

LRB-2023-06
22/01046/FLL – Erection of a dwellinghouse, land 360 metres south east of 4 Middlebank Holding, Errol

INDEX

- (a) Papers submitted by the Applicant (***Pages 359-454***)
- (b) Decision Notice (***Pages 377-378***)
 - Report of Handling (***Pages 379-388***)
 - Reference Documents (***Pages 397-404 and 429-454***)
- (c) Representations (***Pages 457-470***)

LRB-2023-06

**22/01046/FLL – Erection of a dwellinghouse, land 360
metres south east of 4 Middlebank Holding, Errol**

**PAPERS SUBMITTED
BY THE
APPLICANT**



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

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

Thank you for completing this application form:

ONLINE REFERENCE 100615070-001

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

Applicant or Agent Details

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

☒ Applicant ☐ Agent

Applicant Details

Please enter Applicant details

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

Site Address Details

Planning Authority:

Perth and Kinross Council

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

Address 1:

MIDDLEBANK FARM

Address 2:

ERROL

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

PERTH

Post Code:

PH2 7SX

Please identify/describe the location of the site or sites

Northing

727374

Easting

325755

Description of Proposal

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

In relation to 22/01046/FLL proposed new build Farmhouse at Oakfield Farm - decision to be looked at by LRB

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? * <input checked="" type="checkbox"/> Refusal Notice. <input type="checkbox"/> Grant of permission with Conditions imposed. <input type="checkbox"/> No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.							
<h3>Statement of reasons for seeking review</h3> <p>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)</p> <p>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.</p> <p>You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.</p> <div style="border: 1px solid black; padding: 5px; min-height: 60px;"> See supporting documents - Oakfield Supporting Statement Appeal </div>							
Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 							
If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters) <div style="border: 1px solid black; height: 60px; margin-top: 5px;"></div>							
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) <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> Appendix 1 Planning Decision Appendix 2 Report of Handling Appendix 3 Justification & Labour Report Appendix 4 Turkey Hours Appendix 5 Housing in the countryside policy overview Appendix 7 Attendance certificate Appendix 9 Stock figures, summary & projection Appendix 10 Land Offer Appendix 15 Balance Sheet App.16 QMS </div>							
<h3>Application Details</h3> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Please provide the application reference no. given to you by your planning authority for your previous application.</td> <td style="width: 40%; border: 1px solid black; padding: 5px;">22/01046/FLL</td> </tr> <tr> <td>What date was the application submitted to the planning authority? *</td> <td style="border: 1px solid black; padding: 5px;">08/06/2022</td> </tr> <tr> <td>What date was the decision issued by the planning authority? *</td> <td style="border: 1px solid black; padding: 5px;">17/01/2023</td> </tr> </table>		Please provide the application reference no. given to you by your planning authority for your previous application.	22/01046/FLL	What date was the application submitted to the planning authority? *	08/06/2022	What date was the decision issued by the planning authority? *	17/01/2023
Please provide the application reference no. given to you by your planning authority for your previous application.	22/01046/FLL						
What date was the application submitted to the planning authority? *	08/06/2022						
What date was the decision issued by the planning authority? *	17/01/2023						

Review Procedure

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

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

☒ Yes ☐ No

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

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

☐ Yes ☒ No

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

☒ Yes ☐ No

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

May be sheep grazing in field with locked gate, prior notice to move stock would be beneficial

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: Mrs Tessa Sands

Declaration Date: 27/01/2023

Erection of a dwelling house at Oakfield Farm, Errol

Planning Appeal

February 2023



Photograph 1: The Sands Family selling Oakfield Farm produce on their stand at Perth Farmers Market, December 2022

Contents

Introduction	Page 3
Oakfield Farming Enterprise & Finances	Page 4
The Applicants	Page 5
Proposed House Site Selection & Design	Page 6-7
Justification & Need for a Permanent Dwelling	Page 8
Overview of Decision to Refuse Consent	Page 9-10
Conclusion	Page 11
List of supporting documents	Page 12



Image 1: Oakfield Free Range Turkeys in the mixed woodland on the farm

Introduction

The applicants Mr and Mrs Sands propose to build a house on their farm, Oakfield. The farm was purchased in 2021 by Mr and Mrs Sands after searching for over 4 years for a permanent base for their already existing farming business. A planning application for a dwelling house was submitted in 2022 (reference 22/01046/FLL) and has been refused. This document, its attached appendices and the completed Notice of Review form, comprises the appeal correspondence.

Oakfield is a 35 acre block of ground that was originally two lots that made up Middlebank Farm, the lots were all sold off individually. Oakfield provides a permanent base and a site where all of the stock can be based for lambing, provides an area for a permanent sheep handling system, has a workshop for repairing equipment and a safe and secure place to store feed, equipment and machinery.

Since purchasing the land the applicants have invested heavily in Oakfield farm, replacing the whole boundary fences (over 3000m) to make it stock proof, have reinstated the field drains to allow for less waterlogging in the fields, they have re-sown around 50% of the grass, planted over 900 beech hedging plants to provide shelter belts for livestock and encourage wildlife throughout the farm, they have also built two general purpose agricultural sheds on site (planning reference 22/00356/FLL).

Michael Sands has been farming for the past 12 years; he started his own business with 40 sheep and has been building it up over the years. Michael and his wife Tessa now farm in excess of 500 sheep and are in year 4 of producing 200 free range oven ready turkeys. This is a well-established, profitable business that has now been trading at Oakfield since the end of 2021.

The Sands family, Michael, Tessa and their two young children, currently reside in a mobile home on site at Oakfield to allow for the day to day running of the business. This was approved by PKC for a 24 month time period, planning reference 21/02258/FLL. It is our understanding from correspondence with the Planning Officer that there are no concerns or issues with the principle of this application for a dwelling on this site to support the business but that the application is felt to be 'premature'. This is a very unique case presenting prior the 2-3 year time frame they 'like' to see, still falling within all of the policy guidelines and due to being a re-located established business we are of the belief that this consent should be granted.

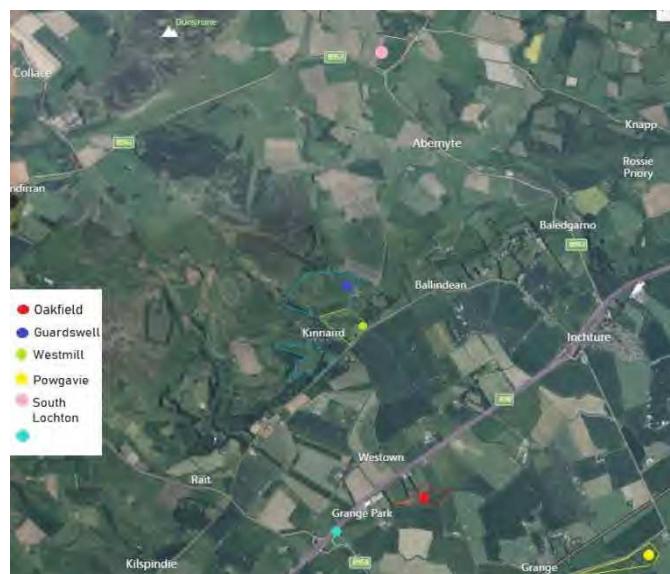


Photograph 2: General Purpose Agricultural Sheds being constructed at Oakfield

Oakfield Farming Enterprise & Finances

Oakfield is a 35 acre unit on Non Less Favourable Agricultural ground based between Perth and Dundee. The farm is in permanent grassland with mature trees around the perimeter. In addition to the land at Oakfield the applicants rent seasonal grazing land locally, this is not uncommon in a farming enterprise. Oakfield Farm is a permanent base for the farming enterprise; the farm provides permanent year-round grazing, fields for making hay/silage for self-sufficient stock feed, a base for storing all equipment (quad bike, trailers etc), a workshop for carrying out repairs, a shed for storing feeding in bedding in bulk and a turkey rearing/lambing shed.

All sheep are brought back to Oakfield for lambing time and health checks, vaccinations etc. as well as grazing some of the stock year round at Oakfield. The remaining stock is grazed on rented ground, shown on map, with Oakfield being centrally located.



The farming business is well established and has been a viable farming enterprise for the past 12 years, with both the applicants wishing to have a permanently future on this farm to sustain the farm and promote any future business growth. As a result, the Applicants have identified the need to build a farmhouse to support their established and growing agricultural business. Michael and Tessa farm in excess of 500 blackface/mule sheep and are now up to 200 free range Kelly Bronze, oven ready, turkeys which they have been increasing over the past four years. The turkeys come onto Oakfield as day old chicks where they are reared for around 6 months to reach full maturity before being humanly slaughtered, hand packaged and sold for a premium price, the applicants sell to The House of Bruar, some local butchers and sell directly to the public off the farm. The business is registered with the PKC as a producer of food and have annual inspections and are also approved Quality Meat Scotland Producers (appendix 16).

The business' approved accounts for the past five years were submitted to the planning officer produced by a Peter Young at Morris and Young, a qualified accountant, these accounts show the business to be making a healthy profit annually and show the business to be financially viable. As this is a partnership business run by the applicants with no outside employees the accounts don't have any reference to wages/salary, however a cash flow sheet (appendix 15) showing £1000/month as 'personal drawings' to show that the business can provide a 'wage', this also shows the business' current financials as the yearend is March 2023. The business is on a very strong footing with no borrowing or debt, often the biggest overhead/ expenditure for a farming business, this allowing for continual investment in the farm. A standard agricultural wage/hourly rate is a hard thing to put a figure on as self-employed farmers income/profit/loss will fluctuate extensively year on year depending on many factors, meaning farms are not always profitable. The fact this business has been running for 12 years making a profit each year and growing stock numbers and stock value is a strong shows it is a credit to the applicants and proof the business is financially sound and economically viable.

The Applicants

Mr and Mrs Sands are both eager young farmers, they were both brought up into the farming families and met through The Young Farmers Association, both in their early 30's and have both worked in the agricultural industry for many years. Tessa has worked in the seed potato industry across the UK and Australia for the past 11 years alongside assisting with the marketing and book-keeping for their farming business, since moving to Oakfield Tessa has given up her career in potatoes and is now assisting Michael running the farming enterprise as well as raising their two young children. Michael has been a keen sheep farmer in the local area for the past 12 years; he started his own farming enterprise and has built this up over the years investing some profits back into the business year on year allowing for the expansion and growth of the business.

The couple have been trying to secure a permanent base for their farming enterprise for over four years, when this opportunity came up Mr and Mrs Sands took the bold move to sell their family home and move into a mobile home on site to get Oakfield up and running. The Sands family spent the first couple of winter months living at Oakfield in the mobile home using an external petrol generator while they awaited a mains power connection, while also lambing their substantial sheep flock on this site. These showing the determination and commitment the couple have for making their farming business a success. The family have settled into the local area where the children attend local nursery/groups and by being granted consent for a permanent dwelling it would allow the family a further sense of security.

Mr and Mrs Sands have met the criteria as 'Young Farmers' to be able to claim entitlements via The National Reserve by The Scottish Agricultural and Rural Economy Directorate, Rural Payments and Inspections Division, the applicants will complete a Single Application Form annually to enable them to gain financial support for the farming business at Oakfield, however they will be subject to random inspections on their stock and farming practice. Mr and Mrs Sands have also been granted funding via The Small Farm Grant scheme, they submitted a lengthy, complex application where they met the identified objectives and cost benefits to the business by building a general purpose agricultural shed on this site. This grant awarded is in excess of £24,000, a clause in the grant is that should the applicants no longer farm Oakfield in the next three years the grant has to be paid back in full, this showing the long term commitment to this site. Tessa also attended a personal development programme in November 2022 funded by The Scottish government (appendix 7). These factor all showing The Scottish Government supports the applicants and is investing time and money into their business on this site.



Image 3: The Sands Family dosing a batch of their sheep

Proposed House Site Selection & Design



Image 4: An artist impression of Oakfield Farmhouse

The proposed house site on Oakfield is on a secluded site flanked by rising farmland to the North and mature tree belts to the East, West and South. This site was chosen for many reasons, including:

- The site sits out with identified flood zones (*image below*),
- It is a centrally located site within the farm, sitting 160m East of the agricultural sheds, with good visibility over the farm,
- The house will not be visible from any public roads (*image to right*) showing different angles into proposed house site,
- As the mobile home sits adjacent to the site there is an existing access track, water connection and electricity supply to the site,



As this will be the principle and only house on Oakfield Farm the design of the house is of a high standard using traditional, local reclaimed materials (stone and slate), the design is in keeping with houses in the surrounding area and it is not imposing. The proposed house is kept at a 1.5storey with limited dormers to give the farm house cottage look.

The applicants have a young, expanding, family and have designed the house to meet their needs, a farm office to support the needs of the business, an en-suite bedroom for their live in au-pair, secure covered garage for vehicles as rural crime is on the rise and a large utility with access to a WC to keep this out of the main living space. Prior to the purchase of Oakfield the applicants owned a dwelling that they had lovingly restored over a 5 year period, this was a 5 bedroom 1.5 storey dwelling so the design of the house is not dissimilar in size and style to what the family have previously resided in.

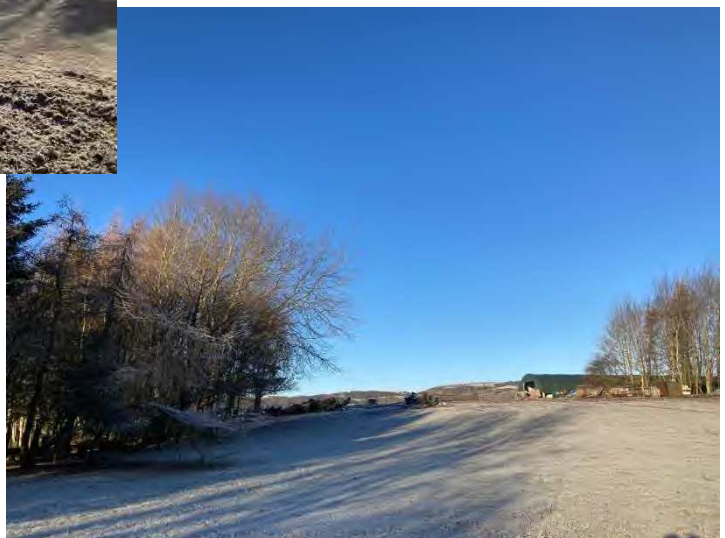
Back in 2018 the applicants tried to purchase land adjacent to their home, even with a fairly substantial offer the applicants were unsuccessful and have been looking and actively offering on local farms/small holdings ever since but unfortunately have never been successful, hence the route of now buying land and building, (appendix 10 showing offer to purchase land in 2018).

In the Report of Handling, the Planning Officer notes that he has no objections to the proposed house site or design of the house “In isolation, the design of the dwelling is of a high standard with the use of quality finishes”, “The landscape setting of the dwelling also is acceptable, sandwiched between two areas of existing tree belts”.



Proposed House Site Images 5 & 6 –

Facing South (left) & North (below)



Justification & Need for a Permanent Dwelling

A Justification & Labour Profile Report (Appendix 3) was produced by Emma Shepherd, Farm and Transport Solutions, an Agricultural Consultant who has experience in doing labour reports for livestock farms, including sheep and turkey farms. The application is based on a genuine need for a new house in the countryside and we understand that proposals for these will be considered favourably where they fall into at least one of the indicated categories. The proposed Farmhouse application sits in Category - 3.3 Economic Activity. The applicants have had an agricultural holding number for the past 12 years and have been fully committed to quickly establishing Oakfield holding since its purchase in 2021, from which time they have been actively farming the land. The agricultural labour assessment, based on their current agricultural holding, prepared by Farm & Transport Solutions, is appended in support of the application. As noted within labour assessment report and business overview, animal welfare is paramount and the labour is required to manage the livestock and farmland on a daily basis. The labour profile calculation carried out by the Farm & Transport Solutions clearly demonstrates the business currently has a total labour requirement of 2,051.00 hours/annum - the equivalent of 1.1 standard labour units in order to operate. This report was calculated on the basis of what stock could permanently graze on Oakfield and concluded that there was a justifiable requirement for a house at Oakfield Farm with 1.1 Labour Units, the Council's threshold for a justifiable requirement for a house is 1.0 Labour Unit, which this application clearly meets. The applicants actual stock figures (500 sheep) are nearly double the stock figure on the Justification Report and the turkeys have increased by an additional 50 turkeys since this report was done, so the farm meets well above the required units.

The Council also appear to share the view that there is justification for a house on the farm, having granted consent to put a mobile/temporary home on the farm to support the agricultural business. Whilst the temporary house does currently allow the applicants to provide their sheep/turkeys with round the clock care and also maintain a security presence on the farm, the very nature of the lodge means that the living conditions are very cramped for a family of four (and two working sheep dogs) as it was designed for holiday use not long-term occupation. There is also no space to create a farm office. Due to the nature of farming and non-typical working hours the family have previously had a live in au-pair to assist with child care at peak times such as lambing and the lead up to Christmas with turkey preparation which they are currently unable to have which is putting strain on some aspects of day to day life.



Image 7: The mobile home on site that the applicants reside in

Overview of Decision to Refuse Consent

The decision to refuse the planning application is entirely based on one Planning Officers view and interpretation of The Planning Policies and the farming business running on Oakfield Farm. From the correspondence with The Planning Officer it is our understanding he has no concerns with the principle of this application just that in his opinion it is premature and hasn't demonstrated it is both economically viable and financially sound, therefore is contrary to section 3.3 of PKC Supplementary Guidance on Housing in the Countryside 2020.

It is also noted that in some instances, the Planning Officer has critically analysed key information/ reports which we feel are out with his area of expertise, such as the Justification Report and the Business Accounts. The Planning Officer doubts the validity of the Justification and Labour Report, this is disappointing. An independent qualified Agricultural Consultant with knowledge in the Economic Activity, in this case turkey and sheep farming enterprises, who is an expert in their field, was employed to take a thorough look at the farming business and complete a Labour Unit report upon their findings. What is the point of getting such a report should this be questioned by the Planning Officer who is not an expert in the agricultural industry? This Justification and Labour Report objectively reported that there is a requirement for a 1.1 Labour Units, 0.10 units over the Councils black and white threshold. 455 of these hours were allocated for turkey hours, as Kelly Bronze free range turkeys are not standard birds a table with details hours was provided (appendix 4) to show the breakdown of hours, as previously mentioned the applicants have since increased the flock by 50 birds, now totalling 200 turkeys on Oakfield so this figure has now increased.

The farm business is on a very strong footing with no debt and has proved to be making a good profit, considering the large amount of investments the applicants have been making on the farm with the erection of two new sheds, significant fencing and field drainage. There is no black and white rule in any policy to what a required profit of a business should be; it is open to personal interpretation if a business is financially viable or not. Unfortunately in the agricultural industry incomes/outgoings fluctuate hugely depending on weather, feed/fertiliser costs, disease etc. There are many large scale farms that will make significant profit one year and a significant loss the next, sadly it is just the nature of the industry. The applicant have shown a steady profit over the last 12 years which given the volatility of farming is a huge feat.

In the report of handling the Planning Officer expresses his opinion "Without evidence that the business can pay the wages of at least one worker then it is challenging to say the business is established, secure and sustainable." Since trading from Oakfield the applicant have submitted accounts showing they can withdraw £1000/month from the business as a 'wage' which given the investments since the purchase in 2021 is a fair wage, this will of course increase over time as the vast majority of construction of 'the farm' have been done which will allow for more significant profits year on year. The 2023-24 stock value (the value of all of the stock currently owned by the business) which is sitting with an aggregate value of herd plus the stock is £37,390 at April 2022 as against £34,757 at April 2021, showing as well as business profit the livestock asset continues to grow. This all showing that this farming business based at this location is financially sound.

