metres from the existing farm base it is crucially on the other side of the bridge and directly adjacent to the public (unclassified) road, which runs between the B9141 to Dunning and the B934 to Forteviot. The relocation of the shed now allows for work traffic to enter and exit the site easily, which enables the business to run far more efficiently although there is no human presence to carry out late night/early morning labour requirements and to ensure a constant site presence for security purposes. Therefore most of the expensive equipment and vehicles are currently stored at the existing farm hub on the other side of the bridge thus separating the farm activities and substantially reducing site security.

In order to generate the necessary income required to invest in the development of this new farm base, the applicants have gained planning consent to develop the existing dilapidated agricultural sheds and the farmhouse at the farm at Masterfields to be converted into 6 private residential units (planning reference no. 08/01650/FUL). The sale of this redundant site and the farmhouse is currently under negotiation with a private seller.

Importantly, when the previous application for the agricultural shed, adjacent to the road (12/00350/FLL), was approved there were no concerns raised as to the visual impact on the rural setting. Indeed there were no conditions attached to the consent to incorporate landscaping around the shed to soften its impact. This was because it was rightly recognised to be located within a working farm landscape and was operationally essential to the continued running of the farm. The two housing sites proposed on either side of the existing agricultural shed are also essential to the continued operational viability of the farm and it is common practice to have farm dwellings directly adjacent to farm buildings. They would never be sold separately from the farm. In addition they would only be single storey height, with ridge heights below the existing farm building. These dwellings would soften the overall impact of the shed by stepping the rooflines down and introducing soft landscaping around the site boundaries by planting trees and bushes which would have a positive impact on the visual amenity of this countryside setting thus improving the existing surrounding rural scene. In addition, it is considered to be good planning practice in terms of visual amenity to cluster farm related buildings together rather than have individual isolated developments around the land where possible, thus limiting the overall impact on the landscape. The applicants would be more than happy to have appropriate landscaping conditions attached to any consent and intend to submit full landscaping details as part of a future detailed application.

In conclusion, these proposals for two agricultural dwellinghouses adjacent to the new farm hub for Masterfield Farm are an essential component in the continued success in the modernising of this rural business. We ask that members consider the economic stability and indeed future growth of this longstanding farming enterprise and allow for the essential succession planning required for the business to be successfully handed from one generation to another over the next 10 years. The applicants would be more than happy to invite members to a site visit to clarify the unusual nature of the farm layout and to demonstrate the essential requirement for these proposals for two single storey, modest agricultural workers dwellings at Masterfield Farm.

Planning Application – Refs; 000098420 & 000098424
Masterfield Farm, Dunning, PH2 0QQ

Photographic Evidence of Agricultural Business Use at Shed adjacent to Plots 1 & 2

View of shed from West;
Loading of grain lorry with grain harvested and stored within shed

MILL design LLP . **Chris Duncan** . **Richard Webb** The Mill House . Buteland Road . Balerno . Edinburgh . EH14 7JJ
t. 0131 226 5203 e. admin@mill-design.co.uk VAT No: 869 4657 58

MILL design LLP, incorporated in Scotland with Partnership Number SO301538. Registered Office: 3 Ponton Street . Edinburgh EH3 9QQ

View of shed from West;
Loading of grain lorry with grain harvested and stored within shed

View of shed from West;
Grain drying equipment

View of shed from West;
Grain storage within shed

MILL design LLP . **Chris Duncan** . **Richard Webb** The Mill House . Buteland Road . Balerno . Edinburgh . EH14 7JJ
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TCP/11/16(319)
Planning Application 14/01175/IPL – Erection of dwellinghouse (in principle), land 340 metres south east of Masterfield Farm, Dunning

REPORT OF HANDLING

REFERENCE DOCUMENTS *(included in applicant's submission, see pages 115-133)*

REPORT OF HANDLING FOR LOCAL REVIEW BODY

PLANNING REF: 14/01175/IPL

LRB REF: TCP/11/16 (319)

PROPOSAL: Erection of a dwellinghouse (in principle)

LOCATION: Land 340 Metres South East Of Masterfield Farm Dunning

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: 4 August 2014

SITE PHOTOGRAPHS

BACKGROUND AND PLANNING HISTORY

This application relates to the existing farming operation at Masterfield Farm, located 2.4 km south of Bankfoot. The site identified is an area of land on the edge of a field measuring approximately 1280 sqm in size, situated 340m to the south east of the existing buildings at Masterfield Farm. The site bound to south by the un-classified public road, to north by the Perth to Glasgow railway line, and to the east and west lies open farm land. To the west of the site the applicant has recently constructed a new farm building (Ref: 12/00350/FLL).

At present the farm is apparently operated by the applicant and his son from the existing buildings at Masterfield, which comprises of a farmhouse, two farm cottages and various farm buildings. The applicant and his wife presently reside in the main farmhouse, whilst the son and his wife reside in one of the adjacent farm cottages. The remaining farm cottage is rented to a long term tenant. It is noted at time of assessing this application that the main farmhouse is for sale.

