TCP/11/16(451) – 16/01317/FLL – Erection of a dwellinghouse and garage, land 400 metres north east of Broadslap Farm, Dunning

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TCP/11/16(451) – 16/01317/FLL – Erection of a dwellinghouse and garage, land 400 metres north east of Broadslap Farm, Dunning

PAPERS SUBMITTED BY THE APPLICANT

NOTICE OF REVIEW

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

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

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

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

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)

Name	THE STUART PARTNERSHIP
Address	DUNCRUB FARM DUNNING
Postcode	PH2 0QN
Contact Telephone 1	
Contact Telephone 2	
Fax No	
E-mail*	

Agent *(if any)*

Name	RICHARD HALL ARCHITECTS
Address	THE STUDIO CORDON MAINS ABERNETHY
Postcode	PH2 9LN
Contact Telephone 1	07973 701025
Contact Telephone 2	
Fax No	
E-mail*	rick@hallarchitects.co.uk.

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

* Do you agree to correspondence regarding your review being sent by e-mail? Yes ☑ No ☐

Planning authority	PERTH & KINROSS COUNCIL
Planning authority's application reference number	16/01317/FLL
Site address	LAND 400 METRES NORTH EAST OF BROADSLAP FARM DUNNING PH2 0QL
Description of proposed development	ERECTION OF REPLACEMENT FARM DWELLINGHOUSE AND GARAGE
Date of application	22.07.16
Date of decision (if any)	14.09.16

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

Nature of application

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

Reasons for seeking review

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

Review procedure

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

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

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

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

TO ILLUSTRATE AND EXPLAIN CLEARLY TO THE REVIEW BOARD, WHAT THE SITING CRITERIA ARE, IN TERMS OF SECURITY, SUPERVISION AND MANAGEMENT OF THE FARM.

Site inspection

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

	Yes	No
1. Can the site be viewed entirely from public land?	☐	☑
2 Is it possible for the site to be accessed safely, and without barriers to entry?	☐	☑

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

SECURITY REASONS - THE FARM CURRENTLY IS WITHOUT A FARMHOUSE SO NO SUPERVISION OF VISITORS IS POSSIBLE.

Statement

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

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

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

PLEASE ATTACHED STATEMENT - NOTICE OF REVIEW.

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

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

SAC : PLANNING JUSTIFICATION REPORT.

List of documents and evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

- APPLICATION DRAWINGS NUMBERED PL01, PL02, PL03 & PL04
- RICHARD HALL ARCHITECTS - SUPPORTING STATEMENT.
- DECISION LETTER
- PKC OFFICERS DELEGATED REPORT
- SAC PLANNING JUSTIFICATION REPORT
- MAP 1
- PHOTOGRAPHS 1–4
- SUPPLEMENTARY LANDSCAPE GUIDANCE 2015 (AVAILABLE ON-LINE)
- PERTH & KINROSS COUNCIL LOCAL DEVELOPMENT PLAN
- PERTH & KINROSS COUNCIL HOUSING IN THE COUNTRYSIDE GUIDANCE 2015

} AVAILABLE ON-LINE

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

Checklist

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

☑ Full completion of all parts of this form

☑ Statement of your reasons for requiring a review

☑ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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

Declaration

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

Signed [redacted] Date 9.12.16.

APPLICATION FOR
DETAILED PLANNING PERMISSION

FOR

REPLACEMENT FARMHOUSE
OFFICE AND GARAGE

AT

LAND 400M NORTH EAST OF
BROADSLAP FARM
DUNNING PH2 0QL

SUPPORTING STATEMENT FOR NOTICE OF REVIEW

9 December 2016

richard hall chartered architect
the studio
cordon mains
abernethy
PH2 9LN

Statement

Notice of Review

Erection of a replacement dwellinghouse at Broadslap Farm, Dunning – 16/01317/FLL.

Introduction

This Notice of Review is submitted following the refusal of planning permission under delegated powers on the 14 September 2016. (Doc 1) The 2 reasons for refusal are outlined below relating to impact on landscape character and housing in the countryside policy guidance:-

1. *The proposal by virtue of its siting, scale and design is inappropriate in this location and would be contrary to policy ER6: Managing Future Landscape Change of the Perth and Kinross Local Development Plan 2014 as the proposed development would not maintain or enhance the special landscape qualities of the area.*

2. *The proposal by virtue of its siting and design is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Perth and Kinross Housing in the Countryside Guide 2012 siting criteria 3 a) to d). The development would not blend sympathetically with the land form, has insufficient existing natural features to provide a backdrop, insufficient mature boundaries and does not have a good fit with the surrounding landscape to ensure that it will be well integrated with its setting.*

The following statement will conclude that the proposal for a replacement farm dwellinghouse on the review site at Broadslap Farm is acceptable and it is emphasized that:-

- the planning policy context for the review proposal should not include either Policy ER6 or the Landscape Supplementary Guidance 2015 as it is not relevant to the determination of the application for a single dwellinghouse, as this policy seeks to manage more structural forces for change in the landscape such as forestry and wind farm development

- the review site and the design concept for the proposal allows the dwellinghouse to sit comfortably in the landscape by using existing landform and landscape features such as change in slope, a backdrop of trees and hedging, and a horizontal rather than vertical traditional form which provides a suitable landscape fit which will not have any detrimental impact on the surrounding landscape, in accordance with Policy RD3 of the Perth and Kinross Local Development Plan 2014 of the Housing in the Countryside Guide 2012.

- The proposed site location for the dwellinghouse is the only viable location which will provide security and supervision of the 5 year fruit crop rotation on Broadslap Farm which will contribute to the future economic viability of the farmholding which is an important material consideration in the determination of the review proposal.

Background to the proposal

The applicant Mr Sandy Stuart owns Broadslap Farm and the adjacent Duncrub Farm extending to 91 hectares. This review relates to the siting of a replacement farmhouse on Broadslap Farm. Both farms generate a labour requirement of 22 labour units as assessed by the Scottish Agricultural College. There are presently 2 dwellinghouses occupied on the farmholdings at Broadslap and Duncrub. The proposed site, i.e the review site requires to be sited on Broadslap Farm, as this site is considered by the applicant to be the most appropriate location to allow the overseeing of both farmholdings. The applicant has been required to provide a replacement dwellinghouse on the farm for a farm manager. This situation has arisen as the house most recently used by the farm manager is situated to the west of the Perth to Glasgow railway line on the other side of the railway. Network Rail has recently closed this level crossing which has effectively cut off the access from the farm managers house to the farm and associated farm buildings. An alternative access to the house, avoiding the level crossing is not possible as the applicant does not own the land that would provide an alternative access to the farm managers house.

An important aspect in the siting of the dwellinghouse is that the siting complements the 5 year fruit crop rotation on the farmholding. It is considered that the review site is the optimum site in this regard and allows good views overlooking the rotated fruit field parcels illustrated by Photographs 1 and 2. Map 1 illustrates the crop rotation field parcels in relation to the review site and the views of these fields from the proposed dwellinghouse.

The provision of a suitable replacement farm manager's house is very important in the day to day running, viability and security of the farm. In trying to remedy this situation and provide a replacement dwellinghouse, the applicant has already submitted 2 planning applications on land at Broadslap Farm. Both applications have been refused. A previous planning application (16/00500/FLL) was refused on the

Review site in June 2016 due to its potential adverse landscape impact and it being contrary to the Council's housing in the countryside policy guidance in terms of its siting and design. An application for a replacement dwellinghouse on another site (14/02238/FLL) north east of the Review site was refused in 2015 and dismissed by the Local Review Body in November 2015. The reasons for refusal in both of the previous cases were on siting and design and landscape impact, and not in terms of the principle of providing a replacement dwellinghouse on the farm.

Following the refusal of the previous application 16/00500/FLL, the applicant's agent had pre-application discussion with the Planning Department to resolve the siting and design issues which brought the refusal of consent on this site. It was intimated to the Planning Department that the choice of location was very important in terms of farm security and would allow the farm manager to oversee the fruit farm and any potential theft threat of farm produce. It was recommended that a reduction in scale and a more nucleated design for the dwellinghouse would be preferable. As a result of this consultation a revised application, i.e the Review application was submitted. This application was also refused in September 2016 much to the surprise and disappointment of the applicant.

Reasons for Refusal and Grounds of the Review

The reasons for the review and matters to be taken into account in the determination of the review refer to the reasons for refusal which state that due to the siting, scale and design of the proposal it is not appropriate on the review site and is contrary to Policies ER6 and RD3 of the Perth and Kinross Local Development Plan 2015 and the Perth and Kinross Council Housing in the Countryside Guide 2012 by not maintaining or enhancing landscape quality and fitting with the surrounding landscape. The reasons for refusal are re-stated below and the applicant's statement and argument against these reasons in support of the review.

The proposal by virtue of its siting, scale and design is inappropriate in this location and would be contrary to policy ER6: Managing Future Landscape Change of the Perth and Kinross Local Development Plan 2014 as the proposed development would not maintain or enhance the special landscape qualities of the area.

The proposal by virtue of its siting and design is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Perth and Kinross Housing in the Countryside Guide 2012 siting criteria 3 a) to d). The development would not blend sympathetically with the land form, has insufficient existing natural features to provide a backdrop, insufficient mature boundaries and does not have a good fit with the surrounding landscape to ensure that it will be well integrated with its setting.