The Planning Officer also notes "It is perhaps unfortunate that the Council does not have a set timeline for when a 'new' business moves into being an established one, purely in terms of 'years

earned' on site however a typical timeline of in excess of 2-3 years (with associated onsite accommodation in use) is normally seen as good starting point"

Firstly this is not a 'new' business, it is an established business that has been successful in business for 12 years and has now sought a permanent base at Oakfield. To be 'established' according to the Oxford Dictionary *"having existed or done something for a long time and therefore recognized and generally accepted"*. Mr Sands has been running his sheep enterprise for 12 years which in turn should count for 'a long time' and over the last four years the couple have built up a brilliant reputation for their Free Range Kelly Bronze Turkeys, they market these at the likes of Perth Farmers Market and House of Bruar, showing the farm is known locally and a reputable business.

Out with the above points the Planning Officer has no concerns with regards to;

- Residential Amenity
- Roads and access
- Drainage and flooding
- Conservation Considerations
- Natural Heritage and Biodiversity
- Economic Impact

It was mentioned that no utility bills have been presented to show that the applicants have been living on site; this was never requested in any correspondence with the Planning Officer. But to confirm that the applicants have been living in a mobile home for this duration we have submitted an invoice addressed to the applicant at the address of the mobile home (appendix 6).

It is clear that this proposed development does in fact meet all the criteria for Perth and Kinross Councils Supplementary Guidance on Housing in the Countryside 2020, category 3 - New Houses in the Open Countryside 2020. This has been detailed in attached appendix 5.

In addition to the attached, Perth and Kinross Councils Local Development Plan 2019 is also supportive of proposals to expand rural business such as the proposed development at Oakfield;

Policy 8 Rural Business & Diversification - "The Council will give favourable consideration to the expansion of existing businesses and the creation of new ones in rural areas. There is a preference that this will generally be within or adjacent to existing settlements. Sites outwith settlements may be acceptable where they offer opportunities to diversify an existing business, or are related to an existing site-specific resource or opportunity." The proposal in question meets all of the criteria listed (a) to (i) within this policy.

Conclusion

The applicants are hardworking, passionate young farmers who have successfully purchased their very own farm, which they have invested heavily into, time and financially. Oakfield will give Mr and Mrs Sands the permanent base and the forever home they have spent their live working towards. It will also allow them to maintain growth within the business and investing profits back into this site. By having a permanent dwelling on the farm the applicants will have a sense of permanence and security on their farm and business.

The applicants have achieved an incredible amount in the relatively short period of time they have owned Oakfield. Now the farm business requires and merits a permanent house. This is further backed up by an objective Justification & Labour Profile Report which reports that there is Justification for a permanent house on the farm and there is 1.1 Labour Units, over the council's threshold of 1.0 for this.

The decision to refuse this application is at odds with the Councils and National Planning Policy, which supports the growth of small and rural businesses, it is very disheartening for the young family to remain in the mobile home trying to run the farming enterprise without a farm office in cramped living conditions. As mentioned it doesn't appear the Planning Officer has any worries with the principle of this application but as this is very a unique case presenting prior the '2-3 year' time frame they 'like' to see, still falling within all of the policy guidelines and due to being a re-located established business we are of the belief that this consent should be granted.

It is clear that the business is in fact financially sound and economically viable and although having only been on Oakfield site for a fairly short duration the applicants will continue to run this business from strength to strength.



Appendix 1: Planning Decision Notice

Appendix 2: Report of Handling

Appendix 3: Justification and Labour Profile

Appendix 4: Turkey Hours Detailed

Appendix 5: Housing in the countryside overview in relation to our application

Appendix 7: Be your best self-attendance certificate

Appendix 9: Further Information Requested – Stock Figures, Financial Summary & Projections

Appendix 10: Email Land Offer - Chance Inn

Appendix 15: Balance Sheet 2022-2023

Appendix 16: Quality Meat Scotland (QMS) Certification



Mrs Tessa Sands
c/o Urban Rural Design Studio
Jane Brewster
Rotmell Farm
Ballinluig
Pitlochry
PH9 0NU

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: 17th January 2022

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **22/01046/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 3rd July 2022 for Planning Permission for **Erection of a dwellinghouse Land 360 Metres South East Of 4 Middlebank Holding Errol**

David Littlejohn
Head of Planning and Development

Reasons for Refusal

1. It has not been demonstrated that the existing farm business is both financially sound and economically viable, and that it can self-fund the equivalent of one full-time employee wage/salary. Accordingly, the proposal is contrary to both the Perth and Kinross Council's Supplementary Planning Guidance on Housing in the Countryside 2020 (Section 3.3), and Policy 19 (Housing in the Countryside) of the adopted Perth and Kinross Local Development Plan 2 (2019) - both of which only allow new farm dwellings in the countryside on the basis of economic activity when the existing business is financially sound and economically viable.

Justification

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

Notes

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

Plan Reference

01

02

03

04

05

06

07

08

09

10

11

12

13

14

REPORT OF HANDLING

DELEGATED REPORT

Ref No	22/01046/FLL	
Ward No	P1- Carse Of Gowrie	
Due Determination Date	2nd September 2022	
Draft Report Date	13th December 2022	
Report Issued by	AMB	Date 13th December 2022

PROPOSAL: Erection of a dwellinghouse

LOCATION: Land 360 Metres South East Of 4
Middlebank, Holding, Errol

SUMMARY:

This report recommends **refusal** of a new dwelling at Oakfield Farm, Errol which is for an essential worker 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.

BACKGROUND AND DESCRIPTION OF PROPOSAL

This planning application seeks to obtain a detailed planning permission for a new dwelling for an essential worker at Oakfield Farm, Errol. Farming activities at Oakfield Farm have been ongoing since 2021, but elements of the farm business have been operating off site for approx. 12 years. The applicant has relocated to Oakfield to secure a permanent base for their business.

A planning permission for the temporary siting of a residential caravan at Oakfield (21/02258/FLL) was approved in April, this year for a period until 30 April 2024. It is understood that the caravan was sited (without planning permission) early in 2022, however when occupation started is not known.

The principal farming business is a combination of sheep grazing, rearing free range turkeys and making silage for the sheep.

The proposed dwelling will offer living accommodation over two levels – with the upper level provided within the roof space via a combination of roof lights and dormers. The dwelling will include a large farm office, 6 bedrooms (3 ensuite) and four living areas rooms / spaces. The external finishes are of a high specification with the use of slates and wet dash wall finish. Covered parking for three cars are is also proposed.

A new vehicular access will be formed, which will join the minor public road to the west of the site.

SITE HISTORY

Planning permission was granted earlier this year for the siting of a residential caravan for a temporary basis (21/02258/FLL). This application essentially seems to 'upgrade' that permission to a permanent dwelling.

The applicant has also recently secured planning permission for several agricultural sheds which have since been implemented and are being used in relation to the farm activities.

PRE-APPLICATION CONSULTATION

None undertaken with PKC.

The applicant has however indicated that they had engaged in detailed pre-discussions with a planning consultant, and advanced this planning application based on their advice.

NATIONAL POLICY AND GUIDANCE

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

Support is offered for new housing in the countryside by the SPP in suitable locations, as well as rural diversifications opportunities.

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2 (2019).

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the TAYplan should be noted. The vision states *“By 2036 the TAYplan area will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs.”*

Perth and Kinross Local Development Plan 2 – Adopted November 2019

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

The site is located within the landward area of the LDP2, where the following policies are applicable,

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 19: Housing in the Countryside

Policy 41: Biodiversity

OTHER COUNCIL POLICIES

Placemaking Guide 2020

This is the most recent expression of Council policy towards Placemaking Standards.

Housing in the Countryside 2020

This is the most recent expression of Council policy towards Placemaking Standards.

Developer Contributions and Affordable Housing 2020

This is the most recent expression of Council policy towards Placemaking Standards.

EXTERNAL CONSULTATION RESPONSES

Perth And Kinross Heritage Trust have commented on the proposal and have recommended an archaeological condition is attached in the event of an approval recommendation.

Paragon Skydiving Club were consulted on the proposal but have opted not to make any specific comment.

Dundee Airport Ltd have commented on the proposal and raised no objections in terms of aviation safety.

Scottish Water have commented on the proposal and have no objections.

INTERNAL COUNCIL COMMENTS

Environmental Health have commented on the proposal in terms of noise issues associated with the ASHP and have no objections subject to conditions in the event of any approval.

Development Contributions Officer has commented on the proposal in terms of contributions and indicated that a Primary Education contribution would be required in the event of any approval being forthcoming.

REPRESENTATIONS

None received.

ADDITIONAL STATEMENTS

Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not applicable
Appropriate Assessment	AA Not Required
Design Statement or Design and Access Statement	Submitted
Report on Impact or Potential Impact	Labour justification report and additional sensitive financial information from accountant has been provided which is available (to the LRB) on request.

APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan and the adopted LDP2.

In terms of other material considerations, consideration of the Council's SPG on Placemaking, Developer Contributions and Housing in the Countryside are all applicable.

Policy Appraisal

The key land use policies are found within the LDP2.

Within that plan, the site is located within the landward area where *Policies 1 (Placemaking) and 19 (Housing in the Countryside)* are directly applicable.

Policy 1 seeks to ensure that all new developments do not have an adverse impact on the area in which they are located. *Policy 19* is the LDP2 version of the Council's Housing in the Countryside Policy and needs to be read in conjunction with the SPG of 2020.

Land Use Acceptability

The main issue for this application is whether or not the proposal complies with the Council's HITC policies, the most recent of which is the HITCG of 2020.

The site is not part of an existing building group, is not an infill opportunity, is not a replacement or conversion of an existing building(s) nor is it located on a rural brownfield site. To this end, the only relevant section of the HITCG which can reasonably be applied to this proposal is Section 3.3, which offers support for new housing linked to economic need – but only if certain criteria can be met and evidenced. The applicants also consider this to the most relevant policy criteria.

The applicants have been on site since sometime in 2021 farming the land, and also from sometime in early 2022 they have been living onsite in temporary accommodation. No evidence (such as utility bills, Council tax etc) have been presented to demonstrate the onsite presence position absolutely, but the applicant, in this case, has been given the benefit of the doubt that they have indeed been living in the current accommodation.

On this basis, it is therefore the case that there is an existing farm business on this site currently in operation. In this context, the HITCG states that applications for new accommodation linked to a farm business must provide evidence that a new house is essential to the continued operation of the farm for animal welfare reasons. Evidence should be in the form of a business appraisal, prepared by an independent expert, which demonstrates that the farm is financially sound and economically viable. The appraisal should be based on labour hours for the existing farming operation and must clearly set out the proportion of labour hours and the types of operations which require a full-time worker or workers to be on-site for the majority of the time.

In support of this planning application, a labour justification statement has been produced which concludes that the existing farm business has a labour unit requirement of 1.1 – just over the equivalent of one full time worker. This document is available to view online via the *PublicAccess* portal.

A large proportion of the labour has been credited to 'Provision of turkey processing and marketing element', circa 455 annual hours. This is essentially the preparation of the turkeys for collection by customers etc, and after clarification from the applicant does now takes place onsite. In addition to these hours, a further 187 annual hours have also been added for admin

tasks. It is noted that if this admin hours were excluded from the top figure, then the annual hours would drop below 1. On this basis, it is clear that the degree of full-time work currently is very marginal (on face value) enough to support one full time worker – based on the information which has been presented to the Council.

The next test to overcome is being able to demonstrate that the farm business is financially sound and economically viable.

The applicant was asked to provide evidence of business accounts to help demonstrate the financial working of the existing business, and how the existing business pays for one full time worker – which you would normally expect to see if the business (in isolation) is financially sound, economically viable and sustainable.

The applicant has corresponded with the Council on number of occasions regarding this matter and included statements from their accountant. A number of the email exchanges have included sensitive information which the Council has been asked to keep sensitive.

The accounts do not specifically list wages or salaries as specific entries which does make an assessment of the accounts challenging. However, the accountant has indicated that entries such as a 'drawing' are in effect wages or salaries that are being paid out.

From the evidence which has been presented, the income from the existing business does not allow for a full time worker wage or 'salary', and the amount of 'drawings' that made from the business accounts since it started at Oakfield have not been at the level that would represent the pay for a full time equivalent worker – even at a low pay grade.

It has been predicted (email from Tessa Sands 11 Nov) by the applicant's accountants that *'If the trajectory of the Business continues as it has, then I would hope that the Business will support drawings/wages of £24,000 which is more or less a full time equivalent wage'* – so this position may change, however it is noted that 'hope' has been used by the accountant and that no year end period (i.e. by year end of 2023/24) has been suggested by the accountant as to when this point will arrive and the business at Oakfield can afford to effectively pay a full time wage / salary.

On this basis, notwithstanding the short timeline of farming activities being active at Oakfield Farm, it has not been demonstrated that the farm is financially sound and economically viable.

In terms of the short timeline of the business being in existence at Oakfield, this is a concern. The HITCG does however allow for new housing in relation to a new business in a rural area, which this could be considered to be.

In this regard, the HITCG states that where the house is to be associated with an expanded or proposed economic activity, construction of the house will not

be permitted in advance of the development or expansion of the business.

The HITCG continues by saying that the Council wishes to encourage the expansion of existing businesses and the creation of new ones in line with Policy 8: Rural Business and Diversification, and that there must be reasonable certainty, however, that the business will succeed before allowing a new house to be built in the countryside.

Providing that the need for on-site accommodation is demonstrated, the HITCG states that it may be appropriate to allow some form of temporary accommodation, such as a mobile home, for a set period of time. Once the new or expanded business is established and can be demonstrated to be financially sound and economically viable, a planning application can be made to replace the temporary accommodation with a permanent house.

In my view, this development remains at this stage. Without evidence that the business can pay the wages of at least one worker then it is challenging to say the business is established, secure and sustainable.

It is also worth recapping that a detailed planning permission was only granted earlier this year for temporary accommodation - when the business was new, and at that stage it was not expected that a further planning application would be lodged within a matter of months for a permanent dwelling.

The extract of text below within the relevant ROH makes this position fairly clear.

The Housing in the Countryside Policy and supplementary guidance supports new housing where it is justified and related to economic activity. Dwellings however are not supported in advance of the establishment of the business. The applicant requires onsite accommodation to enable them to operate and they have chosen to site a caravan. It is considered that as the caravan can be given a temporary permission it will enable the applicant to establish a business, if this is successful, they will have the opportunity to apply in the future to seek a more permanent solution.

It is perhaps unfortunate that the Council does not have a set timeline for when a 'new' business moves into being an established one, purely in terms of 'years earned' on site however a typical timeline of in excess of 2-3 years (with associated onsite accommodation in use) is normally seen as good starting point to measure progress and allows applicants the opportunity to present solid evidence of their case. The timeline offered to the applicants for their temporary accommodation (April 2024) also aligns with this position.

For these reasons, the proposal is considered to be premature and contrary to the terms of the HITC policies as contained in the LDP2 and the SPG. The applicant has been advised of the premature of this application on a number of occasions and has been advised that withdrawing, with a view of re-submitting in the future would be an advantageous approach. They have

nevertheless confirmed that they wish to proceed with this planning application as submitted, hence the ultimate recommendation of refusal.

Visual Amenity, Design and Layout

In isolation, the design of the dwelling is of a high standard with the use of quality finishes – which is unusual due to the cost involved. The landscape setting of the dwelling also is acceptable, sandwiched between two areas of existing tree belts. Additional landscaping and planting is proposed and in the event of any approval being forthcoming, conditions in relation to these should be attached to any permission.

The only slight concern over the design is that what is proposed does not appear to match the existing business. On face value, the farming enterprise currently marginally has enough work for one full time worker with small profits, and the income from the farm (at the moment) would not sustain a full time wage, but this may change in the future.

In these circumstances, it would not be unreasonable to expect to see a small, family cottage design of house to be brought forward as opposed to what is essentially an executive 6 bedroomed dwelling.

The HITCG does make some comment on this issue and says when considering new housing linked to operational need it should be looked at as to whether the size of the house is appropriate, and the example used is if the new house is to provide a second residential unit for the farm or business rather than being the main house, the scale should reflect this.

In the event that the LRB (the applicant has indicated strongly that they are going to seek a review) are minded to agree to the principle of a dwelling on the basis of the existing business etc, then further consideration of whether or not the proposed house type is appropriate for the scale of farming business should be considered further. As the main concern at officer level is the principle of the house (not the design), the design of the house itself has not been used as a reason for refusal.

Residential Amenity

In terms of impacting on existing residential amenity, the site is isolated and would have no impact on any existing units. A standard condition is recommended in relation to noise from the proposed ASHP.

In terms of being able to provide a suitable level of residential amenity for future occupiers of the dwelling, a suitable level of private usage space is being provided.

Roads and Access

The proposal raises no issues in terms of the proposed vehicular access or parking provision.

In the event of any approval being forthcoming, standard conditions in relation to both should be attached to any permission.

Drainage and Flooding

The proposal raises no issues in terms of flooding or drainage aspects.

Foul drainage will be via a private system, which is entirely acceptable in this area. In terms of surface water disposal, this will be via soakaways which will ensure that water is not shed onto neighbouring land.

Conservation Considerations

The proposal does not affect any listed building or conservation area.

However, within the area there are some known local archaeology and the proposed access in particular will cross these areas. In the event of any approval being forthcoming, a standard condition should be attached to ensure that all archaeological interests are investigated.

Natural Heritage and Biodiversity

The proposal has no impact on existing bio-diversity issues. In the event of any approval being forthcoming, some bio-diversity enhancement measures such as bat / swift boxes etc should be secured.

Developer Contributions / Affordable Housing

The proposal is for a single dwelling which raised no issues in terms of affordable housing. The site is also located outwith the catchment areas for both transport related contributions. In the event of any approval being forthcoming, a developer contribution in relation to Primary Education would be required to be secured.

Economic Impact

The economic impact of this development would be linked to the business, and there would be a benefit (to the business) in terms of having permanent accommodation onsite

VARIATION OF APPLICATION UNDER SECTION 32A

The application has not been varied.

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

CONCLUSION AND REASONS FOR DECISION

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

Accordingly the proposal is refused on the grounds identified below.

It has not been demonstrated that the existing farm business is both financially sound and economically viable, and that it can self-fund the equivalent of one full-time employee wage/salary. Accordingly, the proposal is contrary to both the Perth and Kinross Council's Supplementary Planning Guidance on Housing in the Countryside 2020 (Section 3.3), and Policy 19 (Housing in the Countryside) of the adopted Perth and Kinross Local Development Plan 2 (2019) – both of which only allow new farm dwellings in the countryside on the basis of economic activity when the existing business is financially sound and economically viable.

Justification

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

Informatives

None

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

01-14 (*inclusive*)

Agricultural Justification Report and Appraisal

For a dwelling on Agricultural Holding

(Location Code 692/0144)

at
Oakfield
Middlebank
Errol
PH2 7SX

Report prepared for and on behalf of

Mr & Mrs M Sands

By Emma Shepherd of Farm & Transport Solutions



04/05/2022

CONTENTS

1.0 Executive Summary	Page 3
2.0 Current Farming Enterprise	Page 4
3.0 Standard Labour Requirement (current farming enterprise)	Page 5
4.0 Location 4.1 Applicants	Page 6 Page 6
5.0 Functional Need 5.1 Operational Efficiency 5.2 Biosecurity 5.3 Health & Safety 5.4 Animal Health 5.5 Security – Theft	Page 7 Page 7 Page 7 Page 7 Page 7 Page 7
6.0 Conclusion	Page 8

1.0 Executive Summary

This report has been prepared for Mr and Mrs M Sands, in connection with a planning application for a new dwelling house on Oakfield holding, Middlebank, Errol, PH2 7SX.