In 2008 the applicant submitted an application for the redevelopment of the farm buildings at Masterfield to provide 6 houses, excluding the farmhouse and cottages (Ref: 08/01650/FLL). This application is presently recommended for approval but pending decision subject to the conclusion of a Section 75 legal agreement relating to the payment of affordable housing and education contribution. At the time of submission the supporting information submitted with this application stated that the farmland at Masterfield was farmed remotely by a third party and that the existing farm buildings were redundant as they were no longer fit for purpose due to their poor state of repair. It was also identified at this stage that the existing bridge over the railway has a 13 tonne limit which impacted severely on the viability of the farm business.

In 2011 an application was submitted for the erection of a new farm building on land to the south of Masterfield Farm, located at the junction of a private access to the farm with the unclassified public road (Ref: 11/02074/FLL). This application was refused on the grounds of visual impact due to its exposed location, remote from the existing farm buildings at Masterfield. A further application was then submitted in 2012 with additional supporting information which identified the need for the building due to the weight restrictions on the railway bridge (Ref: 12/00350/FLL). It was also outlined that the building would be ideally positioned to provide adequate security from the existing farmhouse and cottage. On the basis of this supporting information the application was approved and the farm building has since been erected.

It is important to note that during the assessment of the above applications for the residential development or the new farm building, the applicant made no reference to the potential relocation of the entire farming operation or the erection of any new houses.

DESCRIPTION OF PROPOSAL

Planning permission in principle is being for the erection of a new house on open farm land to the east of the recently constructed farm building. The indicative plans are relatively basic, showing a house positioned centrally within the site with access taken from the existing private access to the east. The supporting statement suggests that the house will be of a modest scale with an approximate footprint of 120sqm, traditionally designed and finished to reflect the surrounding rural environment.

At time of considering this application the applicant's son is also seeking planning permission in principle for the erection of a new farmhouse to the west of the recently constructed farm building. (Ref: 14/01027/IPL).

SITE HISTORY

None

PRE-APPLICATION CONSULTATION

No pre-application consultation undertaken.

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, 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 was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The 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 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.

OTHER POLICIES

Housing in the Countryside Guide (2012)

Developer Contributions Guide (November 2012)

Transport Infrastructure Developer Contributions Guide 2014

CONSULTATION RESPONSES

Education And Children's Services
As this application is only “in principle” it is not possible to provide a definitive answer at this stage however it should be noted that the Developer Contributions Policy would apply to all new residential units with the exception of those outlined in the policy. The determination of appropriate contribution, if required, will be based on the status of the school when the full application is received.

Scottish Water
No objection

Environmental Health
No objection subject to conditions

REPRESENTATIONS

No representations received

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	Submitted
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

As the site lies within the landward area within the adopted Local Development Plan 2014, the proposal falls to be principally considered against *Policy RD3: Housing in the Countryside* and its associated SPG on Housing in the Countryside, which is the most recent expression of Council policy towards new housing in the open countryside.

In this particular instance, it is considered that the proposed site fails to comply with any of the accepted categories of development (1) Building Groups (2) Infill Sites (3) New Houses in the Open Countryside (4) Renovation of Replacement of Houses (5) Conversion of Replacement of Redundant Non-Domestic Buildings or (6) Rural Brownfield Land.

It is therefore considered that, in principle, the proposed site fails to comply with the requirements of Policy RD3 and the associated Housing in the Countryside Guide 2012.

- *New Houses in the Open Countryside – Economic Activity*

The applicant has outlined in the supporting statement that they are now proposing to relocate the entire farming operation at Masterfield and this new house is required for in order to assist their son in the operation of the farm business and to help provide 24 hour security to prevent theft and vandalism. However in the first instance I am not convinced as to the justification for this proposed house.

The supporting statement outlines that there is a requirement for new houses for both applicant and his son in order to operate the existing farming operations but it is not entirely clear as to extent of his role in the business and given the small size of the farm holding I would question whether the existing farm operation would require the presence of two units, in addition to the current 3 and proposed 6. The supporting statement does not provide any specific detail regarding the actual size of the farming operation or the number of labour units required to operate the business. It is also noted that during the 2012 application for the new farm building, the supporting information stated that the applicant's son has taken over the operation of the farm business. It

would therefore appear that the applicant's involvement in the overall operation of the farm is very limited.

In any case, the applicant presently resides with his wife in the main farmhouse located just 340m to the north west of the application site which is considered close enough to continue supporting his son in the operation of the farm. I note the supporting statement identifies that the main farmhouse is in need of costly refurbishment work to bring it up to modern living standards but no detailed condition report has been submitted to substantiate this claim.

However, notwithstanding the above, all proposals for new houses must satisfy the siting criteria outlined in category 3 of the Housing in the Countryside Guide 2012. This criterion outlines that a new house site must be able to demonstrate that it uses an identifiable site, with long established boundaries which must separate the site naturally from the surrounding ground (e.g. a dry stone dyke, a hedge at minimum height of one metre, a woodland or group of mature trees, or a slope forming an immediate backdrop to the site). It also further states that the sub-division of a field or other land artificially, for example by post and wire fence or newly planted hedge or tree belt in order to create the site, will not be acceptable.

In this instance the site is a completely open area of farm land in the corner of a field that lacks any form of mature boundaries asides from the hedge row along the eastern boundary. The site will therefore result in the subdivision of an existing field artificially with the planting of a new hedge along the north, south and west boundaries. As such, the site cannot meet the requirements of the siting criteria and therefore fails to comply with the *Policy RD3: Housing in the Countryside* and its associated SPG on Housing in the Countryside.