The reasons for refusal above were based on the assessment outlined in the Planning Officer's Delegated Report, where it stated that:-

" The site is part of the Ochils Special Landscape Area and is set within an area that acts as a setting for the Ochil Hills as well as potentially being viewed from the Ochil Hills. It is therefore in a sensitive location where the policy seeks to conserve and enhance the diversity and quality of the area's landscapes. The Housing in the Countryside Guide (m) also requires proposals to have a good fit with the landscape character of the area in which they are located. Buildings should be sympathetic in terms of scale and proportion to other buildings in the locality. The area is characterised by groups of buildings rather than by single house developments. The proposed development in the corner of a large arable field would be an incongruous element in the landscape and does not have a good fit with the landscape character of the area."

"There is an existing hedge along the eastern boundary of the site and a clump of deciduous trees to the north. This helps to form some setting for the site although the effectiveness as a back drop is limited particularly during the winter. One boundary is along the farm track which has no boundary treatment. The boundaries to the east and south currently have no physical definition. The development will effectively be formed in the corner of a large arable field which looks down on the main farm building group below. It does not have an identifiable site with long established boundaries as required by section c) of the housing in the countryside policy."

"The proposed house has been designed to limit its visual impact by being of single storey design. I do however still have concerns with the open nature of the site and lack of defined boundaries. Although the design has been modified to reduce the sprawl of the development I still consider that its position is inappropriate and would have an adverse visual impact.

The finished floor level of the new house is proposed at 50.5 metres. The supporting statement suggests that the proposed house will be below the ridge of the landform. However, I am concerned that it will break the skyline with around 2 – 3 metres visible on top of the ridge when approached from the farm road from the east.

The Housing in the Countryside Policy siting criteria (a) requires proposals to blend sympathetically with land form. The site is on a broadly flat area at the top corner of a large field which drops away to the west. Built development on the site would be out of keeping with the character of the surrounding area and be an over dominant feature in this rolling arable landscape. Such development is generally located in established building groups."

The first reason for refusal was on the grounds of landscape quality where it was considered that the proposal was contrary to Policy ER6: Managing Future Landscape Change and Landscape Supplementary Guidance 2015 where the Delegated Report states that:-

"The site is part of the Ochils Special Landscape Area and is set within an area that acts as a setting for the Ochil Hills as well as potentially being viewed from the Ochil Hills. It is therefore in a sensitive location where the policy seeks to conserve and enhance the diversity and quality of the area's landscapes."

The Landscape Supplementary Guidance 2015's main objectives within the Ochils Special Landscape Area are to:-

- Continue expansion and management of native woodlands and seek sensitive restructuring of coniferous plantations where opportunities arise
- Ensure particular care in siting and design of potentially intrusive structures such as masts and wind turbines
- Preserve historical landscapes, including features such as dykes and rig-and-furrow as well as the scheduled hill forts
- Maintain character of vernacular buildings within settlements and dispersed across the hills.

The purpose of the guidance seeks to manage the main forces for change in the landscape area which are identified in the guidance as being:-

- Changes to forestry management and felling of coniferous plantations
- Expansion of native woodland
- Development of single wind turbines and wind farms, as well as pylons and other tall structures.

It is argued here that the planning policy context for the review proposal should not include either Policy ER6 or the Landscape Supplementary Guidance 2015 and it is not relevant to the determination of the application for a single dwellinghouse. The main aim of this policy guidance is to manage the identified significant "forces for change" in the Ochil's Special Landscape Area, which does not include single house development in the countryside. A single house development will not impact adversely on the "special qualities" of the Ochil's Special Landscape Area, which are identified as being:

- Prominent band of hills forming a barrier and gateway between Perthshire and Kinross- Shire, and the setting to both
- Relatively wild and tranquil, yet readily accessible and with good provision for a range of users
- Extensive natural landcover of heather moorland, grassland and woodland
- Distinctive southern scarp slopes, steep interior glens
- Though there are few distinctive peaks, there are many accessible summits and viewpoints
- Rich in features of geological and historical interest

Furthermore the review site is situated within the identified Strathearn Lower Landscape Unit (30) and is within The Broad Valley Lowlands area identified in David Tyldesley's Tayside Landscape Character Assessment 1999, where

agriculture is the dominant landscape type, accommodating large modern agricultural buildings, settlements and railway and road corridors. Photographs 1 and 2 illustrate existing built development in the surrounding area. It is accepted in the Tayside Landscape Character Assessment that there will be new development associated with the predominant agricultural use in Strathearn and developers are encouraged to use local building materials and to adopt local vernacular in respect of density, massing, design, colour and location. It is concluded that the proposal for a traditionally designed single dwelling house at this location is not inappropriate and is not a force for wider change and therefore will not have any adverse impact on the character or appearance of the Ochil Hills. For the reasons given above, it is asserted therefore that the proposal cannot be refused on the grounds stated in the first reason for refusal.

The second reason for refusal considers that the siting and design of the proposal is contrary to the local plan Housing in the Countryside Policy RD3 and the Council's Housing in the Countryside Guide 2012 in terms of siting criteria 3a) to 3d). These criteria are outlined below:-

a) it blends sympathetically with land form;

b) it uses existing trees, buildings, slopes or other natural features to provide a backdrop;

c) it uses an identifiable site, (except in the case of proposals for new country estates) with long established boundaries which must separate the site naturally from the surrounding ground (eg a dry stone dyke, a hedge at minimum height of one metre, a woodland or group of mature trees, or a slope forming an immediate backdrop to the site). The sub-division of a field or other land artificially, for example by post and wire fence or newly planted hedge or tree belt in order to create the site, will not be acceptable;

d) it does not have a detrimental impact on the surrounding landscape.

As highlighted previously the dwellinghouse can only be sited on land available to the applicant, and the dwellinghouse is required to provide support for the farm's future viability and security. The review site will also accommodate and allow surveillance over the 5 year fruit crop rotation.

In terms of topography, the review site sits below the ridge of the landform approximately on the 50m contour. When viewed from the north, principally from the A9 dual carriageway, the review site is out of view, in accordance with the requirements of Policy PM1B (b) of the Perth & Kinross Local Development Plan 2014. When viewed from the north, the review site sits behind a strong block of deciduous trees, which will completely screen the proposed building from exposure to that view. When viewed from the south, the same block of trees provide a mature landscape backdrop as required by the above siting criteria in the Perth & Kinross Housing in the Countryside Guide 2012. The house design for the site has a horizontal rather than vertical emphasis helping it to sit comfortably on the site and within the surrounding landscape. Photograph 3 illustrates the site topography in views from the east and Photograph 4 from the north.

The review proposal was submitted following consultation with the Planning Department and subsequently the scale and design was amended by reducing the size of footprint and providing a more nucleated design.

The Supporting Statement submitted with the application goes a long way in explaining why the proposal is acceptable in terms of it's siting and design and these points are re-stated below:-

- *The proposed site provides a strong landscape setting with the mature established tree belt to the north and the mature hedge to the east.*

- *It is proposed to reduce the existing ground level by 1m to reduce the height of the proposed house in the landscape so it sits more comfortably with the height of the existing mature hedge.*

- *The replacement house is therefore envisaged as a traditional steading courtyard, with a composition of similar forms, of similar spans, with similar materials.*

- *The plan of the house and garage in this application is much more compact than the "sprawling design" of the house in the previous application and the new garage sits within the elbow of the bend of the mature hedge. This helps to reduce the scale the proposed building group within the setting. The house and garage have the same span and slate finish, so the roofs are the same height and align to create the compact courtyard feeling of a traditional steading.*

- *The proposed house is to be built from stone with a slate roof to reflect traditional steading architecture. These natural materials will blend sympathetically with the landscape and not be visually intrusive from the long views to the site.*

- *The proposed setting, is not apparent from the direct views from the north, particularly the A9 dual carriageway which is the main visual receptor. The elevated position however, affords spectacular views to the east, south and west and the proposed house has been designed to take full advantage. It importantly provides views to both Broadslap and Duncrub farms for essential supervision as part of its duties.*

- *The proposed buildings are designed as a single storey to allow the group to settle into the landscape. The new garden will be surrounded by hedging to match the existing, to help blend the edges of the new development into the existing landscape. The intention is that the new buildings will look a natural*

fit, in scale with their setting – "as if they've always been there" and create a feeling of "place".

For the reasons given above it is argued that the siting and design of the dwellinghouse on the review site will not have any significantly detrimental impact on the visual amenity or landscape character of the immediate countryside at Broadslap or the wider countryside beyond it.

Material considerations in the determination of the review proposal

It is important to consider the main purpose of the application, which is for the erection of a replacement dwellinghouse on Broadslap Farm for the farm manager as the previous dwelling has become redundant due to the closing of the rail crossing. The replacement dwelling therefore is required for economic and business reasons to enable and support the future viability, succession and security of the Broadslap farmholding.

Under Section 25 the Town and Country Planning (Scotland) Act 1997 it states that:-

"where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise."

Economic, employment and business issues are important material considerations in the determination of a planning application, as stated above in Section 25 of the 1997 Act, and therefore these material issues need to be given appropriate weight in any assessment. The siting of the dwellinghouse can only be on land that is available to the applicant on Broadslap Farm. As farm security is an important material consideration in the need for the dwellinghouse the proposed review site was chosen where it would provide an ideal situation for surveillance and overseeing of the farmholding, while at the same time being sited and designed as far as possible to blend sympathetically with the landform.