The farm was purchased in 2021 by Mr and Mrs Sands after searching for 4 years for a permanent base for their farming business. The 35 acres, that have now formed the holding Oakfield, originally formed two of nine lots that were up for sale as part of the Middlebank Farm, including a house and steading but unfortunately the applicants did not have sufficient funds to purchase the house or steading. Therefore they have gone down the route of buying land and building up the farming enterprise over a number of years and plan on reinvesting profits back into the holding each year to allow for necessary expansion.

Oakfield was in a poor state and had had very little maintenance for many years prior to being purchased in 2021. Since purchasing the land Mr & Mrs Sands have heavily invested in the land, replacing the whole boundary fences to make it stock proof, redone the field drains to allow for less waterlogging in the fields, they have re-sown around 50% of the grass as the grass was in poor condition, they will continue to sample the soil and invest in the appropriate fertiliser/lime requirements over the next seasons to improve the productivity of the land.

Planning consent has been approved for two general purpose agricultural sheds, planning reference 22/00356/FLL. The sheds are currently under construction and will allow for storage of animal feed, a workshop, secure housing for farm machinery and tools which will allow for more efficient running and be of great benefit to the business. Supplies such as animal feeding will be able to be purchased in bulk at cheaper rates as their will be on farm storage, improving the profitability of the business.

The Sands family currently reside in a mobile home on site at Oakfield to allow for the day to day running of the business. This was approved by PKC for a 24 month time period, planning reference 21/02258/FLL.

2.0 Farming Enterprise

Oakfield is a 35 acre unit on Non Less Favourable Agricultural ground. The farm is in permanent grassland with mature trees around the perimeter. The land is predominantly used for sheep grazing, rearing free range turkeys and making silage for the sheep enabling the farm to be more self-sufficient. Michael Sands has been running his farming enterprise for the past 12 years; he started with a handful of sheep and has slowly breed them up and built up the business. As an addition to the sheep Michael and Tessa are in year 3 of rearing 150 Kelly Bronze free range turkeys for Christmas and sell to local butchers and directly off farm to the public. The turkeys are brought onto the farm as day old chicks and are traditionally slowly reared in the open woodland areas at Oakfield. The turkeys achieve premium prices as they are free range, hand processed and locally reared produce. The applicants have been increasing the turkey numbers slowly each year and plan to continue to build up this side of the business over next few years.

Mr and Mrs Sands currently farm 180 black faced breeding sheep that are crossed with pedigree blue faces leister tups to produce mule lambs, generally lambing at 130%. The ewe lambs will be sold on in the Autumn as breeding stock and all the male lambs are fattened and finished on the farm and sold at prime stock sales as 'fat lambs' throughout the winter providing a steady income over several months, doing on average 155 fattening lambs/year.

3.0 Standard Labour Requirement

This section looks at the labour required to run the enterprise for the existing business. The following standard figures give an indication of the scale of the business.

Labour requirement for enterprise currently on the holding Oakfield Farm

Enterprise	No of Units Area (ha) or head hours per annum	Hours per ha or head	Total Hours Per Annum
Permanent Pasture Grazed	14	3.1	43
Silage – 1 st cut	5	12	60
Silage – 2 nd cut	5	10	50
Hay	2	5	10
Livestock			
Breeding Sheep (ewes & rams)	140	5.2	728
Turkeys (Other poultry)	150	0.1	15
Sheep (pedigree tups)	10	5.4	54
Fattening Lambs (other sheep)	155	2.9	450
	*Provision for Turkey Processing & Marketing Element		455
	Total excl. Admin		1865
	Provision for Admin (10%)		187
	Total incl. admin and Turkeys		2051
	Total Labour Required		1.1 FTE

Therefore, total labour required is 1.1 labour units

Standard labour requirement represent the estimated full time equivalent (EFT) labour required to farm the crops and animals on the holding.

Source: Farm Management Handbook 2020/21. These figures relate to those published in a report of the UK Farm Classification Document (October 2014) and recommends that 1900 hours of labour are equivalent to one standard labour unit.

*The Standard figured do not take into account that Kelly Bronze free range turkeys are not standard turkeys. Mr and Mrs Sand's rear, pluck, dress and package the birds by hand on the farm. They also do the entire marketing, selling direct to the customers as well as organise a collection day where the customers come to the farm to collect the individual birds. Consequently, the labour requirements for this enterprise are significantly higher than a standard turkey enterprise. The hours are based on actual seasonal labour required and the time spent marketing throughout the year.

4.0 Location

Oakfield farm is located just minutes off the A90, between Dundee and Perth. The farm is approximately 2 miles north of the small hamlet, Grange, set within the Carse of Gowrie. The nearest village with a shop, post office and school is Inchtute, based 4.5 miles away. There is a public golf driving range and café neighbouring the farm.

The proposed house is centrally located within the holding sitting 160m East of the agricultural sheds and accessed using an existing road that was formed to access the mobile home. The house plot has mature trees to the East and West which will minimise impact, the site sits ever so slightly higher than a lot of the fields which will keep it out of any areas of flooding risk. The site is already serviced by all the required services such as electricity and water as these were put into the adjacent site where the mobile home is located.

4.1 The Applicants

Mr and Mrs Sands are both in their early 30's and are very eager young farmers, they have both worked in the agricultural industry for over 10 years, Tessa has worked in the seed potato industry across the UK and Australia for the past 11 years alongside doing the marketing and book-keeping for their farming business. As mentioned previously Michael has been stock farming for 12 years.

To enable the purchase Mr and Mrs Sands sold their family home after looking for over 4 years for a suitable place to run their business, the sale of their house allowed for the funds to purchase the ground and they have since been living on site in a mobile home which allows them to efficiently run their farming business.

5.0 Functional Need

After looking at the Standard labour Requirements for Oakfield Farm, the farm justifies the work of 1.1 full time employees at present. Therefore there is a clear requirement for Mr and Mrs Sands to live on site permanently. The planning approval for mobile home also demonstrates an essential functional need for a dwelling in this location.

5.1 Operational Efficiency

Livestock require attention at all times, day and night, especially at lambing time when sheep are checked every two hours if not more frequently. Driving to and from a farm is not effective use of time and is increasing the carbon footprint of the farming enterprise. If a ewe is having difficulty lambing, then a timely response is critical to be able to save both the ewe and the unborn lamb

5.2 Biosecurity

Having the farmer housed on site at the farm means that in any animal disease outbreaks such as foot and mouth where a movement restriction is in place there is someone on site not having to travel.

5.3 Health & Safety

With the increasing awareness by the public of their access rights under the Land Reform (Scotland) Act 2003, there is the potential of safety concerns on the farm from people being in an unfamiliar environment. Visitors to farms often arrive unannounced; the siting of a house would make it the first point of call for all visitors and therefore reduce the risk of someone causing themselves harm.

5.5 Security – Theft

Rural crime is on the increase and Mr and Mrs Sands have unfortunately fallen victim to farm theft in the last couple of years where their quad bike was stolen during the night. The proposed dwelling would allow the applicants to monitor vehicular movement on site allowing for safeguarding the livestock and machinery, which is especially important on this holding with it being on a public access route to the golf driving range. Also a house on site in close proximity to machinery and stock is a good deterrent against theft.

6.0 Conclusion

As shown by the Standard labour requirements there is justification for a full time employee to be housed on site doing their current farming practice to allow for the daily running of the existing farming enterprise.

Mrs and Mrs Sands are currently living on site, in temporary accommodation and plan to do so until they have a dwelling built, this showing commitment to running their business and getting settled into the area, the children attend a local child-minder and nursery. The building of a permanent house will allow Mr and Mrs Sands greater comfort, operational flexibility and a sense of permanence.

Agricultural Justification Report and Appraisal

For a dwelling on Agricultural Holding

(Location Code 692/0144)

at
Oakfield
Middlebank
Errol
PH2 7SX

Report prepared for and on behalf of

Mr & Mrs M Sands

By Emma Shepherd of Farm & Transport Solutions



04/05/2022

CONTENTS

1.0 Executive Summary	Page 3
2.0 Current Farming Enterprise	Page 4
3.0 Standard Labour Requirement (current farming enterprise)	Page 5
4.0 Location	Page 6
4.1 Applicants	Page 6
5.0 Functional Need	Page 7
5.1 Operational Efficiency	Page 7
5.2 Biosecurity	Page 7
5.3 Health & Safety	Page 7
5.4 Animal Health	Page 7
5.5 Security – Theft	Page 7
6.0 Conclusion	Page 8

1.0 Executive Summary

This report has been prepared for Mr and Mrs M Sands, in connection with a planning application for a new dwelling house on Oakfield holding, Middlebank, Errol, PH2 7SX.

The farm was purchased in 2021 by Mr and Mrs Sands after searching for 4 years for a permanent base for their farming business. The 35 acres, that have now formed the holding Oakfield, originally formed two of nine lots that were up for sale as part of the Middlebank Farm, including a house and steading but unfortunately the applicants did not have sufficient funds to purchase the house or steading. Therefore they have gone down the route of buying land and building up the farming enterprise over a number of years and plan on reinvesting profits back into the holding each year to allow for necessary expansion.

Oakfield was in a poor state and had had very little maintenance for many years prior to being purchased in 2021. Since purchasing the land Mr & Mrs Sands have heavily invested in the land, replacing the whole boundary fences to make it stock proof, redone the field drains to allow for less waterlogging in the fields, they have re-sown around 50% of the grass as the grass was in poor condition, they will continue to sample the soil and invest in the appropriate fertiliser/lime requirements over the next seasons to improve the productivity of the land.

Planning consent has been approved for two general purpose agricultural sheds, planning reference 22/00356/FLL. The sheds are currently under construction and will allow for storage of animal feed, a workshop, secure housing for farm machinery and tools which will allow for more efficient running and be of great benefit to the business. Supplies such as animal feeding will be able to be purchased in bulk at cheaper rates as their will be on farm storage, improving the profitability of the business.

The Sands family currently reside in a mobile home on site at Oakfield to allow for the day to day running of the business. This was approved by PKC for a 24 month time period, planning reference 21/02258/FLL.

2.0 Farming Enterprise

Oakfield is a 35 acre unit on Non Less Favourable Agricultural ground. The farm is in permanent grassland with mature trees around the perimeter. The land is predominantly used for sheep grazing, rearing free range turkeys and making silage for the sheep enabling the farm to be more self-sufficient. Michael Sands has been running his farming enterprise for the past 12 years; he started with a handful of sheep and has slowly breed them up and built up the business. As an addition to the sheep Michael and Tessa are in year 3 of rearing 150 Kelly Bronze free range turkeys for Christmas and sell to local butchers and directly off farm to the public. The turkeys are brought onto the farm as day old chicks and are traditionally slowly reared in the open woodland areas at Oakfield. The turkeys achieve premium prices as they are free range, hand processed and locally reared produce. The applicants have been increasing the turkey numbers slowly each year and plan to continue to build up this side of the business over next few years.

Mr and Mrs Sands currently farm 180 black faced breeding sheep that are crossed with pedigree blue faces leister tups to produce mule lambs, generally lambing at 130%. The ewe lambs will be sold on in the Autumn as breeding stock and all the male lambs are fattened and finished on the farm and sold at prime stock sales as 'fat lambs' throughout the winter providing a steady income over several months, doing on average 155 fattening lambs/year.

3.0 Standard Labour Requirement

This section looks at the labour required to run the enterprise for the existing business. The following standard figures give an indication of the scale of the business.

Labour requirement for enterprise currently on the holding Oakfield Farm

Enterprise	No of Units Area (ha) or head hours per annum	Hours per ha or head	Total Hours Per Annum
Permanent Pasture Grazed	14	3.1	43
Silage – 1 st cut	5	12	60
Silage – 2 nd cut	5	10	50
Hay	2	5	10
Livestock			
Breeding Sheep (ewes & rams)	140	5.2	728
Turkeys (Other poultry)	150	0.1	15
Sheep (pedigree tups)	10	5.4	54
Fattening Lambs (other sheep)	155	2.9	450
	*Provision for Turkey Processing & Marketing Element		455
	Total excl. Admin		1865
	Provision for Admin (10%)		187
	Total incl. admin and Turkeys		2051
	Total Labour Required		1.1 FTE

Therefore, total labour required is 1.1 labour units

Standard labour requirement represent the estimated full time equivalent (EFT) labour required to farm the crops and animals on the holding.

Source: Farm Management Handbook 2020/21. These figures relate to those published in a report of the UK Farm Classification Document (October 2014) and recommends that 1900 hours of labour are equivalent to one standard labour unit.

*The Standard figured do not take into account that Kelly Bronze free range turkeys are not standard turkeys. Mr and Mrs Sand's rear, pluck, dress and package the birds by hand on the farm. They also do the entire marketing, selling direct to the customers as well as organise a collection day where the customers come to the farm to collect the individual birds. Consequently, the labour requirements for this enterprise are significantly higher than a standard turkey enterprise. The hours are based on actual seasonal labour required and the time spent marketing throughout the year.

4.0 Location

Oakfield farm is located just minutes off the A90, between Dundee and Perth. The farm is approximately 2 miles north of the small hamlet, Grange, set within the Carse of Gowrie. The nearest village with a shop, post office and school is Inchtute, based 4.5 miles away. There is a public golf driving range and café neighbouring the farm.

The proposed house is centrally located within the holding sitting 160m East of the agricultural sheds and accessed using an existing road that was formed to access the mobile home. The house plot has mature trees to the East and West which will minimise impact, the site sits ever so slightly higher than a lot of the fields which will keep it out of any areas of flooding risk. The site is already serviced by all the required services such as electricity and water as these were put into the adjacent site where the mobile home is located.

4.1 The Applicants

Mr and Mrs Sands are both in their early 30's and are very eager young farmers, they have both worked in the agricultural industry for over 10 years, Tessa has worked in the seed potato industry across the UK and Australia for the past 11 years alongside doing the marketing and book-keeping for their farming business. As mentioned previously Michael has been stock farming for 12 years.

To enable the purchase Mr and Mrs Sands sold their family home after looking for over 4 years for a suitable place to run their business, the sale of their house allowed for the funds to purchase the ground and they have since been living on site in a mobile home which allows them to efficiently run their farming business.

5.0 Functional Need

After looking at the Standard labour Requirements for Oakfield Farm, the farm justifies the work of 1.1 full time employees at present. Therefore there is a clear requirement for Mr and Mrs Sands to live on site permanently. The planning approval for mobile home also demonstrates an essential functional need for a dwelling in this location.

5.1 Operational Efficiency

Livestock require attention at all times, day and night, especially at lambing time when sheep are checked every two hours if not more frequently. Driving to and from a farm is not effective use of time and is increasing the carbon footprint of the farming enterprise. If a ewe is having difficulty lambing, then a timely response is critical to be able to save both the ewe and the unborn lamb

5.2 Biosecurity

Having the farmer housed on site at the farm means that in any animal disease outbreaks such as foot and mouth where a movement restriction is in place there is someone on site not having to travel.

5.3 Health & Safety

With the increasing awareness by the public of their access rights under the Land Reform (Scotland) Act 2003, there is the potential of safety concerns on the farm from people being in an unfamiliar environment. Visitors to farms often arrive unannounced; the siting of a house would make it the first point of call for all visitors and therefore reduce the risk of someone causing themselves harm.

5.5 Security – Theft

Rural crime is on the increase and Mr and Mrs Sands have unfortunately fallen victim to farm theft in the last couple of years where their quad bike was stolen during the night. The proposed dwelling would allow the applicants to monitor vehicular movement on site allowing for safeguarding the livestock and machinery, which is especially important on this holding with it being on a public access route to the golf driving range. Also a house on site in close proximity to machinery and stock is a good deterrent against theft.

6.0 Conclusion

As shown by the Standard labour requirements there is justification for a full time employee to be housed on site doing their current farming practice to allow for the daily running of the existing farming enterprise.

Mrs and Mrs Sands are currently living on site, in temporary accommodation and plan to do so until they have a dwelling built, this showing commitment to running their business and getting settled into the area, the children attend a local child-minder and nursery. The building of a permanent house will allow Mr and Mrs Sands greater comfort, operational flexibility and a sense of permanence.

Oakfield Turkeys							
Duties	Months relevant	No. of weeks	Daily Hours	Weekly hours	Hours (for 150 birds)/year	Hours (for 200 birds)/year	Comments
Feeding/water/bedding/health check	July-Dec	20	2	14	280	373	
Weekly weigh in	August-Dec	17		2.5	42.5	56.6	
Marketing/Orders/Farmers Markets	All year	52		2	104	139	Including meetings with butchers/farm shops
Woodmill Game - deliver/collect	December	1	6	6	6	8	drop off/pick up done in two batches
Processing/Packaging	December	1	18	18	18	24	2 x staff
Collection/drop offs	December	1	12	12	12	16	2 x staff
Deep Clean/disinfect all equipment	June & Dec	2		5	10	13	done prior to turkey arrival and once they have left
					472.5	629.6	

Category 3 - New Houses in the Open Countryside

Usually the most sustainable option for new houses in the countryside will be within existing small settlements or building groups, or the re-use of existing buildings or sites. In some cases, however, there will be a genuine need for a new house or houses in the open countryside and proposals for these will be considered favourably where they fall into at least one of the following categories:

3.1 Existing Gardens

3.2 Houses in Areas of Flood Risk

3.3 Economic Activity

3.4 Houses for Local People

3.5 Houses for Sustainable Living

More guidance on each of these categories is given below. In addition to the specific criteria under each section, the following general siting criteria will apply in all cases together with the For All Proposals criteria on pages 4 & 5.

Siting Criteria

Proposals for a new house falling within Category 3 will, with the exception of 3.1 Existing Gardens, require to demonstrate that it meets all of the following criteria when viewed from surrounding vantage points:

- It blends sympathetically with land form.
- It uses existing trees, buildings, slopes or other natural features to provide a backdrop.
- It uses an identifiable site (except in the case of proposals for new country estates) with long established boundaries which separates the site naturally from the surrounding ground. For example a dry-stone dyke, a woodland or group of mature trees, or a slope forming an immediate backdrop to the site. The sub-division of a field or other land, for example by post and wire fence or newly planted hedge or tree belt specifically in order to create the site, will not be acceptable.
- It will make a positive contribution to the surrounding landscape.

The proposed Site Meets this criteria - the site offers existing features to create a site which is completely hidden from Neighbouring properties. Therefore having no adverse effect or impact on the Landscape.

3.1 Existing Gardens:

a) Proposals for a new house or houses within the original garden ground associated with an existing country or estate house will be supported providing that there is an appropriate landscape setting and additional development will not fundamentally affect the qualities and integrity of the site, particularly where the house is a listed building or falls within a Historic Garden or Designed Landscape. A country or estate house is defined as a large house set within its own estate or extensive grounds. This section does not apply to domestic scale gardens or where gardens have been created at a later date, for example, by the change of use of agricultural land to garden ground.

b) Proposals for a new house or houses within a walled garden will be supported providing that development will not affect the integrity of the structure or the garden and will, where appropriate, assist in the preservation of the wall. Development may not be appropriate, however, if the walled garden is within a historically sensitive area, such as a Garden and Designed Landscape or is a Listed Building. Not all of the siting criteria will apply to proposals under this section; proposals will require to blend sympathetically with land form, and must not have a detrimental impact on the surrounding landscape.

3.2 Houses in areas of Flood Risk:

a) Proposals for the relocation of an occupied house from within an identified flood risk area to the best and nearest alternative site will be supported. The flooding risk must relate to the house itself and not only to garden ground. The flood risk house must be demolished, the site made good, and any ad-hoc protection

measures associated with the at-risk property removed within one month of the occupation of the replacement house. If any additional ad-hoc protection measures are in or on the banks of a watercourse advice should be sought from SEPA on the opportunities for restoration and any regulatory requirements.

3.3 Economic Activity

In the past conditions have been used to restrict the occupancy of houses in the open countryside to agriculture workers or others associated with a rural business. In some cases this has allowed a proposal to go ahead which may otherwise have not fully complied with the Siting Criteria on page 12. Scottish Planning Policy now directs against the use of occupancy restrictions. As a result, more emphasis is now placed on the siting and design of houses in the open countryside; if a proposed house is in a good location and of a high quality design appropriate to that location, there will not normally be a need to restrict who occupies the house.