I must highlight that the Planning Authority's decision to approve the erection of the recently constructed farm building on the land adjacent to the proposed site was based entirely on assisting the existing farming operations that are presently based at Masterfield Farm and at no point was any indication given to the applicant that the relocation of the entire farm business, including the erection of any new houses, would be supported. The previous Officer's concerns raised during the initial refusal of the 2011 application for the farm building on the adjacent land should have been a strong indication of the Planning Authority's concerns regarding the visual impact of development on this site.

Developer Contributions

In terms of the approved Developer Contributions Guide 2012 and the Transport Infrastructure Developer Contributions Guide 2014, as this application is only "in principle" it is not possible to apply these contribution guidance documents at this stage. If approved conditions must therefore be applied to ensure that any future application for the detailed proposals fully complies with the requirements of both the SPG's.

Economic Impact

The approval of this application would be of limited economic benefit but it may help support a locally based construction firm and potentially provide work for local contractors.

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 does not comply with the approved TAYplan 2012 and the adopted Local Development Plan 2014, specifically in regards to *Policy RD3: Housing in the Countryside* and its associated SPG on Housing in the Countryside. 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

This application was not determined within the statutory determination period, hence the reason for the appeal on non-determination to the LRB. However it should be noted that prior to the target determination date (31st August) the applicant's agent was advised verbally that the application was to be refused and that the report had been completed. On being advised of this the agent requested that the Officer delayed the determination of the application until the 28th August in order to allow the agent sufficient time to contact their client to discuss the possibility of withdrawing the application. This request was verbally accepted by the Officer but without any further communication the agent then opted to appeal the application on non-determination.

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 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 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 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

Date of Report 16.09.2014

TCP/11/16(319)
Planning Application 14/01175/IPL – Erection of dwellinghouse (in principle), land 340 metres south east of Masterfield Farm, Dunning

REPRESENTATIONS

- Representation from Contributions Officer, dated 18 July 2014
- Representation from Regulatory Services Manager, dated 5 August 2014
- Representation from Transport Planning, 8 August 2014
- Agent's comments on the Report of Handling

INTERNAL CONSULTATION ON PLANNING APPLICATION

PERTH & KINROSS COUNCIL
Planning & Development

To:	**Development Management**
From:	**Euan McLaughlin**
Date:	**18 July 2014**
Planning Reference:	**14/01175/IPL**
Description of Proposal:	**Erection of dwellinghouse (in principle) Land 340 Metres South East Of Masterfield Farm Dunning for Mr William R Patrick**

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.

Primary Education

With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increase 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 Dunning Primary School.

As this application is only "in principle" it is not possible to provide a definitive answer at this stage however it should be noted that the Developer Contributions Policy would apply to all new residential units with the exception of those outlined in the policy. The determination of appropriate contribution, if required, will be based on the status of the school when the full application is received.

Transport Infrastructure

With reference to the above planning application the Council Transport Infrastructure Development Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.

The application falls within the identified Transport Infrastructure Supplementary Guidance boundary and a condition to reflect this should be attached to any planning application granted.

Contacts

The main point of contact for enquiries relating to the interpretation of developer contributions will be the Development Negotiations Officer:

Euan McLaughlin
Tel: 01738 475381
Email: emclaughlin@pkc.gov.uk

If your query specifically relates to the provision of affordable housing please contact the Council's Affordable Housing Enabler:

Stuart McLaren
Tel: 01738 476405
Email: sjmclaren@pkc.gov.uk

M e m o r a n d u m

To	Development Quality Manager	From	Regulatory Services Manager
Your ref	14/01175/IPL	Our ref	NK
Date	5 August 2014	Tel No	(01738) 476 444

The Environment Service **Pullar House, 35 Kinnoull Street, Perth PH1 5GD**

Consultation on an application for Planning Permission
PK14/01175/IPL RE: Erection of dwellinghouse (in principle) Land 340 Metres South East Of Masterfield Farm Dunning for Mr William R Patrick

I refer to your letter dated 16 July 2014 in connection with the above application and have the following comments to make

Environmental Health (assessment date 8 August 2014)

Recommendation
I have no objection in principle to the application.

Comments
The applicant wishes to erect a dwellinghouse in very close proximity to the railway line leading to Gleneagles Station. There is a potential for noise issues from rail traffic to affect future residents of this site. An identical application 14/01027/IPL has been submitted by the applicant for a dwellinghouse on the plot of land to the east of this site.

I would advise that future residents could not fail to be aware of rail noise, particularly during the night-time period or when outdoors.

It is understood that the property will remain within the ownership of the applicant proposing the development as a necessary part of the expansion of the existing farm business.

Due to the removal of the ability to place an occupancy condition on the property I see no other conditions that can be raised by Environmental Health.

Contaminated Land (assessment date – 26/06/2014)

Recommendation

An inspection of the proposed development site did not raise any real concerns, although there is a railway land to north of the site, and former railway land to the south which could have potentially resulted in ground contamination. A watching brief during redevelopment is required therefore I recommend the following condition be applied to the application.