The Housing in the Countryside Guide 2012 under Section 3 – New Houses in the Open Countryside states that:-

"Favourable consideration will be given to proposals for the construction of new houses in the open countryside where they fall into at least one of the following categories" which include existing gardens, flood risk, economic activity, houses for local people and pilot projects creating eco-friendly houses.

The review application was made on the basis of a replacement dwellinghouse and also on economic activity grounds where the proposed dwellinghouse is required to manage the Broadslap Farmholding. A Labour Requirement Justification has been submitted in support of the review which indicates that the farmholding at Broadslap and Duncrub can support 22 farm workers. The primary material consideration

therefore is the need for the dwellinghouse on the farmholding in a location that best serves the future viability and security of the business.

In response to the Planning Officer's conclusions in the Delegated Report and reasons for refusal, it is considered that the siting and design of the proposed dwellinghouse will not have a significantly detrimental impact on the visual amenity or landscape character of this part of Strathearn or the Ochil Hills and certainly not such an impact that would merit or justify the refusal of the proposal within the context of the economic and security needs for the dwellinghouse. This is an important material consideration in the determination of the application.

Conclusions

For the reasons outlined above it is considered that the review proposal for a single dwellinghouse on Broadslap Farm would not be contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Perth and Kinross Housing in the Countryside Guide 2012 with regard to it's siting and design. Also, for the reasons outlined it is considered that the review proposal for a single storey dwellinghouse with a vernacular design and layout will not be inappropriate in this part of Strathearn and will not have any detrimental impact on the special landscape qualities of the Ochils.

As considered previously, it is questionable whether Policy ER6: Managing Future Landscape Change and the Landscape Supplementary Guidance 2015 is relevant in the determination of a proposal for a single storey farmhouse in a long established agricultural area, where the main objectives of this policy are to manage larger structural forces for change in the countryside such as blanket forestry and wind farm developments.

The proposed siting and design of the dwellinghouse will not have a significantly detrimental impact on the visual amenity or landscape character of the countryside and certainly not such an impact that would merit the refusal of the proposal within the context of the economic need for the dwellinghouse and the applicant's requirement to provide security on his farmholding.

It is considered therefore that the economic need for the proposed dwellinghouse and security concerns of the applicant are material considerations which outweigh the siting criteria concerns at the review site and it is requested that the Notice of Review be upheld in accordance with Section 25 the Town and Country Planning (Scotland) Act 1997.

Summary

- the planning policy context for the review proposal should not include either Policy ER6 or the Landscape Supplementary Guidance 2015 as it is not relevant to the determination of the application for a single dwellinghouse, as this policy seeks to manage more structural forces for change in the landscape such as forestry and wind farm development

- the review site and the design concept for the proposal allows the dwellinghouse to sit comfortably in the landscape by using existing landform and landscape features such as change in slope, a backdrop of trees and hedging, and a horizontal rather than vertical traditional built form which provides a suitable landscape fit, which will not have any detrimental impact on the surrounding landscape, in accordance with Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Housing in the Countryside Guide 2012.

- The proposed site location for the dwellinghouse is the only viable location which will provide security and supervision of the 5 year fruit crop rotation on Broadslap Farm which will contribute importantly to the future economic viability of the farmholding which is an important material consideration in the determination of the review proposal.

PERTH AND KINROSS COUNCIL

The Stuart Partnership c/o Richard Hall Architects The Studio Cordon Mains Abernethy PH2 9LN	Pullar House 35 Kinnoull Street PERTH PH1 5GD
	Date 14.09.2016

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **16/01317/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 25th July 2016 for permission for **Erection of a dwellinghouse and garage Land 400 Metres North East Of Broadslap Farm Dunning** for the reasons undernoted.

Interim Head of Planning

Reasons for Refusal

1. The proposal by virtue of its siting, scale and design is inappropriate in this location and would be contrary to policy ER6: Managing Future Landscape Change of the Perth and Kinross Local Development Plan 2014 as the proposed development would not maintain or enhance the special landscape qualities of the area.

2. The proposal by virtue of its siting and design is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Perth and Kinross Housing in the Countryside Guide 2012 siting criteria 3 a) to d). The development would not blend sympathetically with the land form, has insufficient existing natural features to provide a backdrop, insufficient mature boundaries and does not have a good fit with the surrounding landscape to ensure that it will be well integrated with its setting.

Justification

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

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

Plan Reference

16/01317/1

16/01317/2

16/01317/3

16/01317/4

16/01317/5

REPORT OF HANDLING

DELEGATED REPORT

Ref No	**16/01317/FLL**	
Ward No	**N7- Strathallan**	
Due Determination Date	**24.09.2016**	
Case Officer	**Persephone Beer**	
Report Issued by		**Date**
Countersigned by		**Date**

PROPOSAL: Erection of a dwellinghouse and garage

LOCATION: Land 400 Metres North East Of Broadslap Farm Dunning

SUMMARY:

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

DATE OF SITE VISIT: 18 May 2016

SITE PHOTOGRAPHS

BACKGROUND AND DESCRIPTION OF PROPOSAL

Planning permission is sought for the erection of a dwellinghouse and garage on land at Broadslap Farm, Dunning. Broadslap is a mixed farm growing mainly soft fruit plus some vegetables and cereals on around 100 acres of land, 10 acres of which is to the west of the railway line. There is a particular emphasis on pick your own soft fruit between the months of June and September. There are presently 5 full time employees, including the manager, 20 - 30 part-time workers and around 40 - 50 'self-pickers' at any one time on a daily basis during the "pick your own" season.

The house currently used by the farm manager is situated to the west of the Perth to Glasgow railway line. Network Rail has recently closed this level crossing which has severed the house from the farm buildings. At present there is no alternative access to the house as the land through which it would pass is not controlled by the applicant. As well as the farm manager the site to the west of the railway has also been used to accommodate some of the farm workers. It is not proposed to house these in the vicinity of the manager's new house but in caravan accommodation close to the existing farm buildings/farm shop area. Some workers also live off-site.

It is suggested that an alternative access to the house, avoiding the level crossing is not practical. The owner does not own the land that any access would cross and it is the intention, at this stage, to leave the farm house locked and secure until such time as access can be gained to the site.

A previous planning application (16/00500/FLL) was refused on this site in June 2016 due to its potential adverse landscape impact and it being contrary to the Council's housing in the countryside policy and guidance in terms of its siting and design. This proposal is for the same house design as previously refused but with a reduced size of garage that has been re-located to the east of the proposed house.

An application for another site (14/02238/FLL) north east of this site was refused in 2015 and dismissed by the Local Review Body in November 2015.

SITE HISTORY

16/00500/FLL Erection of a dwellinghouse and garage 7 June 2016 Application Refused

PRE-APPLICATION CONSULTATION

Pre application Reference: Meeting. There was some discussion as to whether a different site could be considered however the applicant wished to continue with proposals for this site by trying to reduce the visual impact of the proposed development.

NATIONAL POLICY AND GUIDANCE

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

DEVELOPMENT PLAN

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

TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the Tay Plan should be noted. The vision states *"By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice, where more people choose to live, work and visit and where businesses choose to invest and create jobs."*

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

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

The principal policies are, in summary:

Policy ER5 - Prime Agricultural Land
Development on prime agricultural land will not be permitted unless it is necessary to meet a specific established need such as a major infrastructure proposal, there is no other suitable site available on non prime land or it is small scale development (generally single buildings) linked to rural business.

Policy ER6 - Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Areas Landscapes
Development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross and they meet the tests set out in the 7 criteria.

Policy PM1A - Placemaking
Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. All development should be planned and designed with reference to climate change mitigation and adaption.

Policy PM1B - Placemaking
All proposals should meet all eight of the placemaking criteria.

Policy PM3 - Infrastructure Contributions
Where new developments (either alone or cumulatively) exacerbate a current or generate a need for additional infrastructure provision or community facilities, planning permission will only be granted where contributions which are reasonably related to the scale and nature of the proposed development are secured.

Policy RD3 - Housing in the Countryside
The development of single houses or groups of houses which fall within the six identified categories will be supported. This policy does not apply in the Green Belt and is limited within the Lunan Valley Catchment Area.

Policy ER5 - Prime Agricultural Land
Development on prime agricultural land will not be permitted unless it is necessary to meet a specific established need such as a major infrastructure proposal, there is no other suitable site available on non prime land or it is small scale development (generally single buildings) linked to rural business.

OTHER POLICIES

Perth and Kinross Guidance on the Siting and Design of Houses in Rural Areas
Perth and Kinross Council – Housing in the Countryside Guide November 2012
Perth and Kinross Council – Developer Contributions Supplementary Guidance 2016

CONSULTATION RESPONSES

Network Rail
Railway crossing will be closed and removed if the application is granted.

Transport Planning
No objections.

Environmental Health
No adverse comments to make. An informative note is required with regard to private water.

Contributions Officer
Summary of Requirements

Education: £0
Transport Infrastructure: £2,639 (1 x £2,639)

Total: £2,639

Scottish Water
No response.

REPRESENTATIONS

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

ADDITIONAL STATEMENTS RECEIVED:

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

APPRAISAL

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

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

Policy Appraisal

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

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

a) Building Groups
b) Infill site

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

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

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

In this case the existing farm house is used by the farm manager and as an office. The house will be severed from the complex of farm buildings when the level crossing is closed. It was accepted as part of the previously refused application that there is a requirement for a replacement house either on site or in the locality to re-house the farm manager once Network Rail has closed the level crossing. This position has not changed. From more recent contact with the agent I understand that the farm manager is currently housed in rented accommodation in Dunning and the level crossing has now been closed.