In all cases applicants must demonstrate that the site they have chosen is the best possible option in terms of the fit within the landscape and reflects the traditional pattern and character of the area. It must also be demonstrated that every possible effort has been made to meet the Siting Criteria and For All Proposals criteria. Where an alternative site is chosen by the applicant the reasons for this need to be clearly set out and justified. Applicants must also provide evidence that consideration has been given to the scope for renovating, converting or redeveloping any existing houses or non-domestic buildings within their landholding with an explanation as to why this option has not been pursued, for example, through the submission of a development viability statement.

Given more emphasis is now placed on the siting and design of houses in the open countryside; if a proposed house is in a good location and of a high quality design appropriate to that location, there will not normally be a need to restrict who occupies the house. The proposed house meets this criteria due to siting.

Consideration of the various site options will normally be best done at [pre-application stage](#) in order that early agreement can be reached as to the preferred site. Work carried out by the applicant at this stage can then form the basis of a planning statement for any subsequent planning application. Applicants may be asked to display their entire landholding in order for the assessment to be completed. More advice on the siting of houses in rural areas can be found in the Council's Placemaking Guide.

New house to support an existing business

Farm workers – Applicants must provide evidence that a new house is essential to the continued operation of the farm for animal welfare reasons. Evidence should be in the form of a business appraisal, prepared by an independent expert, which demonstrates that the farm is financially sound and economically viable. The appraisal should be based on labour hours for the existing farming operation and must clearly set out the proportion of labour hours and the types of operations which require a full-time worker or workers to be on-site for the majority of the time.

Non-farming business – Where a new house is to be associated with an existing non-farming business, applicants must be able to satisfactorily demonstrate that the provision of a house is essential to the continued operation of the business. This will normally be through the submission of a business plan, prepared by an independent expert, which demonstrates that the business is financially sound and economically viable, that it genuinely contributes to the local economy and that there is a need for an additional worker to live on-site.

Our application falls between two parts as there is a well established agricultural business and clear evidence has been provided that a house is essential to the continued operation of the farm for animal welfare reasons. The evidence provided has been in the form of a business appraisal, prepared by an independent expert, which demonstrates that the farm is financially sound and economically viable. The appraisal sets out the required labour hours for the existing farming operation and clearly sets out the proportion of labour hours and the types of operations which require a full-time person to be on-site.

In considering proposals for new housing to support an existing rural business, the following will be taken into account:

- Changes in the business over the last 5 years – applicants may be required to confirm whether any houses or buildings associated with the business have been sold off which could instead have been renovated or converted to provide accommodation.
- Distance of the house from animals or livestock – it will generally be appropriate for a farm workers house to be located close to livestock for animal welfare reasons. Some other non-farming businesses, for example, a kennels or equestrian business may also require workers to live on-site. In line with Scottish Planning Policy the occupancy of the house will not normally be restricted. It must be recognised by the applicant, however, that should they subsequently seek to sell the house on the open market, the proximity to animals or livestock may increase the risk of complaints being raised by future occupants and this could in turn restrict the operation of the business.
- Whether the size of the house is appropriate – if the new house is to provide a second residential unit for the farm or business rather than being the main house, the scale should reflect this.
- Whilst each application has to be considered on its own merits it may, in some cases, be appropriate to consider the likelihood of further applications for new housing, for example, arising from the subdivision of a farming unit.

Applications for new houses to support an existing business will be assessed in accordance with the flowchart on page 16. Given the particular importance of siting and design for new houses under this section of the policy, applications In Principle will not normally be acceptable.

Workers' accommodation for new country estates

Proposals for new country estates with a main house and accommodation for workers may be permitted where they are of outstanding architectural quality and create a new designed landscape. In addition they must demonstrate that they will bring associated employment and long-term economic benefits to communities in the surrounding area.

New house to support a new or expanded business

Where the house is to be associated with an expanded or proposed economic activity, construction of the house will not be permitted in advance of the development or expansion of the business. The Council wishes to encourage the expansion of existing businesses and the creation of new ones in line with Policy 8: Rural Business and Diversification. There must be reasonable certainty, however, that the business will succeed before allowing a new house to be built in the countryside. Providing that the need for on-site accommodation is demonstrated it may be appropriate to allow some form of temporary accommodation, such as a mobile home, for a set period of time. Once the new or expanded business is established and can be demonstrated to be financially sound and economically viable, a planning application can be made to replace the temporary accommodation with a permanent house.

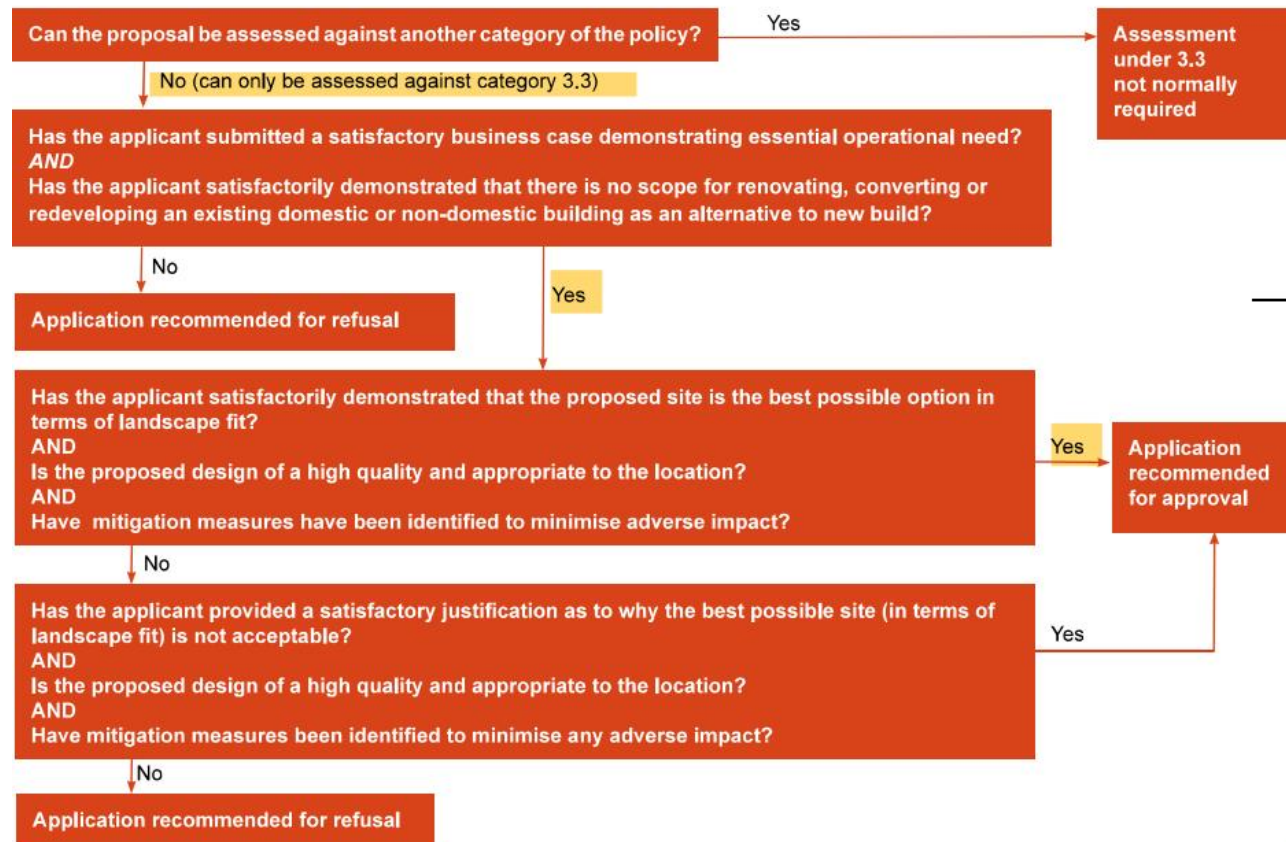
Our application falls between two parts as there is already in place a well established agricultural business and clear evidence provided to support this element.

This is not a business which has started from scratch and is up and running and economically viable, therefore there is no reason why a planning application can not be supported to replace the temporary accommodation with a permanent house.

There is no time-frame noted for this element.

15

Assessing proposals relating to an existing business



Our assessment of the flow chart is that it should be recommended for approval.

3.4 Houses for Local People:

Proposals will be supported for a house for a local person or family who have lived and/or worked in the area for at least 3 years, and who are currently inadequately housed. Proof that the existing house is the sole residence and has been occupied on a permanent basis for the full 3 year period may be required. For the purposes of this Guidance, inadequately housed means a person or household who are currently living in:



Insecure housing – where a person or household can demonstrate that they are to lose their current tied, service or private rented accommodation within six months or their Private Residential Tenancy is coming to an end. Applicants will be required to demonstrate that they cannot secure another tenancy within the area.

OR

Unsuitable accommodation – where the needs of someone within the household has changed and they now require a different type of accommodation, for example, a house which is suitable for a wheelchair user. Alternatively, where a household is living in overcrowded accommodation i.e. the accommodation lacks one or more bedrooms to meet the needs of the household. Each case will be assessed on its own merits but in calculating overcrowding the Council generally considers it reasonable for the following household members to share a double bedroom: couples; same sex household members; and two mixed sex household members under 10 years of age. In all cases the applicant will be required to demonstrate that no alternative accommodation is available to them within the local area.

3.5 Houses for Sustainable Living:

Proposals for a new house under this category are about more than the building itself. Sustainable living is a lifestyle approach where a person or household seek to reduce their carbon footprint by changing the ways in which they use energy and natural resources.

To be acceptable under this category it must firstly be demonstrated that a new house in a rural setting is essential as an integral part of an overall scheme for the management or use of land which will allow its occupants to be largely self-sufficient. Whilst there are some everyday goods which cannot be produced locally, proposals must include the cultivation of land to produce crops and rear livestock at a scale so as to ensure that the household will not be dependent on car travel elsewhere in order to meet the majority of their basic food shopping needs.

Proposals under this category will be for one-off, bespoke single houses which are at the forefront of sustainability. They will be low impact in terms of their scale, construction materials and methods, and sources of energy and heating. The use of renewable technologies such as solar panels, ground and air source heat pumps, and passive heating are now common place. To be acceptable under this category therefore, it must be demonstrated that the proposals go beyond those technologies which are widely available, and instead include new or innovative elements which are over and above what is already expected in modern building projects.

Detailed plans and full information are essential to making an informed assessment as to whether the proposal can be classed as a house for sustainable living. As such, applications in principle will not normally be acceptable under this category.



CERTIFICATE OF ATTENDANCE

This certificate confirms that

TESSA SANDS

Attended the Be Your Best Self personal development programme for women in agriculture funded by The Scottish Government in Nov 2022



Scottish Government
Riaghaltas na h-Alba
gov.scot

Further Information Required

1. Can you please confirm the name of the existing business? I've had a look online, using various different names and nothing obvious is coming in relation a sheep and turkey business @ Oakfield Farm, or under your clients names. To help demonstrate that there is an existing business in operation, an executive summary of the audited business accounts for the last three years would be useful to see. It would also be useful to see both the last 3 years 'stock' figures, and the projection for the next three years, and how that is to be financed by the projected profits.

This business has been run as a sole trader, unfortunately won't be able to be found online, the turkeys are advertised via Facebook and local farmers markets and farm shops as 'The Tasty Turkey Perthshire' but goes through the farm account as a sole trader. Since the purchase of Oakfield the farm account has been changed to a partnership between Michael and Tessa Sands to run the business rather than as a sole trader, as recommended by The Scottish Governments Rural Payments and Inspections Directorate.

Please find below extract excel sheets showing stock figures and a financial summary (including future projections, now we are based at Oakfield) covering 2018-2025.

Stock Figures							
	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25
Turkeys	0	50	75	150	200	200	200
<i>Sheep:</i>							
BF Ewes	260	161	150	259	280	280	280
Mule Ewes	105	127	145	111	100	110	110
Dry Hogs	120	96	134	99	130	130	130
	485	384	429	469	510	520	520
Texel Tups	6	3	2	2	2	2	2
BFL Tups	1	1	3	3	6	6	6
Beltex Tups	2	2	2	2	2	1	1
Empty Ewes	0	9	0	0	0	0	0
	494	399	436	476	520	529	529

Financial Summary & Projected Profits					
	2017-18	2018-19	2019-20	2020-21	2021-22
Sheep Sales	£ 36,576.00	£ 23,825.00	£ 30,109.00	£ 36,499.00	£ 41,780.30
Wool	£ 370.00	£ 464.00	£ -	£ -	£ 300.00
Turkeys	£ -	£ -	£ -	£ 1,856.00	£ 2,850.50
Closing Herd - Livestock asset value	£ 25,875.00	£ 30,675.00	£ 25,710.00	£ 25,715.00	£ 27,400.00
Sheep/Turkey Purchases	£ 17,184.00	£ 4,842.00	£ 5,965.00	£ 9,826.00	£ 18,043.00
Feeding	£ 1,366.00	£ 6,262.00	£ 2,568.00	£ 3,622.00	£ 3,429.58
Grazing	£ 4,668.00	£ 4,369.00	£ 3,514.00	£ 4,872.00	£ 2,850.00
Vet & Medicine	£ 2,605.00	£ 2,151.00	£ 2,746.00	£ 2,925.00	£ 3,812.33
Other livestock expenses	£ 3,822.00	£ 2,197.00	£ 2,076.00	£ 2,576.00	£ 2,894.55
Repairs	£ 881.00	£ 1,572.00	£ 396.00	£ 642.00	£ 1,623.70
Sundry Expenses	£ 278.00	£ 677.00	£ 42.00	£ 1,287.00	£ 986.63
Motor & Tractor	£ 143.00	£ 318.00	£ 95.00	£ 225.00	£ 347.00
Accountancy	£ -	£ 350.00	£ 360.00	£ 370.00	£ 600.00
Bank Charges	£ 32.00	£ 97.00	£ 90.00	£ 84.00	£ 88.25
Depreciation of machinery	£ 1,636.00	£ 2,054.00	£ 1,622.00	£ 1,256.00	£ 1,800.00
Net Profit	£ 4,396.00	£ 10,590.00	£ 4,308.00	£ 10,365.00	£ 8,455.76

2. The existing agricultural buildings appear to be for storage only, and not for livestock. Can you please clarify what (and where) the existing livestock accommodation is for the sheep and turkeys. I would presume they would have some indoor shelter of some sort.

Currently the turkeys are housed in the clients temporary polytunnel where they spend the first part of their lives, they then have an area of mixed woodland to be reared free range. The sheep are currently lambed outdoors, all sheep are brought back to Oakfield for lambing and have plenty shelter under the mature mixed woodland surrounding the fields, it is only on the occasion of injured/unwell sheep or lambs that will be housed in the temporary poly tunnel for treatment.

Further Information Required

3. Can you please provide a map of the wider farm. There is a blue line extract on some of the plans, but I don't see map which shows the full extent of the holding. It would be useful if that could be annotated with the different elements of the farm i.e. sheep, turkeys etc.

Please see attached map showing the whole farm, I have marked on the fields where the sheep are, the small area of mixed woodland the turkeys roam, including the poly tunnel and the storage sheds.



4. Within the design statement, a 'modest' house is referred too on a number of occasions. However, the plans suggest a very large 6 bedroomed home, which includes a large office area - which isn't modest. Was there another proposal intended to be lodged, but changed to this bigger house? If so, why?

Apologies upon reflection the use of modest is not the most relevant description, but we have worked with the clients to design a house which is reflective of the family's needs.

The house as designed is for the families current and future requirements – The clients would like to expand their family and prior to moving to Oakfield they had a live in au-pair (to help with childcare to work around our non-typical working pattern in farming) therefore we have designed the house to suit this e.g. an en-suite bedroom slightly away from others. The large area above carport/garage is planned to be used as a store currently with the future ability to be used as a farm office if we require admin/seasonal staff, this area would also be utilised for things such as turkey collection and farm meetings, keeping the general public out of their private space and the remainder of the house. We feel there are houses of similar size recently built in the area (3 at Grange Mews), by keeping it 1.5 storeys with limited dormers on the north side we felt this was less imposing. The site is also very enclosed and therefor offers very limited, if not negligible visual impact, from any of the surrounding properties.



Further Information Required

5. Can you please clarify where the existing processing of the turkeys occurs?

Woodmill Game at Auchtermuchty is where the turkeys are slaughtered and gutted, the clients then package, dress and hold a series of collection/welcome days on the farm. The clients hire in refrigerated container where the turkeys are stored prior to collection. The slaughter/butchering is something we are looking at doing in house in the future but feel that until we are at 200+ birds it is not financially viable to do so therefore the clients feel it works well outsourcing to Woodmill game.

6. Can you please provide details of any other employees other than Mr and Mrs Sands, including seasonal workers and / or external contractors.

Other than sheep shearers (once a year) and sheep scanning to determine lambing numbers (again once a year) everything is done in house.

7. You've mentioned that the location of the house was chosen so that it had good view the majority of the farm. If the farm extends to the west, a large majority of the farm would therefore be away from the house. Can you please clarify this, and outline why other locations have been discounted.

We have looked at several different sites across the farm and as shown on the map most of the West side of the farm is in an area of potential flooding, after speaking with Millard Consultancy about flooding and building on the farm we agreed this was the most suitable site for flooding purposed but also taking into account things like services, access roads (the mobile home is next to this site therefore water/power already brought in for this). As for visibility of the farm, due to the areas of trees there will always be blind spots on the farm but the proposed house site sits on a slightly raised part of the farm and the driveway to the house will have clear visibility of the sheds and yard area which we felt would be good security for the farm as this may deter theft if they can see a house is sited on the farm, but bearing in mind we didn't want the house to impact the local landscape so have positioned it ever so slightly down the hill. The house will have a clean view over the majority of the East side of the farm which will be beneficial year round but especially at lambing time to keep an eye on any problems.

8. More clarification on the 'provision for turkey processing and marketing element' would be useful – particularly as the hrs which have been accredited to this element takes the total over the 19

Please find below a breakdown of the 'provision for turkey processing and marketing element'. This was the calculation done for the purpose of the agricultural justification by our agricultural consultant.

Oakfield Turkeys						
Duties	Months relevant	No. of weeks	Daily Hours	Weekly hours	Hours (total annual)	Comments
Weekly weigh in	August-December	17		2.5	42.5	
Marketing/Orders	All year	52		2	104	Including meetings with butchers/farm shops
Woodmill Game - deliver/collect	December	1	6	6	6	drop off/pick up done in two batches
Processing/Packaging	December	1	18	18	18	two people
Collection/drop offs	December	1	12	12	12	two people
Deep Clean/disinfect all equipment	June & December	2		5	10	done prior to turkey arrival and once they have left
Feeding/water/bedding/health check	July-December	20	2	14	280	
					472.5	

Further Information Required

9. The prohibitive cost of buying the existing farmhouse (which appears to be under offer, but not sold) has been mentioned. However, the cost of building the proposed house as lodged will not be insignificant, especially with the use of slates. Some comments on this would be useful.

As Michael, the applicant, has extensive building experience, this will be a self-build and build cost will be significantly lower than a 'typical' build as there will be limited labour costs and materials will be at cost price with Michael doing a lot of the building and joinery work. Middlebank farmhouse was originally listed for over £500,000 (and required extensive renovations), the clients believe they will be able to build for half of this, with the bonus of being in a more suitable location, the clients always felt the location of the Middlebank farmhouse was not suitable for our farm with the golf driving range being located between the house and land, we were also unnerved by the direct proximity to the A90 for their sheepdogs.