Condition

The Council shall be immediately notified in writing if any ground contamination is found during construction of the development, and thereafter a scheme to deal with the

contamination shall be submitted to, and agreed in writing by, the Council as Planning Authority. The scheme shall include a full timetable for the reclamation measures proposed. Verification shall be provided by the applicant or his agent, on completion, that reclamation has been undertaken in accordance with, and to the standard specified in, the agreed reclamation scheme.

NK.

PERTH & KINROSS COUNCIL

The Environment Service

M E M O R A N D U M

To	**David Niven Planning Officer**	**From**	**Niall Moran Transport Planning Officer Transport Planning**
Our ref:	**NM**	**Tel No.**	**Ext 76512**
Your ref:	**14/01175/IPL**	**Date**	**8 August 2014**

Pullar House, 35 Kinnoull Street, Perth, PH1 5GD

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 & ROADS (SCOTLAND) ACT 1984

With reference to the application 14/01175/IPL for planning consent for:- **Erection of dwellinghouse (in principle) Land 340 Metres South East Of Masterfield Farm Dunning for Mr William R Patrick**

Insofar as the Roads matters are concerned I do not object to the proposed development provided the conditions indicated below are applied, in the interests of pedestrian and traffic safety.

- Prior to the occupation or use of the approved development the vehicular access shall be formed in accordance with specification Type B, Fig 5.6 access detail to the satisfaction of the Planning Authority.

- Prior to the occupation or use of the approved development turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear.

- Prior to the occupation or use of the approved development a minimum of 2 No. car parking spaces shall be provided within the site.

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.

I trust these comments are of assistance.

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

30 September 2014

Arthur Stone Planning

Dear Sirs,

Planning Application – Refs; 14/01027/IPL and 14/01175/IPL

Masterfield Farm, Dunning, PH2 0QQ

We write in response to the documents submitted by the planning officer in relation to the above local review planning applications. Please see attached statement, photomontages and diary extracts.

We would stress again the importance of a local review site visit to allow councillors to fully grasp the unusual layout of the existing farmland and buildings. We look forward to hearing from you regarding a suitable date.

Kind regards,

Alison Arthur

Arthur Stone Planning LLP

24 Friar Street

Perth

PH2 0ED

Tel 07855538906

ARTHUR STONE

PLANNING

Statement in Response to Perth & Kinross Council's Report to the Local Review Body

for

The Erection of an Agricultural Workers Dwellinghouse

14/01175/IPL

and

14/01027/IPL

Messers Patrick

Masterfield Farmhouse

Dunning,
Perthshire.

PH2 0QQ

This is a statement in response to Perth and Kinross' report to the Local Review Body in respect of the proposed application made on behalf of Mr and Mrs Patrick for the erection of an agricultural dwellinghouse at Masterfield Farm, Dunning.

Throughout the Officer's report to the Local Review Body it is clear that there is a general mistrust that Masterfield Farm is a legitimate agricultural business that relies on both Mr Patrick and his son for its operation. The Report insinuates that there was no indication given by the applicant that it was intended to relocate the farm to the site of the new agricultural shed and as a result, the Report concludes that there is considered to be no justification for the new dwellinghouse for agricultural purposes.

It should be noted that at no point during the determination of the planning application did the Planning Officer request any further information of the proposal in terms of what is produced by the farm and the specific roles of the father and son in the business. The first communication from the planning officer was following a request for an update on its progress from the Agent, at which point he was informed that the application was being put forward for refusal.

Whilst information has been provided in the initial supporting statement submitted alongside the planning application it is requested that the Councillor's take the following information into account when assessing this proposal.

Farming Operation at Masterfield

Masterfield farm enterprise is run and managed by the Patrick family; Billy and William who are father and son. There are no other staff employed by the business. The farm incorporates a total of 152 acres of land and produces 100 acres of barley at approximately 3 ton per acre and approximately 8 straw bales per acre. The remainder is farmed for the production of vegetables including carrots at 50 tonnes per acre, potatoes at 30 tonnes per acre and turnips at 60 tonnes per acre. (These weights are approximate.)

In addition to farming their own land, William Patrick (Son) supplements the farm's income in a further rural enterprise by carrying out contracting work with A Bayne & Son of Drumness, which includes planting, carting and harvesting of above vegetable products. During this time William Patrick can be working away from home for up to 6 weeks during march/April then again up to 6 weeks during September/October. William Patrick also carries verge and hedge cutting in the surrounding areas and also 1 week hedge cutting in West Fife.

The above information clearly illustrates that the agricultural business at Masterfield is a legitimate and busy working farm with a significant crop production, supplemented by additional agricultural contracting work carried out by William Patrick. Further evidence of the farm's production and outputs (by the way of sales invoices etc) can be provided should there be any further queries as to the validity of the business.

It should be noted that the applicants intend to expand production should planning permission be granted for this agricultural dwellinghouse.

Division of Labour at Masterfield

Whilst William Patrick (Son) carries out the majority of the physical, labour intensive work on the farm Billy Patrick (Father) carries out all the day to day management of the farm business, the general farm maintenance and during the times when William is carrying out contracting work and during the busy periods of harvest, Billy also carries out the more physical elements of the job. This can include moving grain from the field to the shed and balling work.