All proposals accepted under 3.3 also have to satisfy a range of design and siting criteria.

The Council's guidance on Design and siting of housing in rural areas is also a consideration. This states that where a house is permitted based on operational need in connection with some rural activity, such as the practical running of a farm, any houses should be located at the steading, and preferably modest in scale, as was traditionally the case.

Design and Layout

The proposed site occupies around 4,300 square metres of arable farmland. There is an existing hedge along the eastern boundary of the site and the existing farm track runs to the north but no other existing defined boundaries. The house is positioned around 36 metres from the access track and takes the form of a three sided structure with the west and south elevations each being around 26 metres in length. A shorter wing to the north extends to around 15 metres. The original proposal included the construction of a triple garage positioned between the house and the farm track. It was linked to the main house by a car port. To try to reduce the bulk and extent of built

development this garage element has been removed and a smaller double garage has been positioned to the east around 11 metres from the north wing of the house. The plans show that the land for this garage building will be levelled to the finished floor level of the house. The height of the garage at 6.2 metres is similar to the height of the main roof ridge of the proposed house.

The proposed house is single storey the majority of which has a height of around 6 metres. A small entrance feature extends to around 7 metres. The house has living accommodation comprising lounge, dining room, sitting room and dining kitchen to the west of the site with a bedroom wing off the lounge to the east. A small office is indicated in the north east of the house. The main house will be finished in stone with a slate roof, aluminium gutters and downpipes and timber framed windows and timber doors. The east elevation of the garage will be finished in stone with three aluminium roller type doors. The garage roof will be finished with metal panels.

The garden area includes some tree and hedge planting, lawns and a fountain feature.

The site has been selected by the applicant so that any occupier of the house can have an overview of the building and land at Broadslap as well as monitoring the alarm system at the applicant's other farm at Duncrub. Whilst I can understand the applicant being concerned about security I am not convinced that this requirement outweighs the siting and design criteria set out in policy RD3. With regard to security at Duncrub I am aware that a key workers house was approved in 2012 and subsequently constructed at Duncrub specifically to oversee works there and to assist with security of the farm. I would consider that this local presence would be more effective in terms of security at Duncrub than from the proposed house at Broadslap which would be over 600 metres away.

The removal of the triple garage and car port does reduce the bulk of the built development however I still consider that the development of the site for a single dwellinghouse remote from other buildings is not appropriate in this open setting and would have an adverse landscape impact. The proposed property is still substantial and does not meet the criteria of "modest" as required by the rural housing design guidance.

Landscape

The site is set within a Special Landscape Area as identified in the Perth and Kinross Local Development Plan 2014 supplementary guidance. This supports policy ER6: Managing Future Landscape Change. The site is part of the Ochils Special Landscape Area and is set within an area that acts as a setting for the Ochil Hills as well as potentially being viewed from the Ochil Hills. It is therefore in a sensitive location where the policy seeks to conserve and enhance the diversity and quality of the area's landscapes. The Housing in the Countryside Guide (m) also requires proposals to have a good fit with

the landscape character of the area in which they are located. Buildings should be sympathetic in terms of scale and proportion to other buildings in the locality. The area is characterised by groups of buildings rather than by single house developments. The proposed development in the corner of a large arable field would be an incongruous element in the landscape and does not have a good fit with the landscape character of the area.

There is an existing hedge along the eastern boundary of the site and a clump of deciduous trees to the north. This helps to form some setting for the site although the effectiveness as a back drop is limited particularly during the winter. One boundary is along the farm track which has no boundary treatment. The boundaries to the east and south currently have no physical definition. The development will effectively be formed in the corner of a large arable field which looks down on the main farm building group below. It does not have an identifiable site with long established boundaries as required by section c) of the housing in the countryside policy.

Residential Amenity

The proposed dwelling is to be situated on a working farm but I do not consider that there are issues with residential amenity in this case. The occupier of the property would be associated with the business and will be aware of potential for disturbance, noise and odours associated with the farm. There will be no adverse impact on any existing residential amenity as there are no neighbours to be affected by the proposals.

Visual Amenity

The proposed house has been designed to limit its visual impact by being of single storey design. I do however still have concerns with the open nature of the site and lack of defined boundaries. Although the design has been modified to reduce the sprawl of the development I still consider that its position is inappropriate and would have an adverse visual impact.

The finished floor level of the new house is proposed at 50.5 metres. The supporting statement suggests that the proposed house will be below the ridge of the landform. However, I am concerned that it will break the skyline with around 2 – 3 metres visible on top of the ridge when approached from the farm road from the east.

The Housing in the Countryside Policy siting criteria (a) requires proposals to blend sympathetically with land form. The site is on a broadly flat area at the top corner of a large field which drops away to the west. Built development on the site would be out of keeping with the character of the surrounding area and be an over dominant feature in this rolling arable landscape. Such development is generally located in established building groups.

Roads and Access

The site is accessed along a single track private access with passing places. The Council's Transport Planning officers do not object to the proposal.

Drainage and Flooding

No issues with regard to flooding have been identified with this site. Limited information has been provided with regard to site drainage.

Private Water

Environmental Health was consulted with regard water supply but has no comment to make as the applicant has stated that Public Mains water will be used to supply the property. It is therefore understood that no existing private water supplies will be affected by the proposed activities.

Developer Contributions

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

This proposal is within the catchment of Aberuthven Primary School.

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

Transport Infrastructure

The Council Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.

This proposal is within the reduced contributions boundary.

The Contributions Officer notes that it is clear that this new property is required as a result of the closure of the railway crossing which accesses the existing dwelling. It is not clear from the proposal as to what will happen with the existing farm dwelling. If it is to be made redundant then this proposal would be considered as a replacement dwelling in terms of the contributions Supplementary Guidance and no contributions sought. If the existing dwelling is to remain in use then the Supplementary Guidance will apply and a contribution of £2,639 (1 x £2,639) would be required before any planning approval is issued.

Economic Impact

The development relates to an existing business although the economic impact of the proposal is likely to be minimal and limited to the construction phase of the development.

Conclusion

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

APPLICATION PROCESSING TIME

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

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application

Reasons for Recommendation

1 This proposal by virtue of its siting, scale and design is inappropriate in this location and would be contrary to policy ER6: Managing Future Landscape Change of the Perth and Kinross Local Development Plan 2014 as the proposed development would not maintain or enhance the special landscape qualities of the area.

2 The proposal by virtue of its siting and design is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Perth and Kinross Housing in the Countryside Guide 2012 siting criteria 3 a) to d). The development would not blend sympathetically with the land form, has insufficient existing natural features to provide a backdrop, insufficient mature boundaries and does not have a good fit with the surrounding landscape to ensure that it will be well integrated with its setting.