With reference to slates the aim would be to get re-claimed welsh slates off old agricultural buildings that Michael would strip down at no cost to enable us to save money. (Subject to this being approved by PKC planning for the type of slates of course, but I'm more using this as an example). There are many things like this that we have thought about to significantly reduce our build costs.

At the time of purchase we were financially stretched and are steadily investing and are doing a lot of the work to reduce costs (fencing, building sheds and re doing the field drains). Over a period of time we will be able to build up money that will be used towards the house build, this will therefore be money that wasn't available at the time of the purchase (and when the farmhouse was for sale).

Savills
Earn House
Broxden Business Park
Lamberkine Drive
Perth
PH1 1RA

19th November 2018

Dear Mr [REDACTED],

My Client; Mr Michael and Mrs Tessa Sands recently (31st May 2017) purchased Chance Inn (a house located at Hawkstane) from your client; [REDACTED].

My Client would like to acquire the grass field to the rear of their house. See attached map and Goggle Street View Image below.

The field is currently in grass and extends to approximately 13 acres. There is a post and wire fence which surrounds the field which would benefit from being replaced, but is currently stock proof. The field is accessed via a track between Chance Inn and the field. The field does not appear to provide access to other fields in your client's ownership. There is currently no water trough in the field.

Michael & Tessa Sands are sheep farmers. Their sheep are currently grazed at Milton Farm, Abernyte (Michael's parents farm). The Sands Family are renowned and champion sheep breeders. The field is to be used for sheep grazing.

My client would be prepared to offer your client £[REDACTED] to purchase the field. This offer breaks down to £[REDACTED]/acre. In compiling this offer we have considered comparable sales evidence, including the sales of; Ross Farm (Glencarse), North Grange Farm (Errol), West Leys Farm (Errol), Seaside Farm (Errol), South Inchmichael Farm & land at East Leys Farm (Errol) and North Inchmichael (Errol).

The field is to be used solely for agricultural purposes. With an overhead electricity transmission line, overhead electricity distribution line and a gas pipeline (main pipeline from Errol to St Madoes) traversing through the field, it is exceptionally unlikely that the field will ever be developed. However, if required, my client would be content to insert a clause in the missives either prohibiting them from building any non-agricultural related structures/buildings or a clawback/overage clause in the very unlikely event of the site ever being developed.

Please put this offer to you client and revert back and confirm if it is acceptable. In addition, my client would be prepared to pay your clients reasonably incurred solicitors fees, up to an agreed cap.

I look forward to hearing from you.

Kindest regards,

Keir Doe
Keir & Co
Muirhouses Farm
Grange
Errol
Perthshire
PH2 7TB

Oakfi Profit

	Apr-22	May-22	Jun-22	Jul-22	Aug-22
Income					
Sheep sales	0.00	1,832.38	2,338.32	1,987.00	17,863.00
Turkey sales	0.00	0.00	0.00	0.00	270.00
Wools sales	0.00	0.00	445.00	0.00	0.00
Contract work	0.00	0.00	0.00	0.00	0.00
Subsidy/Grant	0.00	0.00	0.00	0.00	0.00
Total Income	£ 0.00	£ 1,832.38	£ 2,783.32	£ 1,987.00	£ 18,133.00
Expenditure					
Sheep purchases	0.00	0.00	0.00	0.00	0.00
Turkey purchases	0.00	0.00	0.00	0.00	525.00
Feeding	1,774.97	78.40		1,668.16	
Grazing	0.00	1,300.50	0.00	0.00	761.00
Turkey expenses	0.00	0.00	0.00	103.00	113.83
Vet & Med	87.00	0.00	0.00	0.00	161.67
Other livestock expenses	149.90	51.83	87.30	57.63	732.17
Grass Seed	0.00	400.00	0.00	0.00	0.00
Fencing	0.00	0.00	0.00	0.00	0.00
Fertiliser/Chemicals	0.00	115.80	0.00	2,631.60	0.00
Insurance	0.00	0.00	0.00	0.00	0.00
Field work	0.00	752.00	0.00	1,568.04	478.95
Repairs and maintenance	0.00	0.00	0.00	0.00	0.00
Motor & tractor expenses	979.02	0.00	1,112.91	114.65	0.00
Computer expenses	0.00	6.00	6.00	6.00	6.00
Bank charges	7.85	7.85	7.00	7.00	7.00
Accountancy	0.00	0.00	0.00	0.00	0.00
Legal and professional fees	0.00	0.00	0.00	0.00	0.00
Security	278.29	0.00	0.00	0.00	0.00
Subscriptions	8.32	8.32	0.00	174.17	0.00
Sundry expenses	141.83	117.17	0.00	744.22	0.00
Total Expenses	£ 3,427.18	£ 2,837.87	£ 1,213.21	£ 7,074.47	£ 2,785.62
<i>Opening bank balance £7157.73</i>					
Net Operating Income	-£ 3,427.18	-£ 1,005.49	£ 1,570.11	-£ 5,087.47	£ 15,347.38
Drawings/Wage	£ 1,000.00	£ 1,000.00	£ 1,000.00	£ 1,000.00	£ 1,000.00

Field Farm and Loss

Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Total
4,800.00	0.00	3,600.00	0.00	0.00	1,750.00	1,500.00	35,670.70
180.00	540.00	2,900.00	7,800.00	0.00	0.00	0.00	11,690.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	445.00
1,115.70	154.00	0.00	0.00	0.00	0.00	0.00	1,269.70
0.00	1,102.62	0.00	0.00	0.00	0.00	24,600.00	25,702.62
£ 6,095.70	£ 1,796.62	£ 6,500.00	£ 7,800.00	£ 0.00	£ 1,750.00	£ 26,100.00	£ 74,778.02
3,043.00	9,805.55	0.00	0.00	0.00	0.00	0.00	12,848.55
0.00	0.00	0.00	0.00	0.00	0.00	0.00	525.00
242.76	503.35	0.00	0.00	2,880.00	0.00	0.00	7,147.64
812.80	0.00	0.00	2,000.00	0.00	0.00	0.00	4,874.30
152.34	627.50	300.00	1,055.00	0.00	0.00	0.00	2,351.67
0.00	354.76	0.00	140.00	0.00	0.00	0.00	743.43
914.86	0.00	0.00	0.00	300.00	0.00	0.00	2,293.69
0.00	0.00	0.00	0.00	0.00	0.00	0.00	400.00
0.00	1,800.00	0.00	0.00	0.00	0.00	0.00	1,800.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,747.40
0.00	0.00	0.00	0.00	498.00	0.00	0.00	498.00
793.32	809.00	0.00	0.00	0.00	0.00	0.00	4,401.31
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1,216.40	0.00	0.00	1,000.00	0.00	0.00	1,000.00	5,422.98
6.00	6.00	12.00	12.00	12.00	12.00	12.00	96.00
7.85	7.00	7.00	7.00	7.00	7.00	7.00	86.55
0.00	0.00	0.00	0.00	1,000.00	0.00	0.00	1,000.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	278.29
39.74	0.00	0.00	7.50	8.77	0.00	0.00	246.82
365.48	0.00	0.00	0.00	355.00	0.00	0.00	1,723.70
£ 7,594.55	£ 13,913.16	£ 319.00	£ 4,221.50	£ 5,060.77	£ 19.00	£ 1,019.00	£ 49,485.33
-£ 1,498.85	-£ 12,116.54	£ 6,181.00	£ 3,578.50	-£ 5,060.77	£ 1,731.00	£ 25,081.00	£ 25,292.69
£ 1,000.00	£ 1,000.00	£ 1,000.00	£ 1,000.00	£ 1,000.00	£ 1,000.00	£ 1,000.00	
Profit after drawings							

£ 74,778.02

£ 49,485.33

£ 25,292.69

£ 12,000.00

£ 13,292.69



CERTIFICATE CERT-003798
Issue Date: 11-11-2022

CERTIFICATION
Certification Date: 11-11-2022

QMS Membership Number 020071
FIAID FIA9612

CERTIFICATE

M T Sands,
Oakfield Farm, Middlebank
, PH2 7SX, Errol
UNITED KINGDOM

Has satisfied the requirements of the Quality Meat Scotland for Cattle & Sheep
Standards and may use the approved scheme mark for the following products:

Certification Scope

Standard: QMS Cattle and Sheep 2022

Name	Cert Status
Sheep	Approved



Compliance is monitored through initial and continuing assessment.

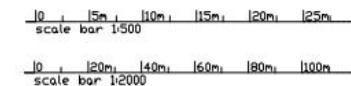


Authorised by Stephen Sanderson, General Manager

This certificate is the property of FIA Ltd and must be returned immediately on request. To check its validity
contact FIA Office Tel: 0131 609 0558 or email: agriculture@foodassurance.co.uk

FIA Food Integrity Assurance Ltd
The Rural Centre, West Mains, Newbridge, EH28 8NZ, Scotland/Edinburgh
Registered in Scotland No - 704686





REV A DATE

UR
URBAN RURAL

jbrewster@urds.co.uk
 07827 947 143
 www.urds.co.uk

Project:
 Proposed Farm House
 Oakfield
 Errol
 Perthshire

Client:
 Mr & Mrs Sands

Title:
 Existing Site Layout Site Plan

Status:
 For Planning

Ref: PL(90)002 Revision: A

Scale: 1:500 @A3 1:2000 Date: 05/06/2022



Approved Site - Agricultural Storage Sheds

Approved Site - Cabin (Applicants Living On Site)

Existing Site Location Plan 1:2000



Existing Access Track

Farmland

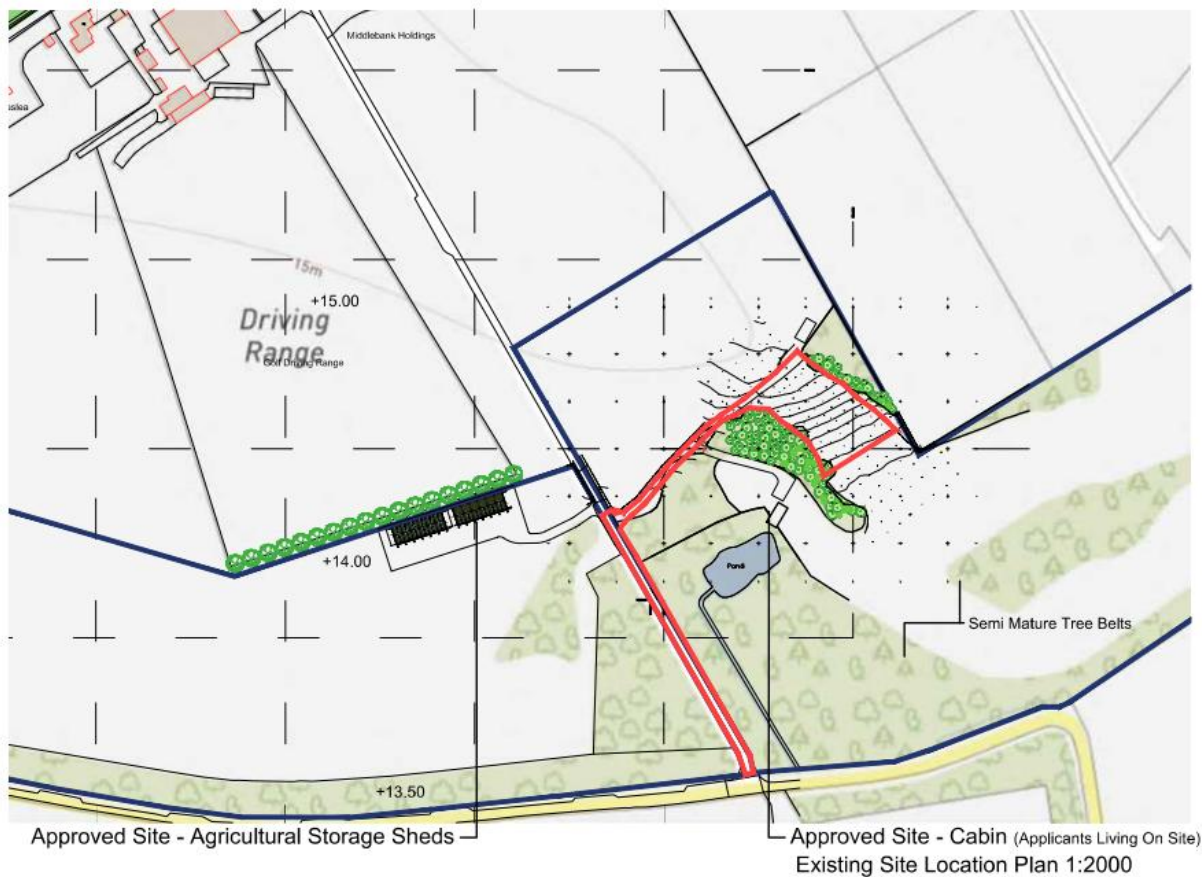
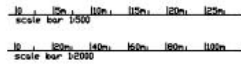
Semi Mature Tree Belts

Semi Mature Tree Belts

EXISTING SITE PLAN

429

Existing Site Plan 1:500



EXISTING SITE PLAN

REV	DATE
A	

UR
 URBAN RURAL

07822 947 143
 www.urds.co.uk

Project
 Proposed Farm House
 Oakfield
 Errol
 Perthshire

Client
 Mr & Mrs Sands

Title
 Existing Site Layout Site Plan

Status
 For Planning

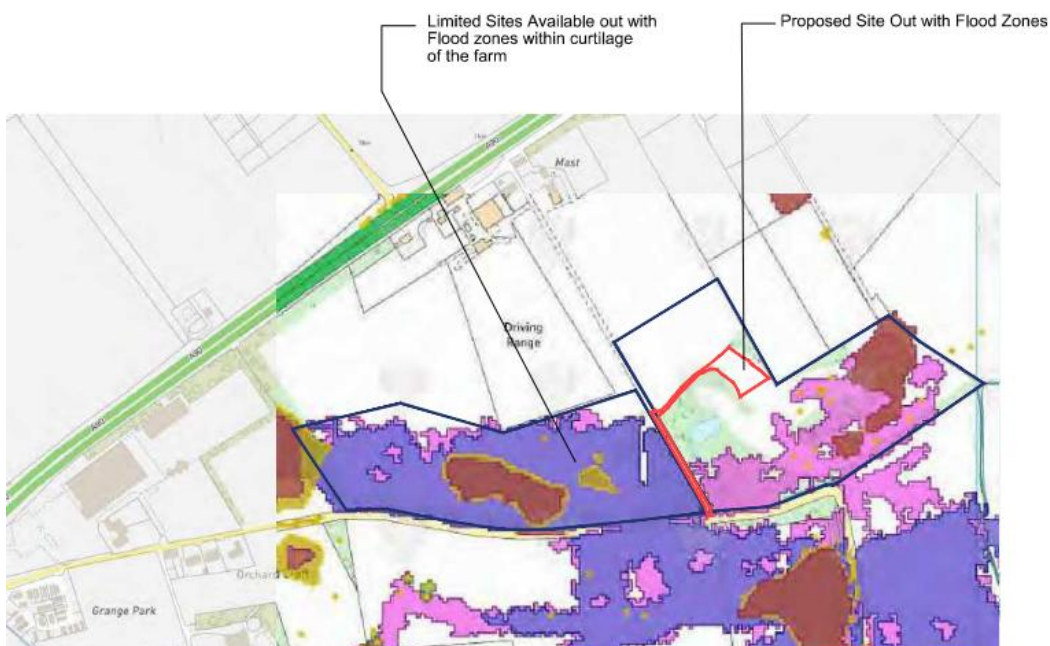
Ref
 PL(90)002

Scale
 1:500 @A2
 1:2000

Date
 05/06/2022



Proposed Site Location Plan 1:5000



Flood Map Site Plan 1:5000

REV _____ DATE _____

UR
URBAN RURAL
 DESIGN

jonester@urds.co.uk
 07827 947 143
 www.urds.co.uk

Project:
 Proposed Farm House
 Oakfield
 Errol
 Perthshire

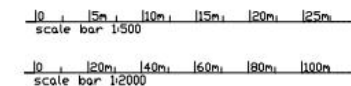
Client:
 Mr & Mrs Sands

Title:
 Proposed Site Location Plan

Status:
 For Planning

Ref: PL(90)001 Revision: B

Scale: 1:5000 @A2 Date: 05/06/2022



REV A DATE

UR
URBAN RURAL

jbrewster@urds.co.uk
 07827 947 143
 www.urds.co.uk

Project:

Proposed Farm House
 Oakfield
 Errol
 Perthshire

Client:

Mr & Mrs Sands

Title:

Existing Site Layout Site Plan

Status:

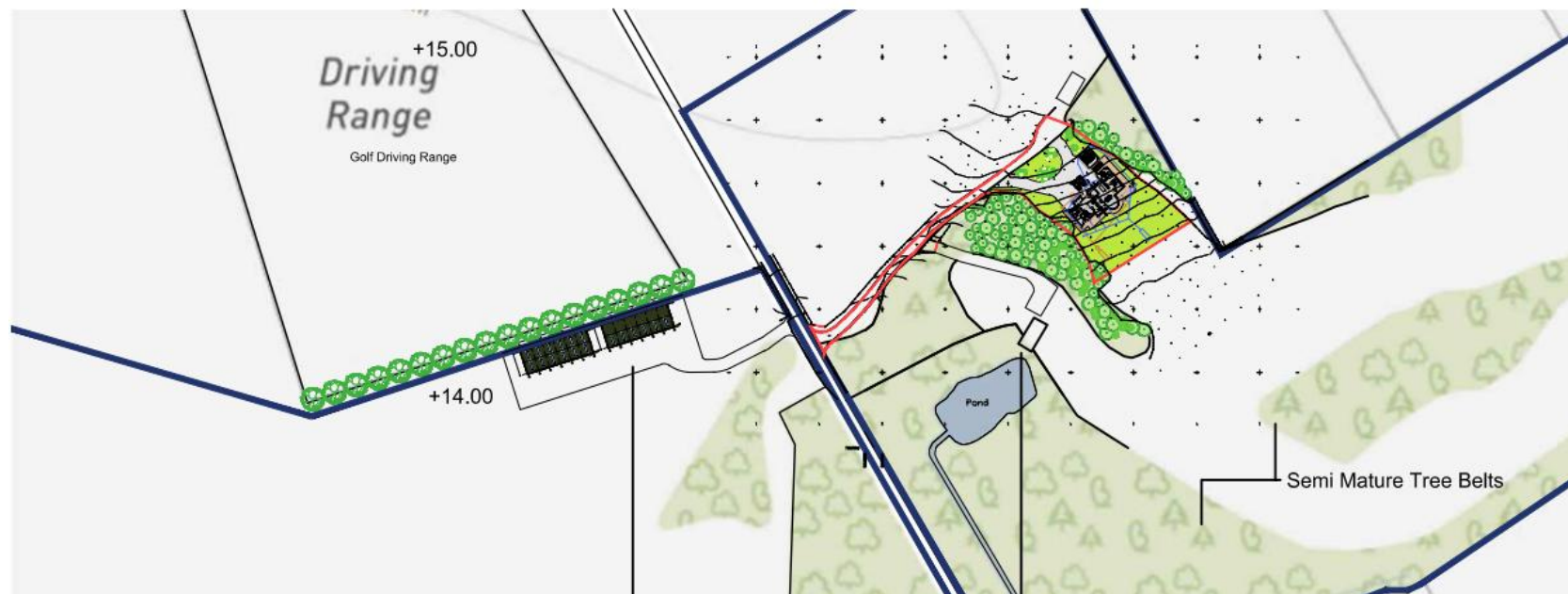
For Planning

Ref: Revision:

PL(90)002 A

Scale: Date:

1:500 @A3 05/06/2022
 1:2000



Approved Site - Agricultural Storage Sheds

Approved Site - Cabin (Applicants Living On Site)