As a specific example, during the Spring period William Patrick carries out sowing work whilst Billy Patrick then completes the rolling. Throughout the year William Patrick spreads fertiliser and sprays crops to keep them healthy and growing whilst William carries all the ploughing. As supplementary evidence to the work carried out on the farm on a daily basis, Annex A provides exerts from William's diary from various part of the year and the farming work that he is regularly involved in.

The above information clearly illustrates that both Father and Son work as a team to run this business and with no other members of staff employed on the farm, the day to day operations could not be carried out without both family members working together. William Patrick would also be unable to carry out his other rural business (of contract work), which supplements the farm's income should Billy Patrick not be an integral part of the business.

For a period of time in 2012 Billy Patrick suffered from serious ill health and was forced to take a step back from the business. However, Billy Patrick has now recovered and is once again fully involved in the running and managing of the farm with his son.

Relocation of the Farming Unit

The new agricultural shed was required to be built in its current location in order to continue to operate the farm business. The limitations put upon the business by the vehicular access and the dilapidated condition of the existing agricultural steading/storage sheds located at Masterfield placed a severe strain on the business, which could not be sustained were the farm to survive. A planning application for the conversion of the steading/sheds to 6no. residential units was approved (subject to the conclusion of a legal agreement) in 2009 whilst the new agricultural shed was approved by the Council in 2012. The finances raised by the sale of the former agricultural sheds facilitated the building of the new shed.

The Council's Report to the LRB makes reference to a concern from the Planning Officer that the applicant '*made no reference to the relocation of the entire farming operation or the erection of any new houses*' during the assessment of the planning application for the new agricultural shed. In addition, the Case Officer advises *that 'the Planning Authority's decision to approve the erection of the new agricultural shed was based entirely on assisting the farming operations that were based at Masterfield Farm*'.

Given that the Council acknowledged and agreed that the existing agricultural sheds at Masterfield were unsuitable for use by the farm by approving planning permission for their redevelopment for residential use in 2009 and subsequently approved the erection of a new shed in the new location in 2012, it does not seem fathomable that the Council were not fully aware of the intention of the applicant to relocate the farm base. Should the Council have not been supportive of the new location for the farm buildings then it would seem logical that it would not have agreed this approval.

In addition, it would not be good practice to expand the farm business adjacent to the site to be converted/redeveloped to 6no. residential units given that this could raise amenity concerns in relation to farming operations at unsociable hours of the day/night.

It should be noted that the proposal for the dwellinghouse was not submitted at that time due to the serious ill health of William Patrick, who for a period of time was forced to take a step back from the business. However, time has progressed and Mr Patrick has now recovered and taken up his active role in the business once again. In order to secure the continued survival of the business and to ensure its ability to expand the applicant requires to continue to relocate the business into a more accessible location adjacent to the base created by the new agricultural shed base.

Use of the New Agricultural Shed

Following the applicant's discussions with the Planning Officer, it is clear that there is some concern whether the new agricultural shed is in farming use. Comments were made and concerns were raised during a telephone conversation that the shed did not contain any grain during the Planning Officer's site visit and that weeds were growing around the building.

It should be noted that during harvest time agricultural sheds are filled and emptied on a continuous basis depending upon the end destination for the product as per normal farm practices. Following this year's harvest the shed is now full of grain. The Officer's comments in regards to weeds are considered to be totally irrelevant.

As noted above, the new agricultural shed is the new base for the farm unit at Masterfield. The shed is used for the storage of grain and cereals and following the completion of the sale of the former sheds at Masterfield, will hold various other important agricultural equipment, including portable grain drier, tractors, trailers etc. The applicant will relocate all their agricultural related goods/products to this location, which includes their storage of nitrogen fertiliser. As previously noted, the relocation of the shed now allows for work traffic to enter and exit the site easily, which enables the business to run far more efficiently and seek further expansion. The applicant intends to build a further agricultural shed of a similar size directly adjacent to their new shed on the new site in due course.

Security

As noted above, the new agricultural shed will contain all equipment and agricultural equipment used and owned by the farm in addition to the crops produced. This will include grain drier, tractors, trailers and the storage of their nitrogen fertiliser.

Whilst the Case Officer's report to the Local Review Body advises that the existing property occupied by the applicant is only 340m north west of the shed site, which is considered to be *'close enough'* to support his son in the operation of the farm, this does not take into account the practical shortcomings of the residence and farming unit being in different positions. From this distance it would not be possible to provide any adequate security for the shed and its now essential contents, which form the entire make up and operation of the farm. Movement in and around the shed could not possibly be detected from this distance, which has financial implications for the farm's insurance costs.

As noted in the initial supplementary statement provided alongside this application, constant on site security is imperative for the farm business given the high costs of the equipment and goods stored within the sheds. There have been many acts of theft and vandalism, including the attempted theft of their tractor in recent years and the farm has been targeted by groups of youths in previous years leaving the owners of the land in a state of fear and stress. Clearly the more people living on site the greater deterrent there is. In addition, large quantities of nitrogen fertiliser are intended to be stored in the new farm base and farm and this must be stored in a safe and efficient manner with constant supervision in order to meet the relevant health and safety regulations.