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

16/01317/1

16/01317/2

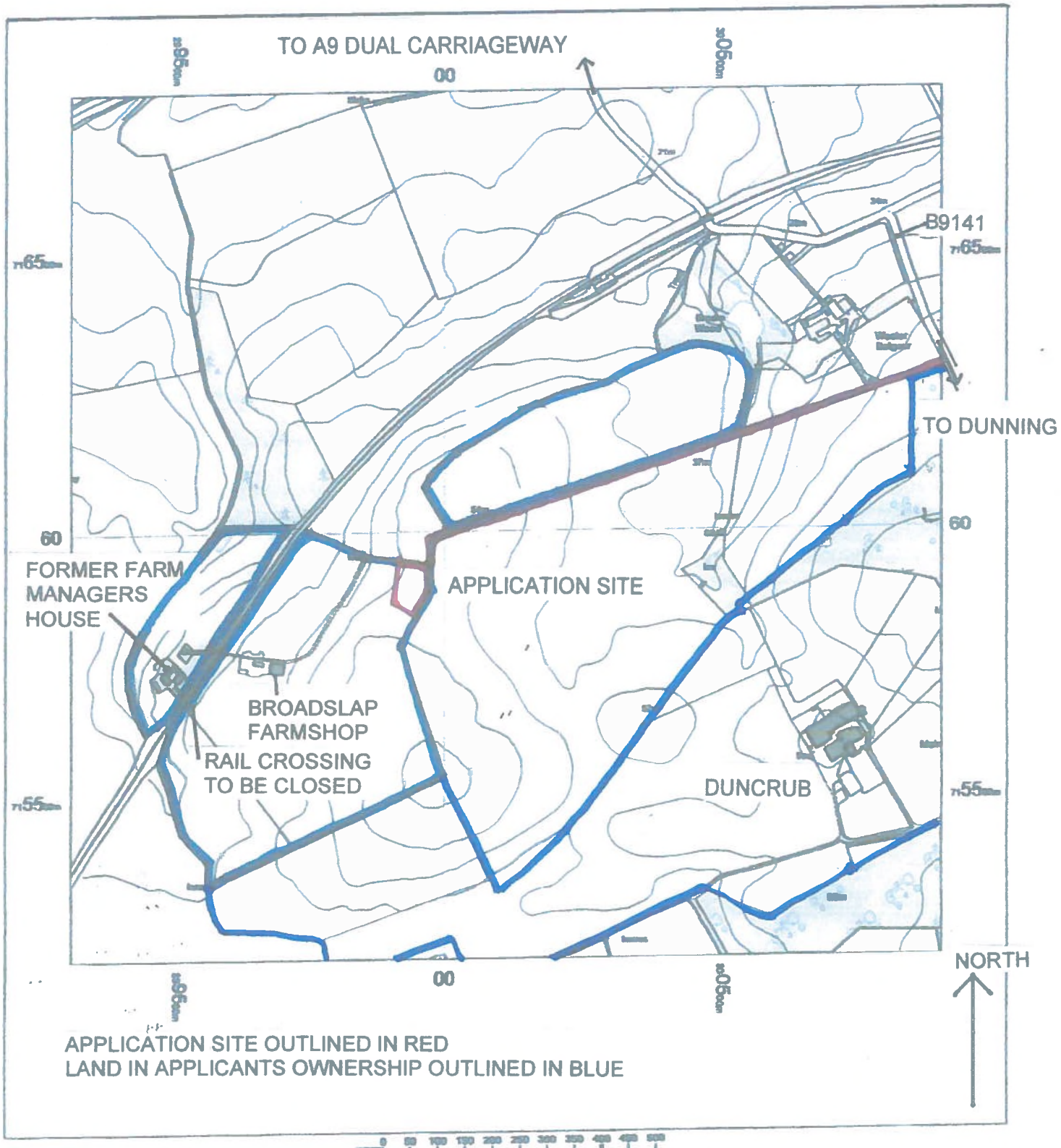
16/01317/3

16/01317/4

16/01317/5

Date of Report

14.09.2016



REPLACEMENT FARM MANAGER'S HOUSE AND GARAGE
BROADSLAP FARM, DUNNING PH2 0QL

LOCATION PLAN 1:10,000 @ A4

R437 - PL01 MARCH 2016

OS VectorMap Local - Landplan Style
01 December 2014, ID: MNOW-00352153
mapsnow.co.uk

1:10000 scale print at A4, Centre: 300113 E, 716014 N

The Studio
Cordon Mains
Abernethy
PERTHSHIRE
PH2 9LN

T 07973 701 025

RICHARD HALL
architecture design

REPLACEMENT FARM MANAGER'S HOUSE AND GARAGE
BROADSLAP FARM, DUNNING PH2 0QL

PROPOSED **SITE PLAN** 1:500 @ A2
R437 - PL02 MARCH 2016

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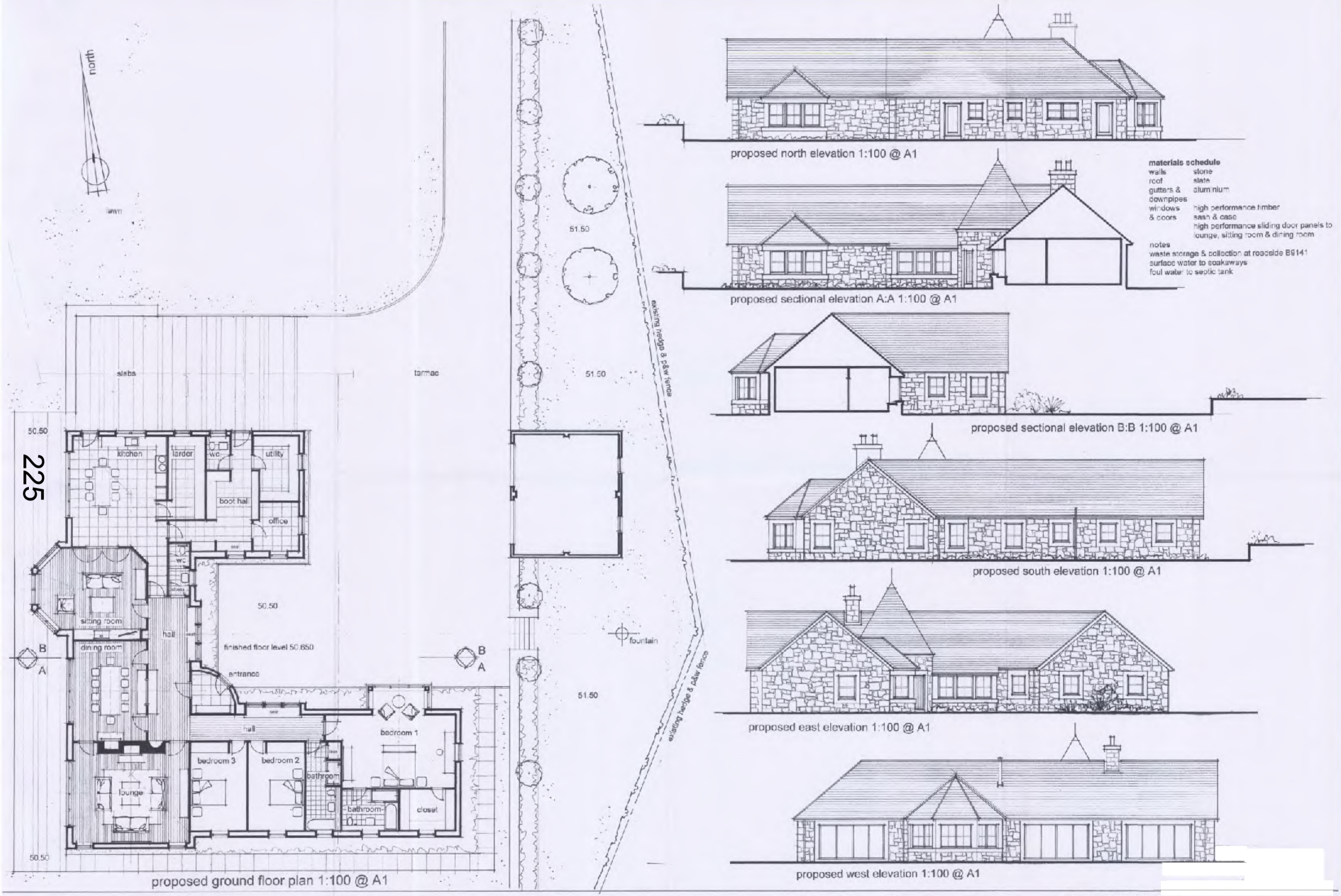
RICHARD HALL
architecture