Proposed Site Location Plan 1:2000



Semi Mature Tree Belts

Proposed Garden Area

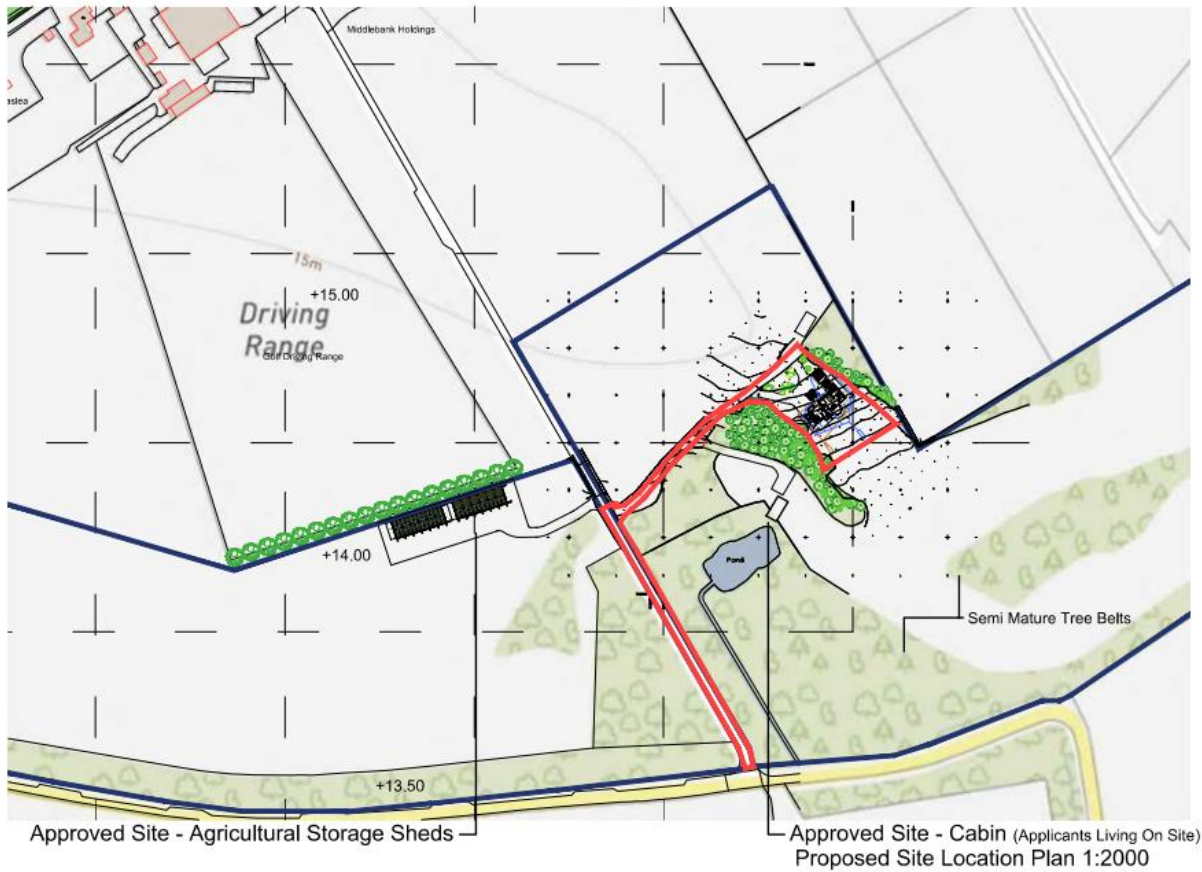
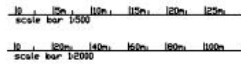
Rainwater to new soakaway

Foul to new treatment unit and soakaway

Proposed Site Plan 1:500

EXISTING SITE PLAN

432



433

PROPOSED SITE PLAN

REV	DATE
A	

UR
URBAN RURAL

07827 947 143
www.urds.co.uk

Project
Proposed Farm House
Oakfield
Errol
Perthshire

Client
Mr & Mrs Sands

Title
Proposed Site Layout _ Site Plan

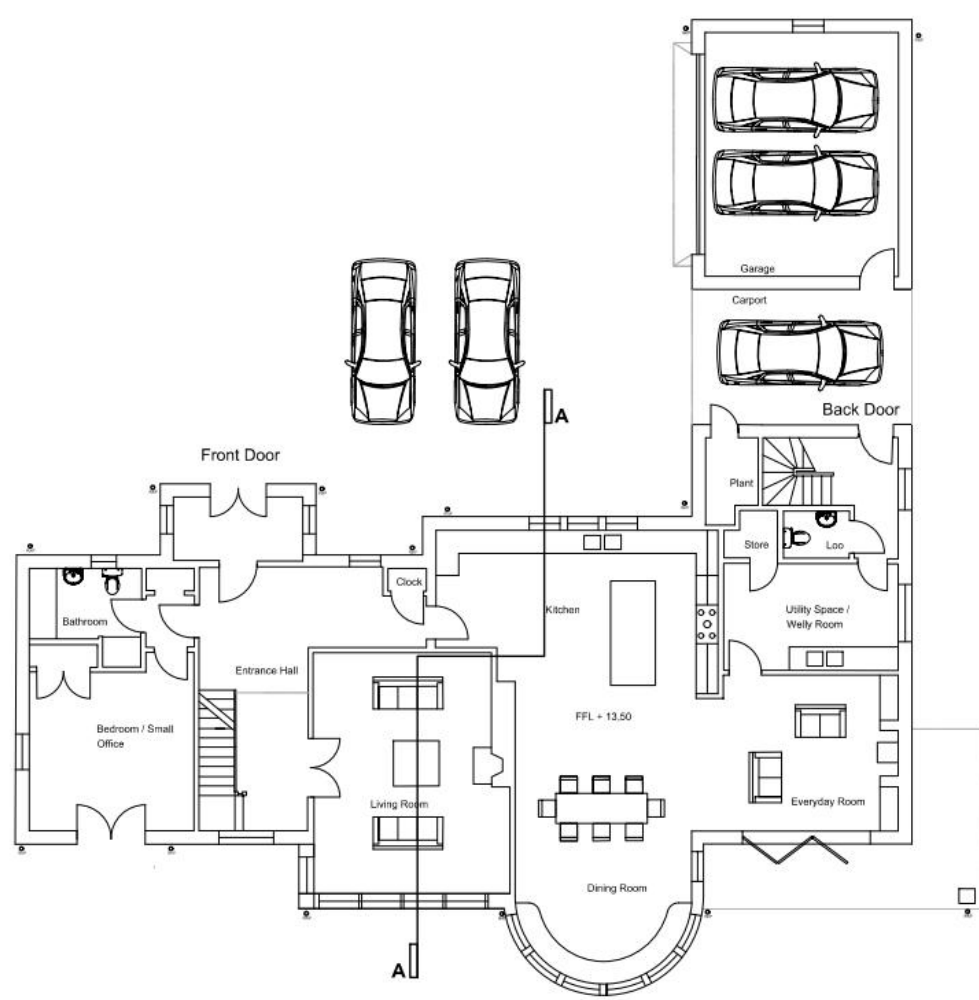
Status
For Planning

Ref
PL(90)003

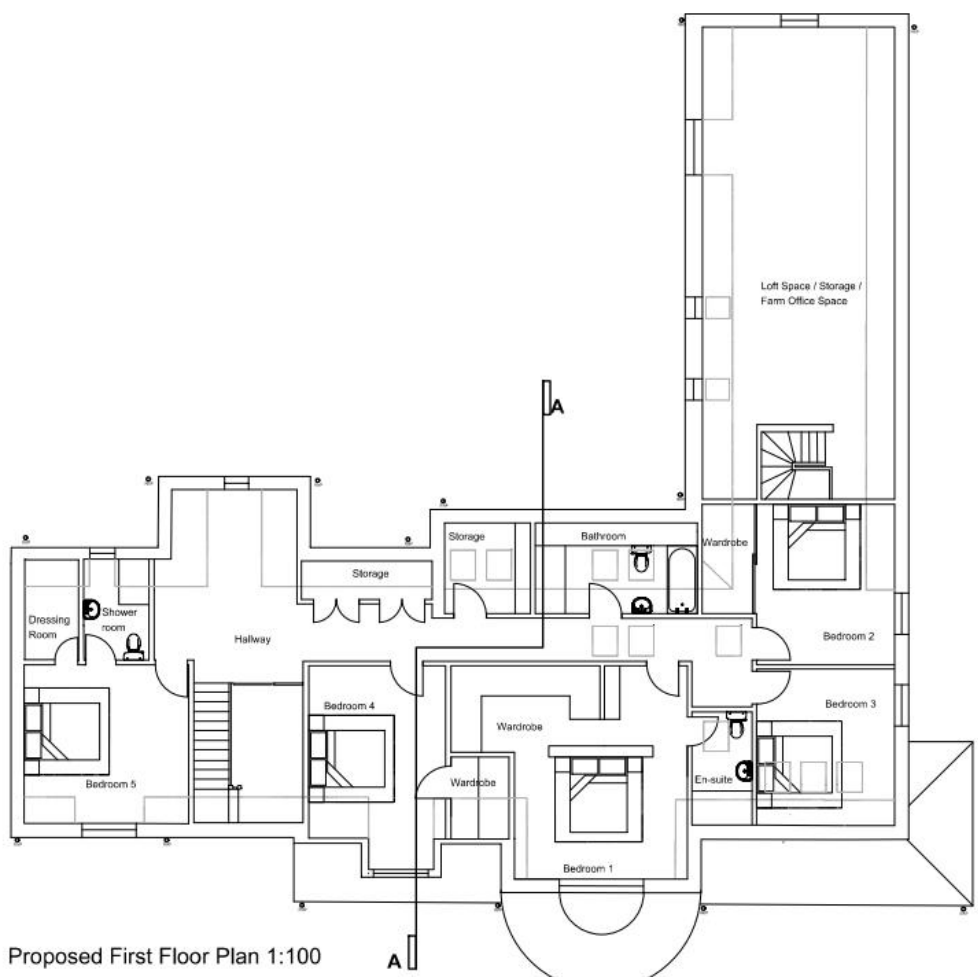
Revision
B

Scale
1:500 @A2
1:2000

Date
05/06/2022



Proposed Ground Floor Plan 1:100



Proposed First Floor Plan 1:100

REV	DATE
A	



j.browder@urds.co.uk
 07827 947 143
 www.urds.co.uk

Project: Proposed Farm House
 Oakfield
 Errol
 Perthshire

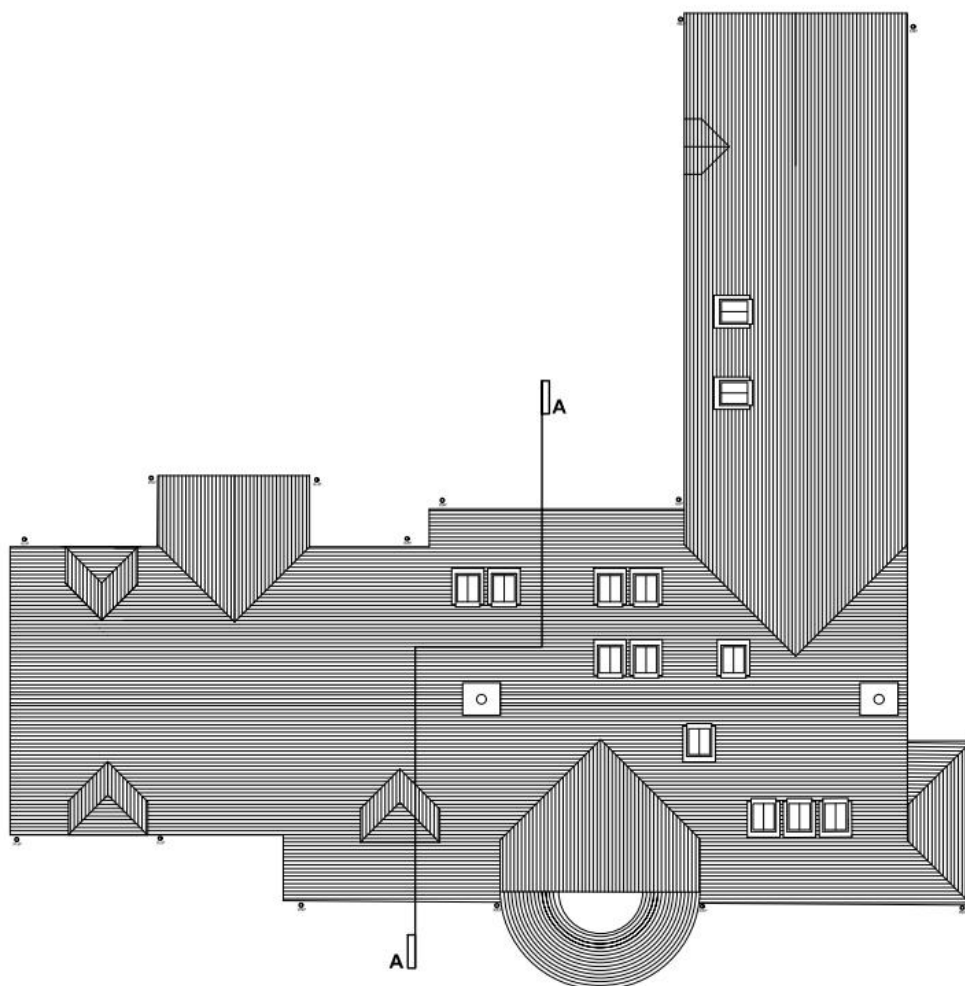
Client: Mr & Mrs Sands

Title: Proposed Ground Floor Plan &
 First Floor Plan

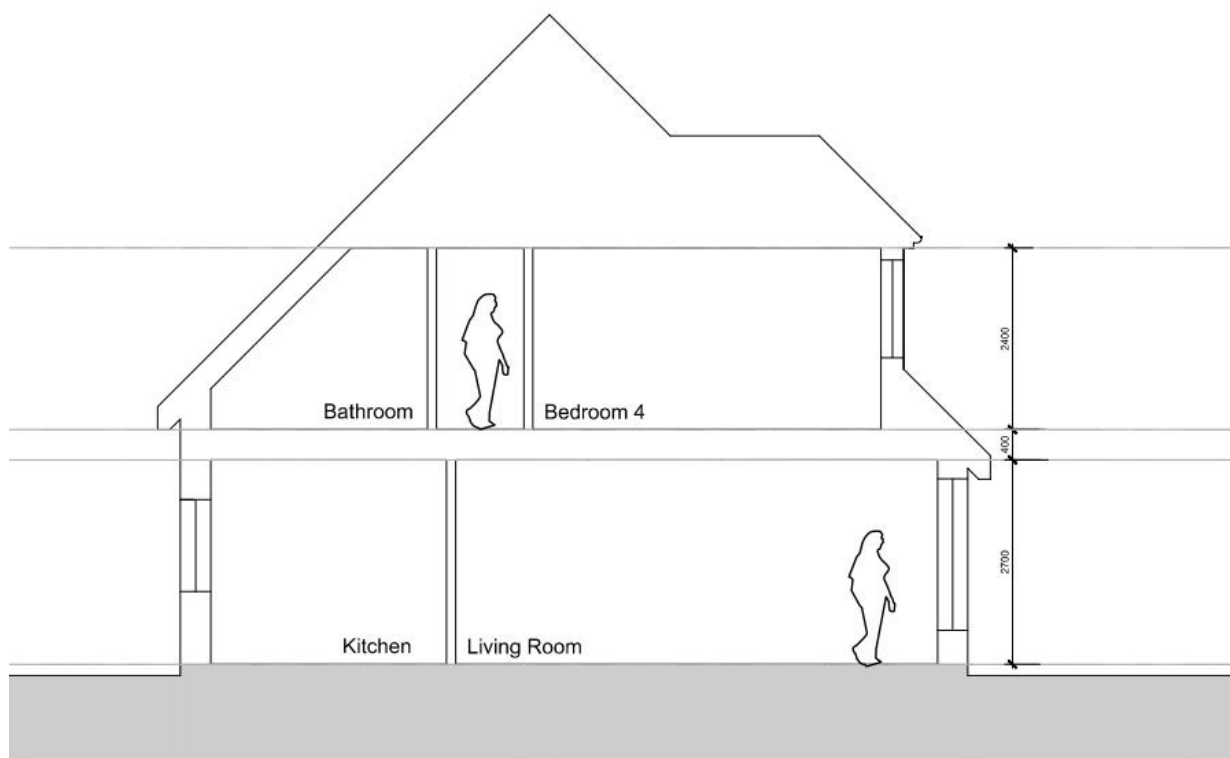
Status: For Planning

Ref: PL(20)001 Revision: A

Scale: 1:100 @A2 Date: 05/06/2022



Proposed Roof Plan 1:100



Proposed Cross Section AA 1:50

REV A DATE

UR
 URBAN RURAL

jbrowster@urds.co.uk
 07827 947 143
 www.urds.co.uk

Project:
 Proposed Farm House
 Oakfield
 Errol
 Perthshire

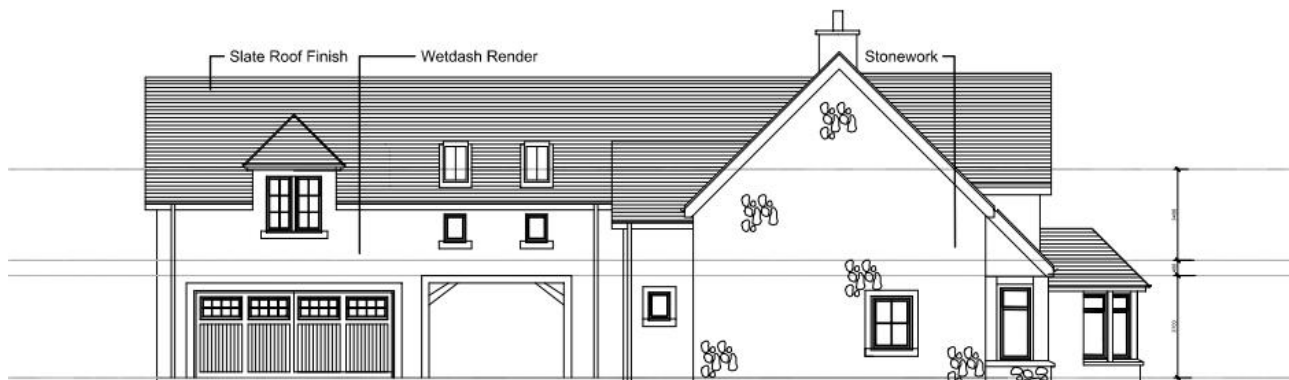
Client:
 Mr & Mrs Sands

Title:
 Proposed Roof Plan &
 Cross Section AA

Status:
 For Planning

Ref: PL(20)002 Revision A

Scale: 1:100 @A2 1:50 Date: 05/06/2022



Proposed South West Elevation 1:100



Proposed North West Elevation 1:100



Proposed North East Elevation 1:100



Proposed South East Elevation 1:100

REV A DATE

UR
 URBAN RURAL

jbrewster@urds.co.uk
 07827 947 143
 www.urds.co.uk

Project:

Proposed Farm House
 Oakfield
 Errol
 Perthshire

Client:

Mr & Mrs Sands

Title:

Proposed Elevations

Status:

For Planning

Ref: PL(20)003 Revision: A

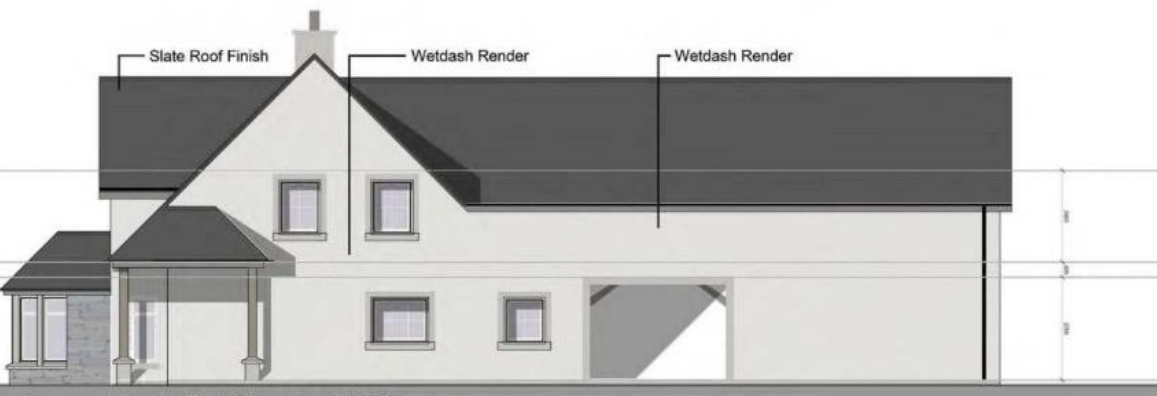
Scale: 1:100 @A2 Date: 05/06/2022



Proposed South West Elevation 1:100



Proposed North West Elevation 1:100



Proposed North East Elevation 1:100



Proposed South East Elevation 1:100

REV A DATE 1

UR
 URBAN RURAL

07327 947 143
 www.urbs.co.uk

Project:

Proposed Farm House
 Oakfield
 Errol
 Perthshire

Client:

Mr & Mrs Sands

Title:

Proposed Elevations
 Materials

Status:

For Planning

Ref: PL(20)004 Revision: A

Scale: 1:100 @A2 Date: 05/06/2022

Supporting Design and Access Statement
For Proposed Farmhouse
Oakfield Farm
Middlebank

1.0 Supporting Document Summary

Supporting Document Summary

This Design and Access Statement (DAS) is a supporting document in respect of the proposed farmhouse at Oakfield holding, Middlebank, Errol, PH2 7SX, 1.5 miles north of Errol for farmers, Mr & Mrs M Sands, of the Oakfield Farm (the applicants).