The desire to live beside their new farm location is also so as to efficiently run their business and to carry out late night/early morning labour requirements, which could not be achieved from the existing farmhouse.

Visual Amenity

The Case Officer's report raises concerns regarding the visual amenity implications of a new house on the site on several occasions. The report appears to illustrate some concern that the plans submitted are ''*relatively basic*'' and concludes in the 2nd reason for refusal that *''… the proposed development would not contribute positively to the quality of the surrounding built and natural environment''.*

The very nature of an application for planning permission in principle is to establish the principle of the proposal. As such, limited information on the positioning and design of the proposed dwellinghouse was provided with the application. This was accepted without question and validated by Perth and Kinross Council on receipt of the application. Should the Officer concerned have wished to have been provided with further details of the design etc of the proposed dwellinghouse this could have easily been provided during the planning application process. However, no contact was made with the Agent throughout the determination of the application. It is questionable, therefore, how the Planning Officer came to this particular and very specific conclusion with only limited and '*basic*' information provided when the policy referred to in the reason for refusal relates to 'Placemaking' (Policy PM1A, Perth and Kinross Local Development Plan, February 2014).

In view of the Planning Officer's comments and in order to further inform the Local Review Body a number of visual interpretations of how the site might appear should planning permission be approved have been provided in Appendix 2 of this report. These montages illustrate that the size and scale of the building is entirely subordinate to the existing agricultural shed, would be sympathetic to the natural farm boundaries and surrounding landscape and would barely be visible at the most important vantage points as identified.

The report also makes reference to the new agricultural building and the Planning Authorities initial concerns over its siting. The Case Officer advises that in 2011 the Council refused an application for the now erected agricultural shed (11/02074/FLL) on the grounds of visual impact due to its exposed location remote from the other farm buildings at Masterfield.

However, in a subsequent application for the same building on the same site, any visual amenity concerns have been completely discounted and the application was approved in 2012 (12/00350/FLL). The reason for approving this application was based on additional information provided by the applicant which identified the problems with the proposed access/railway bridge restrictions and the economic requirement for the shed. Given that the strong initial objections the Council had to approving the agricultural shed were set aside for economic and access issues it would seem logical that these arguments are also completely relevant for the erection of this dwellinghouse on the same site and that the Council's concerns should be similarly set aside. It would also seem illogical that the erection of a dwellinghouse would create such a visual intrusion on the site when the agricultural shed approved by the Planning Authority in 2012 has already introduced a (far larger and more dominant) building to the landscape.

In this instance the Council's concerns appear to be completely at odds with their earlier views on the matter and there appears to be a lack of continuity or consistency in the way in which the planning applications are being handled.

Economic Impact

The Planning Officer's report to the Local review Body makes no mention of the economic impact of this planning application or its potential refusal. Indeed the only mention made in the report advises that the approval of this application would be of *''limited economic benefit but may help support a locally based construction firm and potentially provide work for local contractors''*.

It is considered that this statement reflects the Planning Officer's complete misunderstanding or possible misinterpretation of the purpose of this application; that being the applicant's need to live beside their new farm location for work purposes, so as to sustain and efficiently run their family business and to provide essential on site security. It should be noted that the contents of the shed at present is in the region of £100,000 and without this on site security the contents are in danger of theft and vandalism.

Should planning permission be granted the farming enterprise would intend to rent additional land to expand production and purchase larger machinery and equipment to assist in efficiency; all of which contributes to the local economy during a time of economic recovery. However, the consequences of

planning consent not being provided on this site would limit the ability of the farm business to expand and would ultimately result in the applicant's having no choice other than to sell the farm and cease production. This issue has not been addressed to any extent by the Council's report to the Local Review Body.

Additional Points to be Addressed

William Patrick, his wife and 2 children (a boy and a girl) currently live in the tiny 2 bed cottage alongside the existing farmhouse. As the children get older this is becoming unbearable for the family being so cramped and due to the position of the cottage alongside the dilapidated steading buildings there is not an appropriate way to extend the property satisfactorily. Therefore the family desperately require a modest 3 bed home to allow for their growing family.

No mention of Transportation's favourable recommendation for approval has been provided in the planning officers report.

It should be noted that the site is located south of Dunning and not Bankfoot as identified in the Report by the Case Officer.