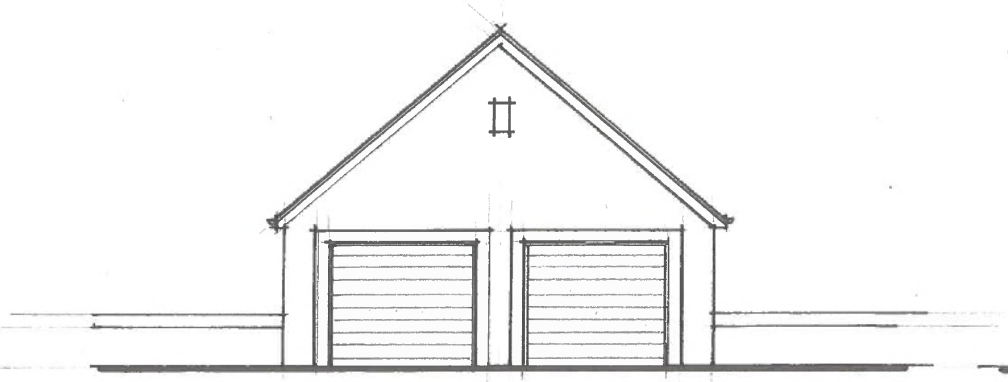


225

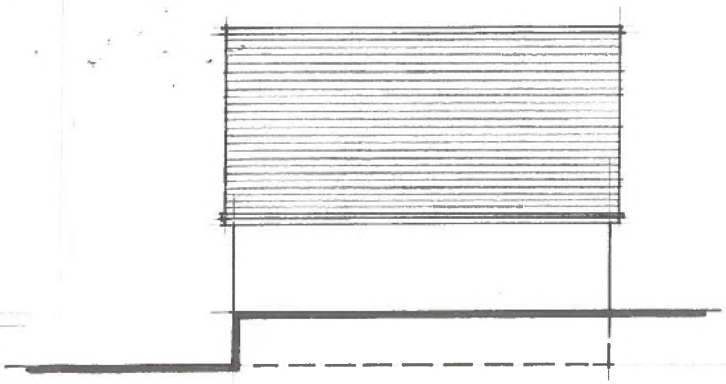
REPLACEMENT FARM MANAGER'S HOUSE AND GARAGE
BROADSLAP FARM, DUNNING PH2 0QL

PROPOSED PLANS & ELEVATIONS 1:100 @ A1
R437 - PL03 MARCH 2016

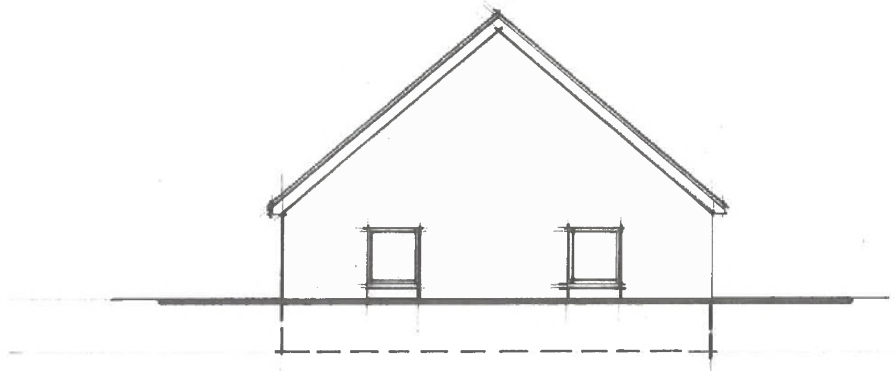
RICHARD HALL



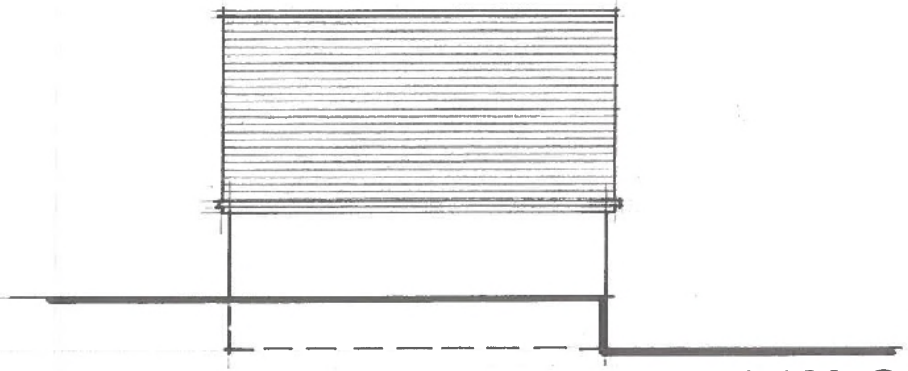
proposed west elevation 1:100 @ A3



proposed south elevation 1:100 @ A3



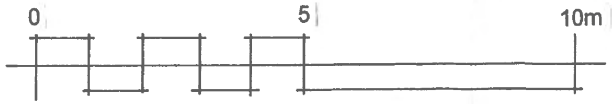
proposed east elevation 1:100 @ A3



proposed north elevation 1:100 @ A3

materials schedule

walls	render
roof	slate
gutters & downpipes	aluminium to match house
doors	aluminium roller type



REPLACEMENT FARM MANAGERS HOUSE AND GARAGE
BROADSLAP FARM, DUNNING PH2 0QL

PROPOSED **ELEVATIONS OF GARAGE**
R437 – PL04 JULY 2016

The Studio
Cordon Mains
Abernethy
PERTHSHIRE
PH2 9LN

T 07973 701 025

RICHARD [illegible]
architecture design

APPLICATION FOR
DETAILED PLANNING PERMISSION

FOR

REPLACEMENT FARMHOUSE
OFFICE AND GARAGE

AT

LAND 400M NORTH EAST OF
BROADSLAP FARM
DUNNING PH2 0QL

SUPPORTING STATEMENT

July 2016

richard hall chartered architect
the studio
cordon mains
abernethy
PH2 9LN

1.0 INTRODUCTION

This application follows the refusal of our Application reference number 16/00500/FLL and consists of a replacement farm manager's house and a double garage, on the same site with the same boundaries. It follows consultation with the Planning Officer and addresses the Reasons for Refusal.

Broadslap is split into 2 distinct areas by the Perth to Glasgow railway. The farm manager's house sits to the north of the railway in approximately 10 acres along with a steading and temporary accommodation for the seasonal pickers. To the south of the railway is approximately 90 acres of land with a large farm store and shop. Access between the areas is by a private railway crossing, which has been identified for closure by Network Rail, on safety grounds.

The first application for a replacement house reference 14/02238/FLL was refused on an alternative site. Although refused this application established the principle that a replacement house was required because of the imminent closure of the dangerous private railway crossing. The railway crossing is now closed. The existing farmhouse and steading buildings are now cut-off from Broadslap Farm, so it's now without a Farmhouse for the Farm Manager. The existing farmhouse has now been locked up, as it is without vehicle access to the public highway, and is surrounded by a neighbouring farm.

The Farm Manager looks after the Broadslap Farm, which is a soft fruit farm, and he needs to have a clear view of the land and buildings, to police regular night-time theft of strawberries. The Applicant also owns the neighbouring Duncrub Farm, which is an arable farm and also has 3 large chicken sheds. The Farm Manager at Broadslap is also responsible for monitoring the alarm on the chicken sheds and so needs a clear view of Duncrub Farm to see the alarm lights. The application site was carefully chosen, to accommodate the clear views to both farms, and importantly provide the necessary security and stewardship of the farms.

During each of the 2 separate previous applications, alternative sites have been looked at within the farm. On each occasion sites around the Broadslap Farm buildings and shop have been discounted as they did not provide the dual view to both Broadslap and Duncrub Farms, as required by the Farm Managers responsibilities. Neither would it provide the Farm Manager with sufficient privacy.

2.0 REASONS FOR REFUSAL OF PREVIOUS APPLICATION 16/00500/FLL

2.01 *The proposal by virtue of its bulky form and sprawling design is inappropriate in this location and would be contrary to policy ER6:*

Managing Future Landscape Change of the Perth and Kinross Local Development Plan 2014 as the proposed development would not maintain or enhance the special qualities of the area.

2.02 *The proposal by virtue of its siting, scale and design is contrary to Perth & Kinross Housing in the Countryside Guide 2012 categories 3a to 3d. The development would not blend sympathetically with the land form, has insufficient existing natural features to provide a backdrop, insufficient mature boundaries and does not have a good fit with the surrounding landscape to ensure that it will be well integrated with its setting.*

2.03 The previous application included a large garage and machine store, attached to the house by a double carport. This meant the overall length of the proposed house, carport and garage was 49 metres. This elevation would have been prominent viewed from the west and it is accepted this contributes to the sprawling nature of the original design.

3.0 THE PROPOSED APPLICATION SITE

3.01 Before we made the application reference number 16/00500/FLL, a pre-application Consultation was made with Mark Williamson, Planning Officer of the Perth & Kinross Planning department and a site meeting held to try and identify a site that would satisfy the requirements of the Policies and Guidance. The proposed site was selected at that meeting, as it had a strong backdrop of trees and hedges, and was below the ridge line, so would therefore not break the horizon when viewed from a distance, and it also provided the necessary views to both Broadslap and Duncrub Farms.

3.02 The assessment of the site in planning terms should be considered not only under the Perth & Kinross Council's Housing in the Countryside Guide, but also under the Economic Development policies of the Local Development Plan. In the previous assessment made by the Planning Officer, the interpretation of the siting criteria was considered 'borderline'. The weight of any assessment of the suitability of the site in planning terms should also fall on the economic benefits of the proposal, as a dwellinghouse is required on the basis of economic need and to secure the future development of the farm business – this therefore would be the overriding 'material consideration' for this proposal. The economic development value of this site is such that it provides the perfect setting for the Farm Manager, who is an "Essential Worker", to police both farms with clear views. This is a vital consideration, as the dwellinghouse is required on the basis of economic activity, the principle of which has already been accepted by the Planning Department.

3.02 The proposed site sits below the ridge of the landform approximately on the 50m contour. When viewed from the north, principally from the A9 dual carriageway, which is the main visual receptor, the proposed site is out of view, in accordance with the requirements of Policy PM1B (b) of the Perth & Kinross Local Development Plan 2014.

3.03 When viewed from the north, the proposed site sits behind a strong block of deciduous trees, which will completely hide the proposed building from exposure to that view.

3.04 When viewed from the south, the same block of trees provide a mature landscape backdrop as required by the Perth & Kinross Housing in the Countryside Guide 2012.

Fig 2. The proposed site looking north to the established trees with mature hedge on the right (east)

3.05 The proposed site is bounded on the east by a mature hedge and this forms a strong mature landscape setting, again in accordance with the requirements of the Perth & Kinross Housing in the Countryside Guide 2012.

3.06 The proposed site sits on the tarmac access road to Broadfold Farm and therefore affords the Farm Manager easy and safe access to the public road system and to his place of work. It also affords the application site easy connection to existing services.

3.07 The proposed site and the design of the house layout, allows the Farm Manager sufficient seclusion from his place of work and allows for peaceful down time, but also allows clear sight lines to both Broadslap and Duncrub farms, as required by his duties.

4.0 THE PROPOSED DESIGN

4.01 The proposed site provides a strong landscape setting with the mature established tree belt to the north and the mature hedge to the east. The site falls away to the west and affords the proposed house spectacular views, and the opportunity to absorb the afternoon and evening sunlight. It is proposed to reduce the existing ground level by 1m to reduce the height if the proposed house in the landscape so it sits more comfortably with the height of the existing mature hedge.

4.02 The proposed house has been designed for its setting. All rooms take advantage of particular views, of prevailing wind direction and of passive solar gain. The proposed house in this application is the same house as submitted in application reference number 16/00500/FLL but we have removed the carport and garage. This reduces the overall west elevation by some 23 metres. The overall length of the west elevation is now 26 metres, reducing its impact in the view by nearly 50%. The garage has been re-sited to the east, to create a more complete courtyard and we believe this to be a positive development of the design.

4.03 The proposed house has been designed to accommodate the Farm Manager and his family. However account has also been taken for the lifespan of the house, maximizing the opportunity.

4.04 The farm manager's house to be replaced, consists of a 2 storey farm house, a steading, other storage sheds, and temporary accommodation for the seasonal fruit pickers. The replacement house is therefore envisaged as a traditional steading courtyard, with a composition of similar forms, of similar spans, with similar materials. The consistent span allows visually for an even roof-scape and structurally allows future alteration of the internal plan, reinforcing the longevity of the structure. The plan of the house and garage in this application is much more compact than the "sprawling design" of the house in the previous application and the new garage sits within the elbow of the bend of the mature hedge. This helps to reduce the scale the proposed building group within the setting. The house and garage have the same span and slate finish, so the roofs are the same height and align to create the compact courtyard feeling of a traditional steading.