The Applicants have been farming at Oakfield Farm since its purchase in 2021 as they have been growing their farming enterprise over the past 12 years utilising rented ground and sheds, they are delighted to finally have a permanent base, hence the application for a proposed Farmhouse. The proposed development is essential to meet the current farming demands.

Design And Access Statement (DAS) Statements are primarily documents that explain and illustrate the principles and concepts of the design and a proposed development in a structured way, and set out the thought process that has led to the final design.

The purpose of this Design And Access Statement is to clearly explain the ideas which underpin the design decisions arrived at and highlight how important design and context issues have been considered and how they have been approached.

This design and access statement should be read in conjunction with the associated Planning Statement by Mark Williamson, the Agricultural Justification and business over view prepared by the Farm & Transport Solutions.

Project Team

Project Applicant:	Mr & Mrs M Sands
Planning Consultant:	Mark Williamson Planning Consultancy
Agricultural Consultant	Farm & Transport Solutions
Architect:	Urban Rural Design Studio
Topographical Survey:	Benchmark Surveys

2.0 Scheme Overview

Scheme Overview

The proposed development is integral to the needs of the farm, and that of the animals. Mr and Mrs Sands purchased the farm in 2021 after searching for 4 years for a permanent base for their farming business.

The Oakfield holding of 35 acres, was purchased following the sale of Middlebank Farm in lots, including the Middlebank house and steading . But unfortunately the applicants did not have sufficient funds to purchase the house or steading at that time.

Upon successful purchase of the farmland the applicants applied for planning permission to site a temporary cabin (consent Ref 21/02258/FLL), to allow them to live on site. The applicant 'hit the ground running' with lambing their substantial sheep flock and setting to work replacing all the boundary fences to make the farm stock proof, reinstate the dilapidated field drains and have re-sown around 50% of the grass as the grass was in poor condition.

Having held an agricultural holding number for 12 years and developed a framing business over the past 12 years through rented farmland the applicants finally have a bought and owned base. As the farm is up and functioning the applicants have now turned their attention to a permanent farmhouse to service the farming business needs.

Our design approach is founded on two broad headings:

1. An understanding of the immediate and wider site context and appropriate vernacular building typologies.
2. Development of a proposal that minimises its impact on the unique qualities of the immediate site and wider context.

The proposed Farmhouse design is bespoke and comprises of a farm office, as well as the living accommodation, to enable the farmhouse to be an on-site base for the applicants.

Working with the clients, and engaging with a planning consultant, the approach to the site selection, identification, and layout of the proposed house has been driven by the constraints posed by the potential flood zoning and the existing landscape features which offers a defined and contained site visually.

Location Site address: Oakfield holding, Middlebank, Errol, PH2 7SX.

The land, covering the application site, is in full ownership of the applicants.



3.0 Site Details

Site Details

The site is situated on farmland to the south of the A90. The site is accessed by an established minor road leading from the Horn cafe junction. The actual farmland and house site is accessed via the existing farm road and tracks which leads up to the existing farmland. The house site is approximately 425m from the main road.

The site is flanked by rising farmland to the North and tree belts to the East, West and South.



4.0 Client Brief

Client Brief

A summary of the key points of the Client Brief are as listed below.

The Aim:

To respond to the agricultural need - to have a permanent presence and base on site .

- A Farmhouse that is located proximate to the farmland and sited within clearing flanked by trees.
- A Farmhouse which sits out with the identified flood zones.
- A modest Farmhouse, with a traditional/vernacular design and the use of natural materials.
- A Farmhouse with a clear and evident front door, with windows overlooking the adjacent farmland for supervision.
- A Farmhouse with a large utility and back door area , for everyday use, and a farm office, critical to the running of the farm including housing all the associated paperwork.

Key Design Principles :

1. House to be associated directly with the farmland
2. Traditional in form and follow local vernacular architecture
4. Protect amenity of the area
5. Functionally works with farming operations
6. Sited to allow supervision and security of existing farm assets and livestock
7. Sympathetic to surroundings (eg, scale, pitched roof)
8. Appropriate materials (e.g slate, stone, render)



Proposed Site



Eastern Boundary



Western Boundary



From Golfing Range Looking South

4.0 Client Brief

Client Brief

Detailed Farmhouse Accommodation Brief:

1. 1.5 storey detached dwelling house
2. Accommodation suitable for a family
 - a. Open plan Kitchen, Dining, Living space
 - b. Separate lounge
 - c. Rear Entrance area
 - d. Utility room
 - e. Farm Office space
 - f. Adequate Storage
 - g. Carport
 - h. Front entrance area
 - i. 5 bedrooms
 - j. Upper floor Storage
 - k. Integrated Garage
3. A house which has a sympathetic traditional appearance with a modern twist and full of light and warmth
4. A house which is able to survive both the test of time and harsh Scottish weather
5. A house which will sit comfortably on the site.
6. A house which will have good access and generous amenity space.



5.0 Design Response

Design Response

In a direct response to the sites setting, it is intended that the proposed house would be a contemporary interpretation of vernacular forms, materials and scale.

The utilisation of simple and rational construction methods (timber frame, pitched roofs) and use of robust, local and sustainable materials (stone, render, slate) will form a simple and elegant building, responding to and sitting comfortably within its context.

The property has been positioned, orientated and internally planned to ensure the main living, dining and kitchen spaces take full advantage of the available views and to the adjacent farmland, which is essential for passive supervision.

The main entrance is located on the northern elevation, leading directly into the main entrance hall and from here you can access the hub of the proposed farmhouse, aswell as the main living spaces (kitchen, dining, lounge) which provide views through to the landscape beyond. . The garage ancillary wing offers direct access to the first floor farm office

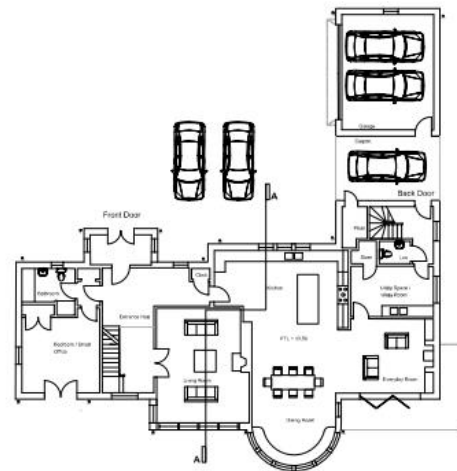
The secondary door adjacent to the carport will be the main access day to day, and provides a large utility room, essential when working on a farm, plant space, wc and proximate access to the farm office also.

A central staircase leads from the main hall to the upper floor. There are five bedrooms provided, one master bedroom with en-suite and the others serviced by a main bathroom. We have included for a large storage area with easy access as opposed to loft storage.

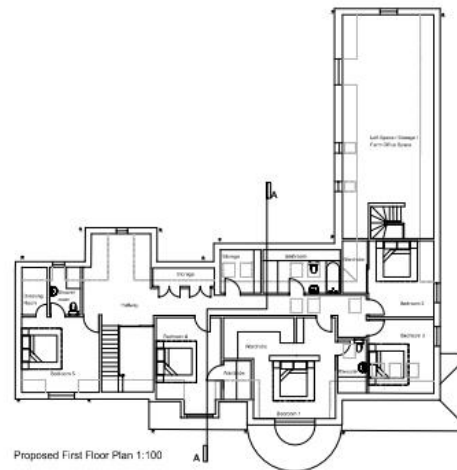
We feel that the approach of utilising a traditional form with traditional materials will work extremely well on this site through well considered and appropriate detailing, which will present a practical but fitting property.

The property has a timber frame structure and clad in a mixture of natural stone and rendered blockwork. The eaves and cable ends will have a generous overhang of 300mm to protect the elevations and to add depth to the elevations.

The roof finishes will be natural slate adding a variation in texture and the appearance.



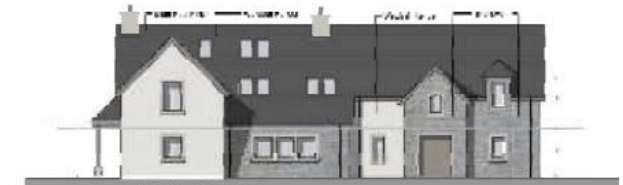
Proposed Ground Floor Plan 1:100



Proposed First Floor Plan 1:100



Proposed South West Elevation 1:100



Proposed North West Elevation 1:100



Proposed North East Elevation 1:100



Proposed South East Elevation 1:100

6.0 Previous Planning History

Previous Planning History

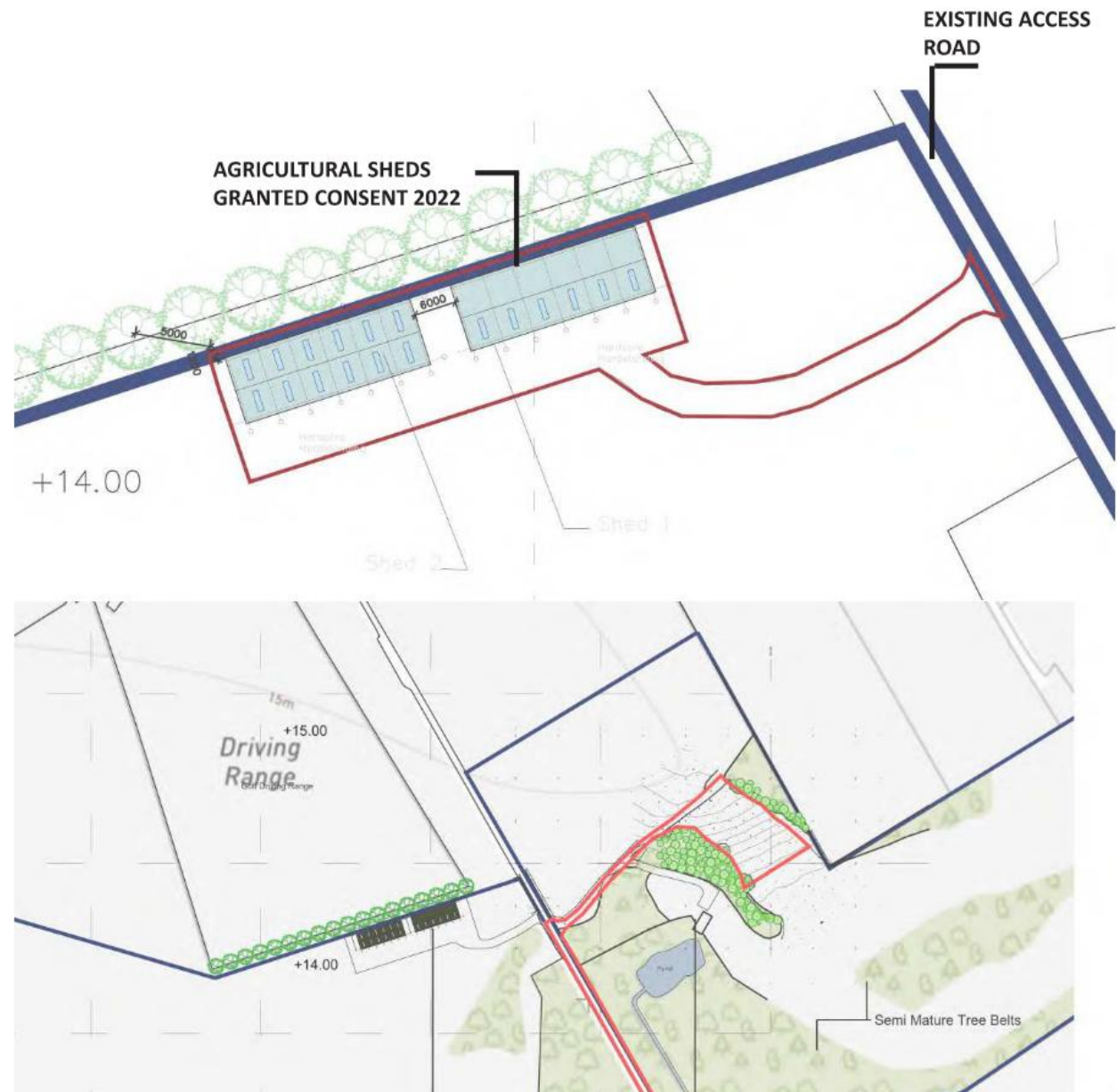
The previous planning history has been briefly outlined below:

Planning Application – Ref 22/00356/FLL.

Planning consent has been approved for two general purpose agricultural sheds

Planning Application – Ref 21/02258/FLL.

Planning consent has been approved for the erection of a cabin for a 24 month time period.



7.0 Land Use and Acceptability

Land Use acceptability

We appreciate the key aspect for assessing this application is whether or not the proposal complies with Category 3 of the HITCG 2020, in relation to new houses associated with economic need.

New Housing in the Countryside:

Our application is based on a genuine need for a new house in the countryside and we understand that proposals for these will be considered favourably where they fall into at least one of the indicated categories. The proposed Farmhouse application sits in Category - 3.3 Economic Activity

The applicants have had an agricultural holding number for the past 12 years and have been fully committed to quickly establishing Oakfield holding since its purchase in 2021, from which time they have been actively farming the land. The farming business is established and has been a viable farming enterprise for the past 12 years, with both the applicants wishing to make the move permanently to the farm sustain the farm and promote any future business growth.

As a result, the Applicants have identified the need to build a farmhouse to support their established and growing agricultural business. The agricultural labour assessment, based on their current agricultural holding, prepared by Emma Shepherd of Farm & Transport Solutions, is appended in support of the application.

As noted within the Farm & Transport Solutions labour assessment report and business overview, animal welfare is paramount and the labour is required to manage the livestock and farmland on a daily basis.

The labour profile calculation carried out by the Farm & Transport Solutions clearly demonstrates the business currently has a total labour requirement of 2,051.00 hours/annum - the equivalent of 1.1 standard labour units in order to operate.



7.0 Land Use and Acceptability

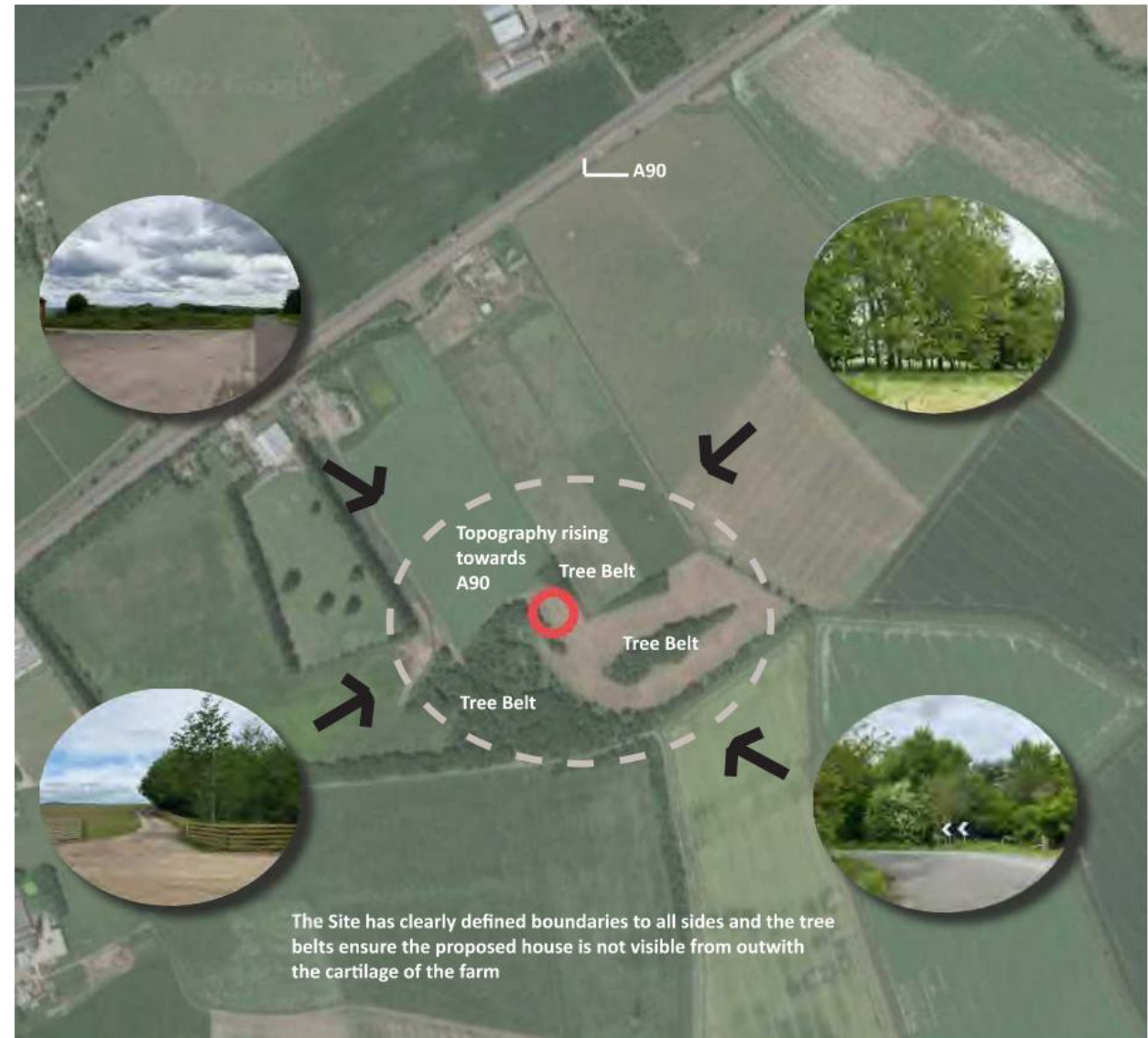
Land Use acceptability

The applicants currently reside in the cabin as a temporary measure, however they have two young children and whilst the cabin is adequate it is far from ideal in terms of a longer term solution given the children are growing up.

The need for a farm office attached the house is growing ever more pressing given the amount of paperwork associated with the running of the farm, this space is just not available in the cabin.