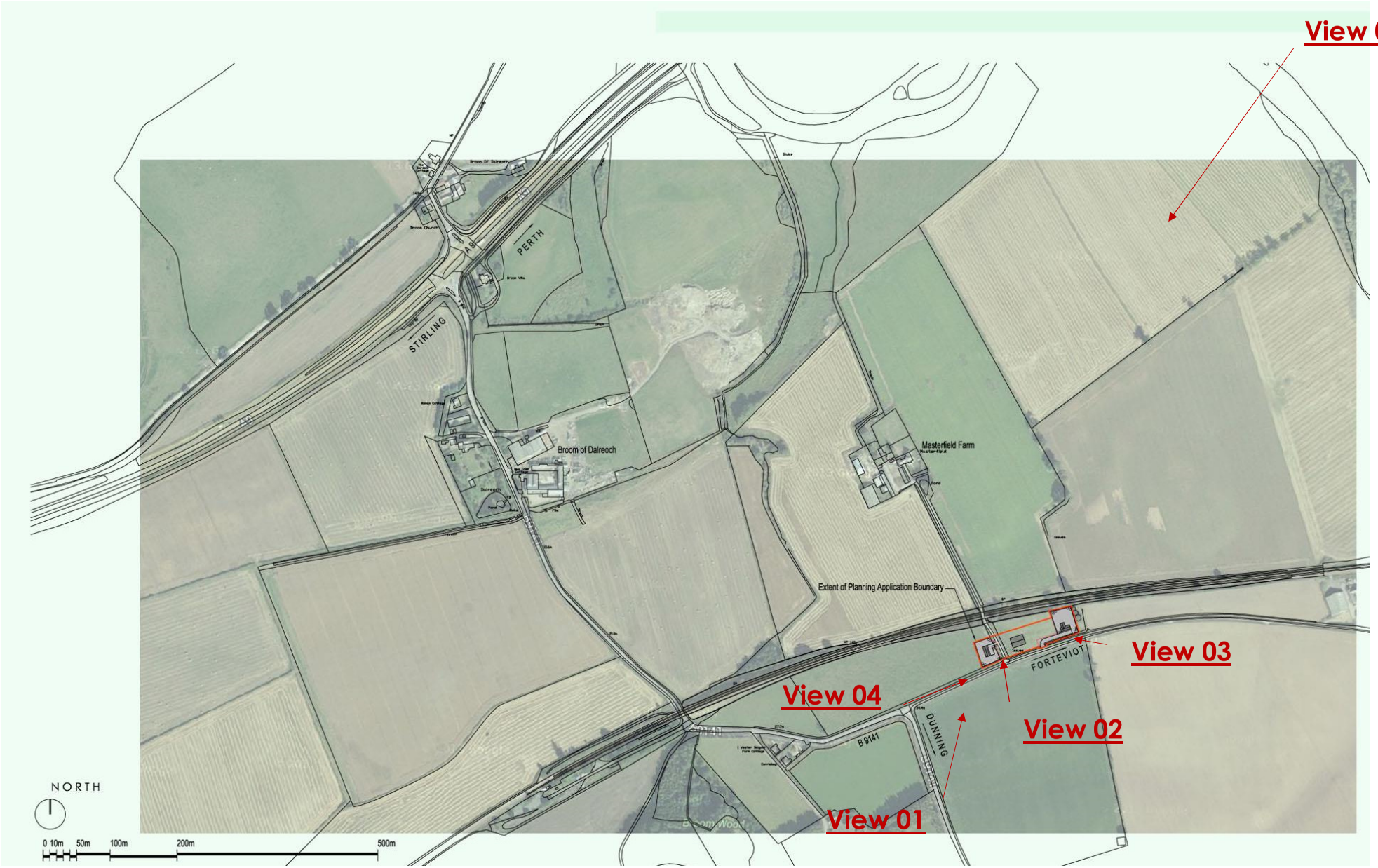
The Planning Officer raises a concern that the current farm business would necessarily requires the presence of 2 further residential units ''in addition to the current 3 and proposed 6''. Councillor's should note that the 6 residential units referred to here relate to the conversion of the existing agricultural sheds/steading buildings that were approved by the Planning Authority in 2009. Of the farming unit itself, 1 one bed unit is leased to a long term tenant in order to supplement the farm's income, a further property located adjacent to the steadings is currently occupied by William Patrick and his family and the main farmhouse is occupied by Billy Patrick and his wife. Should the planning application be successful, the applicant intends to sell the main farmhouse and lease William Patrick's small property in order to generate further funds to invest in the farm business.

Conclusion

Farming has been at the heart of this family for generations and the Patrick family are a very respected, well established part of the local farming community. The practice of father and son working together to run the farm is common practice within the industry. It is therefore so important for landowners in the agricultural sector to consider appropriate succession planning to allow individual skills and good practice to be passed down from father to son ensuring a smooth transition from one farming generation to another. This is why it is vital that there continues to be two operational farm dwellings at Masterfield to allow both farming partners to continue to live and work at Masterfield as although Mr Patrick junior now has more physical strength and ability to complete

most of the heavier farm activities necessary, Mr Patrick senior has a wealth of knowledge and understanding of the industry which is a crucial component of the day to day operation and management of the farm. Indeed, Scottish Planning Policy (2014) seeks to encourage rural businesses to modernise and grow as part of a wider framework to protect rural communities and encourage young people to live in rural locations, build lives and develop business in rural areas. The Patricks would ask that councillors consider the vital nature of these proposals in terms of economic viability, security, visual amenity, relocation of the farm hub and use of the new agricultural shed to allow their farm business to continue to thrive and grow in what is quickly becoming a more and more competitive market in which modernisation and forward planning are the key to the continuing viability of this well established family business as part of the wider local farming community. All matters considered, we respectfully ask that the applications for two modest, essential farm workers dwellings at Masterfield Farm be approved to support the vital relocation of this farm business unit and to allow the Patrick family to continue making a valuable contribution within this rural community.