4.05 The proposed house is to be built from stone with a slate roof to reflect traditional steading architecture. These natural materials will blend sympathetically with the landscape and *not* be visually intrusive from the long views to the site.

4.06 The proposed setting, is not apparent from the direct views from the north, particularly the A9 dual carriageway, which is the main visual receptor. The elevated position however, affords spectacular views to the east, south and west and the proposed house has been designed to take full advantage. It importantly provides views to both Broadslap and Duncrub farms for essential supervision as part of its duties.

4.07 The proposed buildings are designed as a single storey to allow the group to settle into the landscape. The new garden will be surrounded by hedging to match the existing, to help blend the edges of the new development into the existing landscape. The intention is that the new buildings will look a natural fit, in scale with their setting – "as if they've always been there" and create a feeling of "place".

4.08 The construction of the proposed house will meet all the requirements for energy efficiency, and materials will be sourced as locally as possible to reduce the carbon footprint.

5.0 CONCLUSION

This application has the benefit of clear guidance from the "reasons for refusal" of the previous applications. The principle of a replacement house was established and accepted, because of the closure of the dangerous private railway crossing, and on the basis of needing a house for an Essential Worker. The refusal was because of the sprawling design of the proposed house and garage in its setting.

A pre-application meeting with the Planning Officer has proved beneficial in redesigning the proposals.

The relocation of the garage makes for a more compact grouping which integrates with it's setting in terms of layout, scale, exposure, height and materials, and makes a positive contribution to the landscape.

Planning Justification Report
Broadslap Farm

Prepared for: Stuart Partnership

Prepared by: SAC Consulting

Contact: Peter Lindsay
Sandpiper House
Ruthvenfield Road
Inveralmond Industrial Estate
Perth PH1 3EE

Date: December 2016

SAC Consulting is a division of SRUC
Leading the way in Agriculture and Rural Research, Education and Consulting

Prepared for:

Stuart Partnership
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Fax: 01738 627860

CONTENTS

INTRODUCTION

This report has been prepared at the request of The Stuart Partnership to supplement a planning application for the construction of a new agricultural dwelling house at Broadslap Farm, Dunning, By Perth.

Information about the farm business policy and factors that would support the proposed dwelling house was gathered by Peter Lindsay, SAC Consulting (Perth) in discussion with Emma Stuart and Sandy Stuart.

Data for enterprise labour requirements is based on the standard figures published by Defra in a report of the UK Farm Classification Document (October 2014).

SUMMARY & CONCLUSION

The family farming partnership of the Stuart Partnership owns and farms the lands of Mains of Duncrub and Broadslap Farms extending to approximately 91 hectares.

The business enterprises include 46 hectares combinable cropping, 15 hectares rented out for vining peas, 4.5 hectares of soft fruit (mostly under cover) with the remainder of the land made up of fallow, grassland and woodlands. A broiler chicken enterprise has been established in recent years and there is now housing space for 140,000 birds. A farm shop / café was purchased along with Broadslap Farm in 2014 which is open 11 months of the year.

The business employs 7 full time staff in addition to the business partners and takes on additional seasonal staff (peaking at 24) to work in the farm shop and soft fruit enterprises.

The sole dwelling house at Broadslap Farm has been cut off from the steading as the railway crossing has been closed by Network Rail over safety concerns. With the soft fruit enterprise plus the farm shop / café located at Broadslap Farm there are now concerns about the logistics of effectively managing and running these enterprises as well as the security concerns.

It is proposed to build a new dwelling house along side the access road into Broadslap Farm for the fruit manager to reside. This location will allow easy access to the fruit fields, steadings, caravans and chills, increasing security and allowing the fruit manager to carry out their job role efficiently and effectively.

The business has a total labour requirement of 22.19 standard labour units and therefore easily justifies the provision of an additional dwelling house at Broadslap Farm.

This report fully supports the application for the erection of an additional dwelling house at Broadslap Farm.

BACKGROUND INFORMATION

The business of the Stuart Partnership is a family farming partnership between Emma Stuart and her parents Sandy & Freda Stuart.

The business owns and farms the lands of Mains of Duncrub and Broadslap Farms which extend to approximately 91 hectares. Mains of Duncrub was purchased in 2003 and the adjoining Broadslap Farm was purchased in 2014. These farms are located to the North side of the village of Dunning on the B9141 just off the A90.

Land is classified predominately as grade 3_1 and capable of growing a moderate range of crops with a small area classified as grade 2. All of the land is classed as Non Less Favoured Area (Non-LFA). The farm is not within any Nitrate Vulnerable Zone (NVZ).

The business grows approximately 46 hectares of cereals each year on the farm and rents out around 15 hectares for vining peas. About 4.5 hectares of soft fruit is grown in rotation, the majority of which is in polytunnels. The remainder of the land is made up of fallow, grassland and woodlands.

In 2012 the business built its first broiler house which has since expanded and now there is housing space for 140,000 broiler chickens at Mains of Duncrub. The business also has a horse stud and a small number of breeding sheep. Surplus grass is made into haylage or rented out for sheep grazing.

The business purchased a café / farm shop along with Broadslap Farm in 2014 which is open 11 months of the year selling fresh fruit and vegetables grown on the farm or within the local area as well as providing light refreshments.

Employees – In addition to the partners the business employs the following people –

- Farm shop – 4 full time staff with an additional 4 part time staff during peak season
- Soft fruit enterprise – 1 full time fruit manager plus casual labour February – October peaking at 20.
- Poultry – 2 full time poultry men.

Dwellings – The business currently owns 3 dwelling houses as follows with the names of the occupants residing in them shown in brackets –

- Farmhouse – Mains of Duncrub (Sandy & Freda Stuart)
- House – Mains of Duncrub (Emma Stuart & Family)
- Farmhouse – Broadslap (now empty)

The farmhouse at Broadslap is located on the other side of the railway line from the steadings, polytunnels and farm shop etc. Network Rail have recently closed off the crossing between the farmhouse and the farm steading at Broadslap, due to safety concerns. For this reason the farmhouse at Broadslap is now redundant.

In addition to the dwelling houses there are 4 static caravans located at Broadslap steading which house up to 16 seasonal staff involved with the management of the polytunnels and the harvest of the fruit.

It is proposed to build a dwelling house alongside the access road into Broadslap Farm situated on top of the hill with a direct line of site over Mains of Duncrub Farm as well as Broadslap Farm.

LABOUR REQUIREMENT OF THE STUART PARTNERSHIP

Using Standard Labour Data for Agricultural and Horticultural Activities, sourced from the UK Farm Classification Working Party (October 2014), and information on existing land areas farmed, the labour profile for the farming enterprises operated by the Stuart Partnership is shown below.

Land	**Area (ha)**	**Hours/Annum/Ha**	**Total**
Cereals	46	18	828
Peas – let ploughed only	15	4	60
Fallow	4.5	2.9	13
Outdoor Fruit	0.5	425	213
Covered Fruit	4	7,000	28,000
Silage 1 cut	2.5	12	30
Grassland	9	3.1	28
Woodlands / Other	10	0	0
Sub total			*29,172*
Livestock	**Number**	**Hours/Annum**	**Total**
Broilers	140,000	0.09	12,600
Breeding sheep	15	5.2	78
Horses	8	40	320
Sub total			*12,998*
TOTAL			**42,170**
Standard Labour Unit			*1,900*
LABOUR REQUIREMENT (LU)	**22.19**		

The Standard Work Capacity is taken as 1,900 hours/person/year. This is calculated on the assumption that one person would work 39 hours per week and takes illness, public holidays etc into account.

These calculations do not take into account the labour required in the farm shop / café and are based solely on the agricultural and horticultural activities of the business.

Were this standard is applied, the Labour Profile calculates that the business of Stuart Partnership requires the equivalent of **22.19 standard labour units** in order to operate.

THE NEED FOR ON-SITE ACCOMMODATION

The business of the Stuart Partnership has expanded rapidly from the initial purchase of Mains of Duncrub in 2003, with the introduction of broiler chickens in 2012 and the purchase of Broadslap Farm in 2014, including the soft fruit enterprise, and farm shop / café.

The business currently owns three dwelling houses, two of which are located at Mains of Duncrub and lived in by the business partners. The third house which is located at Broadslap Farm has recently been cut off from the steading as the railway crossing between the house and steading has been closed by Network Rail due to safety concerns. This has made this house unsuitable for use by farm staff as at present there is no access.

It is proposed to build a new dwelling house alongside the access road into Broadslap Farm, where the soft fruit enterprise and farm shop / café are located for the fruit manager to reside. This will provide a number of benefits to the business as follows –

- Polytunnel management is vital to protect the tunnels themselves as well as the plants and fruit inside. Temperature is controlled by opening / closing tunnel doors and rolling up side vents. The tunnels need to be protected from winds by closing doors/vents, often at short notice and repairs need to be made quickly to prevent tunnels from being damaged / destroyed.

- Irrigation / fertigation management – individual tunnels need to be monitored and irrigation equipment switched off and on and fertiliser tanks filled as required.

- Duty of care over casual labour – At peak season 16 foreign workers reside in static caravans at Broadslap. There is a need for a manager to be available at all times to deal with any emergency situation, arrange for maintenance / repairs to caravans / shower blocks etc to be carried out and to organise the daily work to be carried out by these workers.