It is essential that the applicants live on site from a security perspective, the farm buildings and livestock would have no immediate owner / or site supervision, which is far from ideal given the recent rise of countryside based theft.

The site chosen offers the ideal location for the farm house when considering the existing landscape features and the site constraints, such as the outlined flood plane.



8.0 Energy Efficient Design

Energy Efficient Design

The proposed Farmhouse design incorporates the use of sustainable materials and is also designed to reduce energy demand.

Taking into consideration the rural Scottish context. Construction materials have been selected to be as environmentally friendly as possible, such as the use of sustainably sourced timber, energy efficient and environmentally friendly insulation.

The design minimises environmental impact through careful orientation and solar shading achieved by house siting, plus under floor heating system.

One of the main aims of sustainability is to also exploit all opportunities to recycle and reuse products and generally reduce production in the first place, both during construction and after occupation of a development.

The proposals indicate a timber framed building with significant environmental credentials.

We have a wide range of experience in designing, specifying and detailing low energy buildings. Our approach is a holistic one and we believe the simplest solutions are the best.

The starting point for how we approach this is through the design process itself, and in that process we first consider the basics of the design. We make use of this experience and current best practice and guidelines, for example BRE Green Guide to Specification, BRE Sustainability Checklist for Developments, SEDA Design for Airtightness, amongst others.

Moreover, we have experience of working with contractors to reduce waste on site and it is often simple actions, such as understanding how construction waste can be avoided or re-used, that can make the biggest difference.



Proposed South West Elevation



Proposed North West Elevation

8.0 Energy Efficient Design

Energy Efficient Design

As previously noted we would intend to produce a house with a timber structure which would seek to utilise indigenous stone cladding amongst a palette of other materials.

The design proposals will comply with the Scottish Technical Standards. We therefore interpret that the scheme will be deemed to satisfy the requirements of the Perth and Kinross Local Development Plan 2019 by demonstrating compliance with the Technical Standards, Section 6 (Energy).

At this stage, it is anticipated this will include:

- Silver Active level 2 for space heating
- Exceptionally good U-values for building elements
- Energy efficient lighting and appliances as standard
- Proposed glazing fenestrations will be designed to minimise heat loss at or above prescribed limits.
- The heat source for the house will be electrically powered Air Source Heat Pump
- Noise levels have been assessed to be compliant or better than best practise guidance (MCS 020).
- This allows the proposed farmhouse to benefit from the ongoing decarbonisation of the electricity grid, with associated carbon emissions savings.



9.0 Visual Impact + Scale and Design

Visual Impact

In line with the adopted Housing in the Countryside policy, the application Proposal for a new farmhouse, blends sympathetically with the existing landscape.

The chosen site uses the existing landscape features, topography and slopes to provide a backdrop and setting.

The proposal uses an identifiable site, with strongly defined boundaries which contains the site naturally from the surrounding farmland, making a clear definition between farmstead and farmland. The proposed farmhouse sits within the curtilage of the farm and planted tree belts, offering a structured and logical siting and will make a positive contribution to the surrounding landscape, thus minimising any visual impact from the main road and the neighbouring properties.

A degree of planting has been demonstrated within the development to enhance the biodiversity and also soften the access to the existing track and access road.

Scale and Design

The proposed farmhouse footprint provides a comfortable family home and the elevations of the proposed dwelling house illustrate that it is traditional in form and scale which will complement the existing dwelling houses located in and around wider Errol area, with a pitched roof design and good quality external materials.

The house is specifically designed to be in keeping with the local vernacular, traditional in style, utilising stone, slate pitched roofs but has a few modern interventions. Great time and consideration has been given to the siting and the subsequent design to ensure we are in keeping with houses of a similar scale within Errol and the surrounding area.

It is considered that the proposed siting of the dwelling house will not have any detrimental impact on the character and appearance of the countryside and is in accordance with the siting criteria of the guidance.



10.0 Accessibility + Deliveries + Refuse

Access and Parking

The access to the proposed farmhouse will be via the existing access track and road, from the public road, to the south. There is ample and sufficient space demonstrated within the plot for car parking and turning facilities.

Accessibility

The property has been designed in line with the current Building Regulations and provides:

- Adequate vehicular access to the property
- Gradients sufficient to allow any new roadways to drain but provide universal access from the designated parking spaces towards the entrance
- Level entrance platts and thresholds
- Entrance areas with sufficient space for a wheelchair user and assistance to manoeuvre between the doors
- A kitchen area with sufficient space for a wheelchair user to manoeuvre
- Level access out onto the path and proposed landscaping.

Delivery & Service Vehicles

All deliveries to the farmhouse will be from existing access road.

Refuse Collection

Generally refuse and recycling will be collected in plastic refuse bags. The bags will be transported by the applicants to the refuse bin and recycling collection point at the junction with the main road.

Emergency Vehicles

The site has been designed to ensure it is accessible to emergency vehicles from the adjacent road network.



11.0 Residential Amenity + Biodiversity + Flooding + Drainage

Residential Amenity

The plot size is sufficient to accommodate the dwelling house and provide a suitable level of amenity for the occupiers in terms of private garden ground. The siting of the dwelling house will not have any detrimental impact on any neighbouring residential properties. The house by its very nature, and need, is intrinsically linked to the farm.

The existing tree belts provide a contained site with strong boundaries, thus providing the farm house with an appropriate setting and one which is in line with the planning in the countryside guidance

Bio-diversity

There are no known protected species on the site, and whilst the proposed farmhouse site has trees located adjacent to the site boundaries, there will be no detrimental impact on the trees. However as the farm has considerable areas of managed native woodland, the overall biodiversity of the farm is well above average for an agricultural holding.

Flooding

The farm is subject to potential flooding, as outlined in the appropriate flood maps of the area, as a result finding a suitable site from a design perspective, and from a flood perspective, has meant the house sits within a clearing slightly set back from the proposed sheds but in an area free of the flood plane.

Surface Water

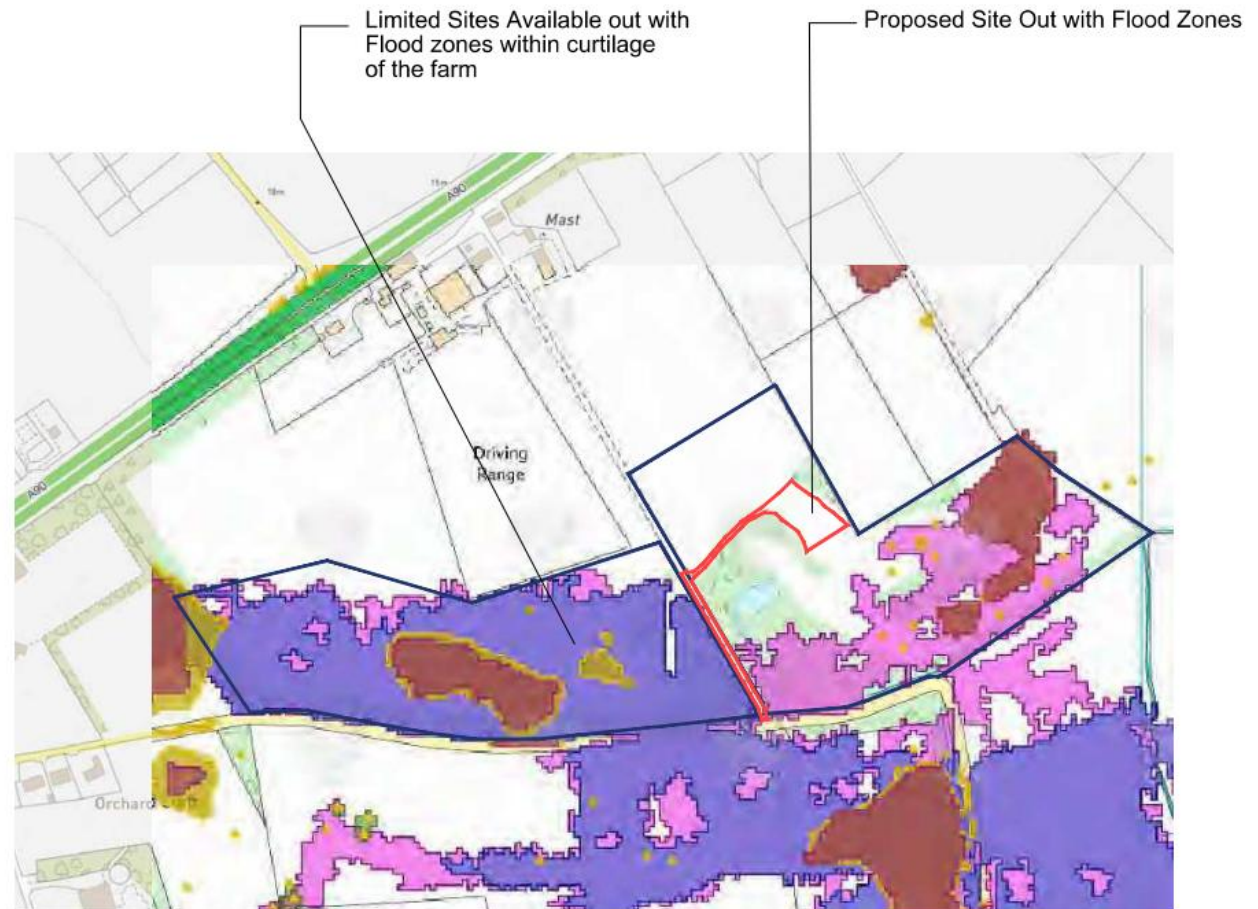
We can confirm that the surface water is disposed of via pecculation and soakaways and therefore no water is shed onto neighbouring land.

Private Water Infrastructure

There are some known private water infrastructure in the area which should be borne in mind. It would be expected that any development should not compromise existing private infrastructure to the detriment of the parties involved.

Developer Contributions

We note the proposals potentially trigger the Primary Education contributions and await the councils assessment on the requirements.



11.0 Conclusion

In summary, the planning statement concludes

This Design and Access Statement provides both a written and illustrated description of key aspects and the context of the application site together with a description on how the design of the proposed development takes into account requirements for the site and the advice contained within Local and National Planning Policy.

The proposal is considered to be in accordance with the Council's Housing in the Countryside Policy Guidance where the proposed dwelling house has been justified on the basis of operational need and security.

It is also considered acceptable in terms of the siting and design of the farmhouse and it will not have any detrimental impact on the character or appearance of the countryside.

The proposal will not have any detrimental impact on existing residential amenity and there is satisfactory access and parking arrangements proposed.

The siting of a dwelling house at this location is considered to be acceptable in principle and in accordance with the Council's Housing in the Countryside Policy Guidance and Category 3 of the HITCG 2020, in relation to new houses associated with economic need.

The proposed farmhouse is a modest storey and a half, a bespoke design for the applicant with strong site boundaries, ensuring the Farm house has no detrimental impact. The proposed design Utilises traditional forms and materials to emphasis the rural character.



LRB-2023-06**22/01046/FLL – Erection of a dwellinghouse, land 360 metres south east of 4 Middlebank Holding, Errol****PLANNING DECISION NOTICE** *(included in applicant's submission, pages 377-378)***REPORT OF HANDLING** *(included in applicant's submission, pages 379-388)***REFERENCE DOCUMENTS** *(included in applicant's submission, pages 397-404 and 429-454)*

LRB-2023-06
22/01046/FLL – Erection of a dwellinghouse, land 360
metres south east of 4 Middlebank Holding, Errol

REPRESENTATIONS

Monday, 11 July 2022



Local Planner
Planning and Development
Perth and Kinross Council
Perth
PH1 5GD

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Steps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk



Dear Customer,

Land 360 Metres South East Of, Land 360 Metres South East Of, Errol, PH1 1NX
Planning Ref: 22/01046/FLL
Our Ref: DSCAS-0068566-TBW
Proposal: Erection of a dwellinghouse | Land 360 Metres South East Of 4 Middlebank Holding Errol

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

Water Capacity Assessment

Scottish Water has carried out a Capacity review and we can confirm the following:

- ▶ This proposed development will be fed from CLATTO Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity currently so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water via [our Customer Portal](#) or contact Development Operations.

Foul Assessment

- ▶ Unfortunately, according to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options.

Please Note

- ▶ The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.
-

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - ▶ Site Investigation Services (UK) Ltd
 - ▶ Tel: 0333 123 1223
 - ▶ Email: sw@sisplan.co.uk
 - ▶ www.sisplan.co.uk
- ▶ Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.

- ▶ If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
 - ▶ Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
 - ▶ The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
 - ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).
-

Next Steps:

▶ All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via [our Customer Portal](#) prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

▶ Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

▶ Trade Effluent Discharge from Non-Domestic Property:

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.
- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778

0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).

- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.
- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Ruth Kerr

Development Operations Analyst

Tel: 0800 389 0379

developmentoperations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

Development Management

From: HIAL Safeguarding <hialsafeguarding@traxinternational.co.uk>
Sent: 13 July 2022 16:41
To: Development Management
Subject: RE: Planning Application Consultation for Application No 22/01046/FLL

CAUTION: This email originated from an external organisation. Do not follow guidance, click links, or open attachments unless you have verified the sender and know the content is safe.

Your Ref: 22/01046/FLL
Our Ref: 2022/240/DND

Dear Sir/Madam,

Proposal: Erection of a dwellinghouse.
Location: Land 360 Metres South East Of 4 Middlebank, Holding, Errol.

With reference to the above, our calculations show that, at the given position and height, this development would not infringe the safeguarding criteria for Dundee Airport.

Therefore, Dundee Airport Limited has no objections to the proposal.

Yours faithfully,

Ed

Ed Boorman
HIAL Safeguarding (Acting for and on behalf of DAL & HIAL)




e: hialsafeguarding@traxinternational.co.uk
e: safeguarding@hial.co.uk

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	22/01046/FLL	Comments provided by	Lucy Sumner
Service/Section	Strategy & Policy	Contact Details	Development Contributions Officer: Lucy Sumner Email: [REDACTED]
Description of Proposal	Erection of a dwellinghouse		
Address of site	Land 360 Metres South East Of 4 Middlebank Holding Errol		
Comments on the proposal	<p>NB: Should the planning application be successful and such permission not be implemented within the time scale allowed and the applicant subsequently requests to renew the original permission a reassessment may be carried out in relation to the Council's policies and mitigation rates pertaining at the time.</p> <p>THE FOLLOWING REPORT, SHOULD THE APPLICATION BE SUCCESSFUL IN GAINING PLANNING APPROVAL, <u>MAY</u> FORM THE BASIS OF A SECTION 75 PLANNING AGREEMENT WHICH MUST BE AGREED AND SIGNED PRIOR TO THE COUNCIL ISSUING A PLANNING CONSENT NOTICE.</p> <p>Primary Education</p> <p>With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.</p> <p>This proposal is within the catchment of Errol Primary School.</p>		
Recommended planning condition(s)	<p>Summary of Requirements</p> <p>Education: 1 x £5,164 Total: £5,164</p> <p>Phasing</p> <p>It is advised that payment of the contribution should be made up front of release of planning permission. The additional costs to the applicants and time for processing legal agreements for single dwelling applications is not considered to be cost effective to either the Council or applicant.</p> <p>The contribution may be secured by way of a Section 75 Agreement. Please be aware the applicant is liable for the Council's legal expense in addition to their own legal agreement option and the process may take months to complete.</p>		

	<p>If a Section 75 Agreement is entered into the full contribution should be received 10 days prior to occupation.</p>
<p>Recommended informative(s) for applicant</p>	<p>Payment</p> <p>Before remitting funds the applicant should satisfy themselves that the payment of the Development Contributions is the only outstanding matter relating to the issuing of the Planning Decision Notice.</p> <p>Methods of Payment</p> <p>On no account should cash or cheques be remitted.</p> <p>Scheduled within a legal agreement</p> <p>This will normally take the course of a Section 75 Agreement where either there is a requirement for Affordable Housing on site which will necessitate a Section 75 Agreement being put in place and into which a Development Contribution payment schedule can be incorporated, and/or the amount of Development Contribution is such that an upfront payment may be considered prohibitive. The signed Agreement must be in place prior to the issuing of the Planning Decision Notice.</p> <p>NB: The applicant is cautioned that the costs of preparing a Section 75 agreement from the applicant's own Legal Agents may in some instances be in excess of the total amount of contributions required. As well as their own legal agents fees, Applicants will be liable for payment of the Council's legal fees and outlays in connection with the preparation of the Section 75 Agreement. The applicant is therefore encouraged to contact their own Legal Agent who will liaise with the Council's Legal Service to advise on this issue.</p> <p>Other methods of payment</p> <p>Providing that there is no requirement to enter into a Section 75 Legal Agreement, eg: for the provision of Affordable Housing on or off site and or other Planning matters, as advised by the Planning Service the developer/applicant may opt to contribute the full amount prior to the release of the Planning Decision Notice.</p> <p>Bank Transfers</p> <p>All Bank Transfers should use the following account details; Sort Code: 834700 Account Number: 11571138</p> <p>Please quote the planning application reference.</p> <p>The Council operate an electronic direct debit system whereby payments may be made over the phone. To make such a payment please call 01738 475300 in the first instance. When calling please remember to have to hand:</p> <ul style="list-style-type: none"> a) Your card details. b) Whether it is a Debit or Credit card. c) The full amount due. d) The planning application to which the payment relates.

	<p>e) If you are the applicant or paying on behalf of the applicant. f) Your e-mail address so that a receipt may be issued directly.</p> <p>Education Contributions For Education contributions please quote the following ledger code: 1-30-0060-0001-859136</p> <p>Indexation</p> <p>All contributions agreed through a Section 75 Legal Agreement will be linked to the RICS Building Cost Information Service building Index.</p> <p>Accounting Procedures</p> <p>Contributions from individual sites will be accountable through separate accounts and a public record will be kept to identify how each contribution is spent. Contributions will be recorded by the applicant's name, the site address and planning application reference number to ensure the individual commuted sums can be accounted for.</p>
Date comments returned	22 July 2022

Memorandum

To Development Management & Building
Standards Service Manager

From Regulatory Services Manager

Your ref 22/01046/FLL

Our ref DAT

Date 26 July 2022

Tel No 01738 476481

Communities

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

22/01046/FLL RE: Erection of a dwellinghouse Land 360 Metres South East Of 4 Middlebank Holding Errol

I refer to your letter dated 12 July 2022 in connection with the above application and have the following comments to make.

Environmental Health Recommendation

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

Comments

The applicant is proposing the erection of a dwellinghouse on land 360m Southeast of 4 Middlebank Holding, Errol and includes the provision of an air source heat pump (ASHP).

Noise

Whilst there is no supporting information supplied with the application stating the make and model of the ASHP to be installed, I would expect this to be domestic sized, which typically have a measured sound pressure level in the region of 45dB(A) – 60dB(A) at 1m dependant on the exact model installed.

The World Health Organisation (WHO) issued guidance in 1999 in relation to noise, at which time it was recommended that the following sound levels should be maintained: Leq50-55dB(A) in outdoor living areas, Leq35dB(A) in internal living areas and Leq30dB(A) in bedrooms. This guidance is consistent with BS8233:2014 which recommends the following sound level ranges: Leq30-40dB(A) in living areas and Leq30-35dB(A) in bedrooms.

Given the distance attenuation to neighbouring properties these levels will be achievable for airborne noise allowing for 10-15dB reduction by a partially open window.

The sound levels recommended in the guidance does not take into account the relative noise level at octave frequency bands. Fixed plant of this type can create noise which has characteristics that are not adequately quantified by means of a Leq limit. I therefore recommend that an additional condition, based on Noise Rating, be included on any given consent to protect residential amenity.

I would therefore recommend the following condition be attached to any given consent.

Condition

- EH10** All plant or equipment shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 25 between 2300 and 0700 hours daily, within any neighbouring residential property, with all windows slightly open, when measured and/ or calculated and plotted on a rating curve chart.