Masterfield Farm, Dunning, PH2 0QQ – Proposed Massing Photomontage



Location of Viewpoints

MILL design LLP . **Chris Duncan** . **Richard Webb** The Mill House . Buteland Road . Balerno . Edinburgh . EH14 7JJ
t. 0131 226 5203 e. admin@mill-design.co.uk VAT No: 869 4657 58
MILL design LLP, incorporated in Scotland with Partnership Number SO301538. Registered Office: 3 Ponton Street . Edinburgh EH3 9QQ

DESIGN MILL architects urban designers

Masterfield Farm, Dunning, PH2 0QQ – Proposed Massing Photomontage

View 01

Looking towards sites from south west on Road B9141 Dunning to Dalreoch

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Masterfield Farm, Dunning, PH2 0QQ – Proposed Massing Photomontage

View 02

Looking towards sites from south on Unamed Road Dalreoch to Forteviot

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Masterfield Farm, Dunning, PH2 0QQ – Proposed Massing Photomontage

View 03

Looking towards Plot 2 from south east on Unamed Road Dalreoch – Forteviot

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Masterfield Farm, Dunning, PH2 0QQ – Proposed Massing Photomontage

View 04

Looking towards Plot 1 from south west on Road B9141 Dunning – Dalreoch

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Masterfield Farm, Dunning, PH2 0QQ – Proposed Massing Photomontage

View 05

Looking towards sites from north east on A9 Southbound

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DESIGN MILL architects urban designers

25 Monday — Late Summer Holiday (UK)

Combining.

26 Tuesday

Combining + Baling

Move grain from bottom shed to top shed

27 Wednesday

Finish 80 acre

Start Mast field

Combine Brecklan

30 tons grain away from top shed

28 Thursday

Dry Barley

Grease Dryer

Tidy Caunstre

AUGUST

F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S
01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24

M	T	W	T	F	S	S
25	26	27	28	29	30	31

Friday **29**

pick up spade from > Atkin

90 bales up to top of road for Gavin.

Saturday **30**

Catching bales - 192 rowed up for J. Petrie
171 in shed for Gavin.

Sunday **31**

finish Combining barley + baling.

To do

SEPTEMBER

M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T
01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30

1 Monday

Sam Kyle 3 x 72 boxes to Bardeth.

row up Boxes in top yard for long

put rest of Cocoa boxes in shed to be moved up to top shed when empty.

2 Tuesday

Combine wheat
Store in old Steading

3 Wednesday

finish wheat. 60 tonnes in old steading

Combine at Strow

4 Thursday

Start Drying Barley 4 kilns (24 tonnes) put in top shed

Load Grain bag from new shed = 30 tn
fill new shed from grain pile in old steading

Friday **5**

Dry Barley

Cart 24 tonnes up to Grain Store from old Steading
Dry + bring back down as grain store full.

Dryer breakdown move dryer to old Steading for repair - Set back up again

Saturday **6**

Dry Barley - 30 tonnes up to Dryer from bottom shed - Dry cart back down.

Sunday **7**

finish Barley remainder Dryed + back to bottom shed
Start wheat

Bring Dryer down to Clean out - wash + Set up at grain shed again

To do

SEPTEMBER

M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T
01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30

OCTOBER

W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F
01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31

8 Monday

Dry wheat - once dryed store in dc Steadley

Subsoil west field

9 Tuesday

finish Drying wheat

tidy up Dyer + yard

put on hedger

10 Wednesday

67 wheat Straw

~~16~~ 9 hrs hedges at Kirkbridge

11 Thursday

12½ hrs hedges at Kirkbridge

Friday **12**

12½ hrs @ Kirkbridge

Saturday **13**

10½ hrs @ Kirkbridge

Sunday **14**

Bring cows home

Meet Uncle William at Safari Park with hedger

To do

CHX Planning Local Review Body - Generic Email Account

From: Allie <allie.waite@yahoo.co.uk>
Sent: 01 October 2014 13:49
To: CHX Planning Local Review Body - Generic Email Account
Subject: Fwd: 14/01175/IPL and 14/01027/IPL Masterfield Farm Dunning applicants statement

Dear Ms Taylor,

Please could you include the following statement from the applicants themselves (Jen Patrick) within our submission for the two applications for local review as detailed above.

To aid the future development of our farm we plan to set up a livery on site at the top of the road adjacent to the existing shed and proposed houses.
We did look into this back in 2009/10 when we put in for permission for the shed but for various reasons including the unsustainable location of the farm buildings and the poor access across the railway bridge we put our diversification plans on hold until such time as a solution to these issues came about. We have a full Business Plan for the livery with all relevant correspondence, including letters, quotes & plans, also details of the SRDP RDC Grant we would be entitled to help with costs.
Once this is up and running it will provide even more work for Both Billy and Patrick and would generate 2 additional rural jobs. The relocation of the farm unit adjacent to the road with safe access for 4x4s pulling horse boxes without going across the weak railway bridge is vital to achieving this further business development and to allow our farm to remain competitive in the modern market. We are not asking to build large houses in extensive grounds but ask that we can build these two small houses adjacent to our farm building for our family to be able to sustain and build on our livelihood on the family farm. Without these houses we would not be able to remain on the farm as the farmhouse is now sold as part of the approved steading development and the 2 bedrooms workers cottage is not fit for a growing family of four. This would make the day to day running of our farm impossible and the security of our vehicles and machinery and the storage of grain etc at risk. We ask that councillors please take note of these issues and we would be happy to answer any questions.