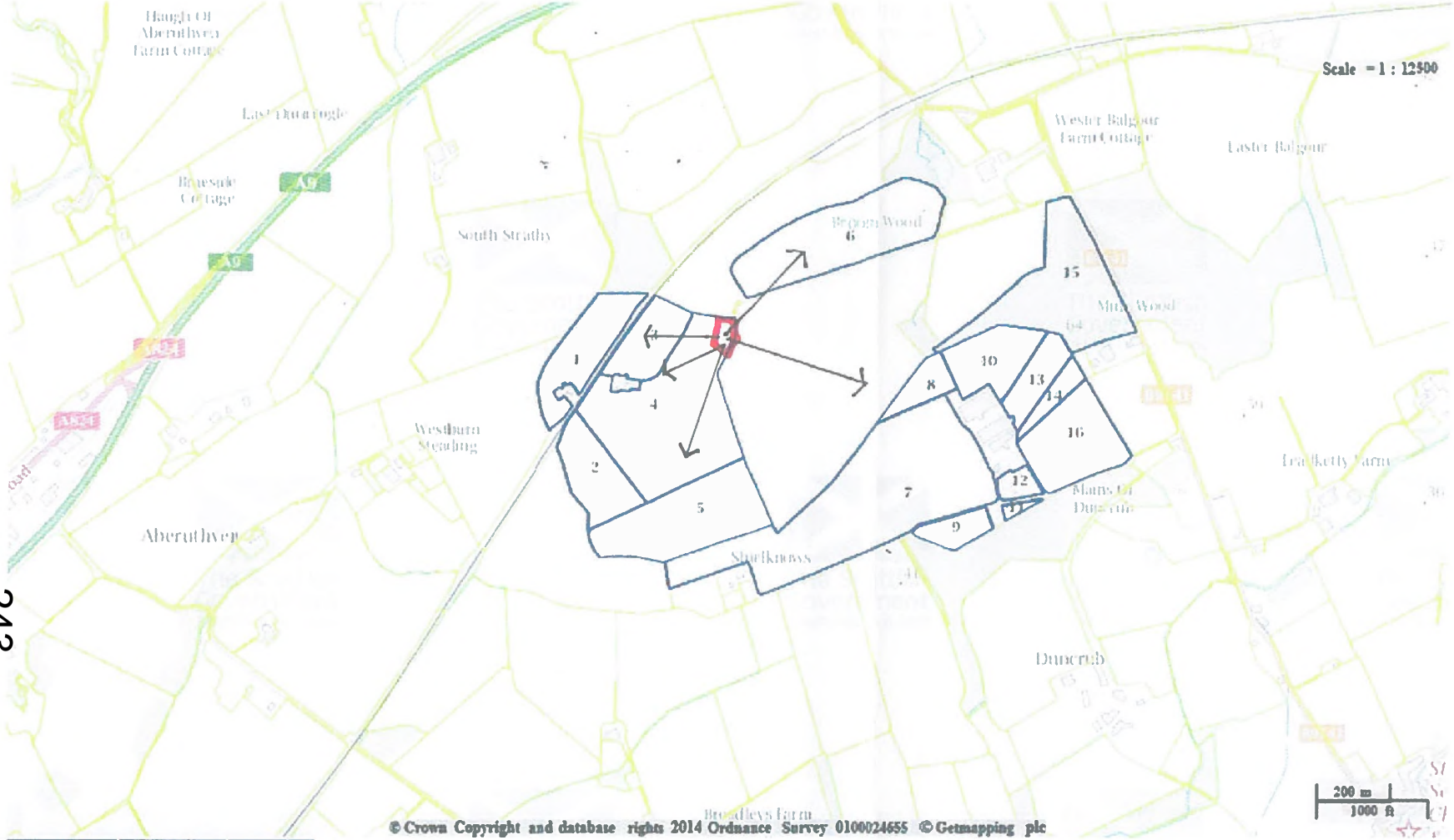
- Temperature control of chills – Soft fruit is a highly valuable, perishable crop and any problems with the temperature controls of the stored fruit needs to be dealt with immediately.

- Deliveries for both the soft fruit enterprise and the farm shop / café often take place out with normal working hours which currently can lead to one of the business partners having to travel from Mains of Duncrub to Broadslap to take delivery.

- Security – With no direct line of site of the steadings and farm shop at Broadslap from the business partner's houses at Mains of Duncrub there is a distinct lack of security at Broadslap Farm, now that the farmhouse at Broadslap has been cut off. Having someone from within the business residing at Broadslap will mitigate the security risk significantly.

Locating the house at the top of the hill will allow a direct line of site over both Broadslap Farm and Mains of Duncrub Farm thus improving security for both sites and enabling an additional person to oversee the alarms in the poultry houses.

With the proposed site being alongside the access road into Broadslap then all traffic can be easily monitored, reducing the risk of petty theft and vandalism which are a real threat to the business as well as taking deliveries out with working hours. Having someone living on site will make the day to day management of the business more efficient and help to ensure the long term viability of the unit.



Id	Location	LPID	Area (ha)
1	053/0037	NN/99552/15368	4.60
2	053/0037	NN/99575/15501	4.03
3	053/0037	NN/99735/15385	3.31
4	053/0037	NN/99792/15673	13.92
5	053/0037	NN/99839/15373	8.29
6	053/0037	NO/00245/16166	9.99
7	053/0037	NO/00250/15448	20.14
8	053/0037	NO/00513/15753	1.72
9	053/0037	NO/00620/15342	1.58
10	053/0037	NO/00715/15802	3.90
11	053/0037	NO/00301/15405	0.27
12	053/0037	NO/00793/15485	0.87
13	053/0037	NO/00786/15626	2.31
14	053/0037	NO/00379/15719	1.20

Map 1

The Studio
Cordon Mains
Abernethy
PERTHSHIRE
PH2 9LN

T 07973 701 025

RICHARD HALL
architecture design


PHOTOGRAPH 1

PHOTOGRAPH 2

PHOTOGRAPH 3

PHOTOGRAPH 4

TCP/11/16(451) – 16/01317/FLL – Erection of a dwellinghouse and garage, land 400 metres north east of Broadslap Farm, Dunning

PLANNING DECISION NOTICE *(included in applicant's submission, see pages 209-210)*

REPORT OF HANDLING *(included in applicant's submission, see pages 211-221)*

REFERENCE DOCUMENTS *(included in applicant's submission, see pages 223-247)*

TCP/11/16(451) – 16/01317/FLL – Erection of a dwellinghouse and garage, land 400 metres north east of Broadslap Farm, Dunning

REPRESENTATIONS

M e m o r a n d u m

To	Development Quality Manager	From	Regulatory Services Manager
Your ref 16/01317/FLL		Our ref	LRE/ALS
Date 29July 2016		Tel No	[redacted]

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

Consultation on an Application for Planning Permission
PK16/001317/FLL RE: Erection of a dwellinghouse and garage land 400metres North East of Broadslap Farm Dunning for The Stuart Partnership

I refer to your letter dated 27 July 2016 in connection with the above application and have the following comments to make.

Environmental Health (assessment date –29/07/16)

Recommendation
I have no adverse comments to make in relation to the application

Comments
This Service made no comments with regards to noise or odour at the time of the refused planning application 14/02238/FLL, for the erection of a dwelling house and garage land 600 metres North West of Broadslap Farm.The reason for refusal was due to the scale , size and location of the application being contrary to planning policies within Perth and Kinross Local Development Plan and the Countryside Guide 2012.In refused application 16/00500/FLL for the same application site this Service had no adverse comments to ake with regards to noise or odour and water supply.

This appliation is for the same application siteas the 16/00500/FLL application, however the proposed house size is smaller, as is the proposed garage which has also been relocated within the site.

The applicant has submitted a supporting statement with this application in which it states that the dwellinghouse is a replacement farmhouse, office and garage store for the farm manager at Broadslap farm.

Therefore I reiterate my previous comments, that there is the potential for the future residents to by aware at time of noise and odours associated with a rural area and workings of a farm, however it is my contention that this will not adversley affect residential amenity. Therefore I have no adverse comments to make with regards to this application.

Water (assessment date – 28/7/16)
The application relates to a new dwellinghouse; the applicant has stated that Public Mains water will be used; therefore it is our understanding that no existing private water supplies will be affected by the proposed activities so we have no comment at this time.

Informative

The private drainage and sustainable soakaway that the applicant proposes to install must be at least 10 metres away from any watercourse, ditch or field drain or any other soakaway. SEPA also need to be consulted if the septic tank soakaway is draining into any watercourse.

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	16/01317/FLL	**Comments provided by**	Euan McLaughlin
Service/Section	Strategy & Policy	**Contact Details**	**Development Negotiations Officer:** Euan McLaughlin [redacted]
Description of Proposal	Erection of a dwellinghouse and garage		
Address of site	Land 400 Metres North East Of Broadslap Farm Dunning for Stuart Partnership		
Comments on the proposal	**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.** THE FOLLOWING REPORT, SHOULD THE APPLICATION BE SUCCESSFUL IN GAINING PLANNING APPROVAL, MAY FORM THE BASIS OF A SECTION 75 PLANNING AGREEMENT WHICH MUST BE AGREED AND SIGNED PRIOR TO THE COUNCIL ISSUING A PLANNING CONSENT NOTICE. **Primary Education** With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity. This proposal is within the catchment of Aberuthven Primary School. Education & Children's Services have no capacity concerns in this catchment area at this time. **Transport Infrastructure** With reference to the above planning application the Council Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth. This proposal is within the reduced contributions boundary. **Note: It is clear that this new property is required as a result of the closure of the railway crossing which accesses the existing dwelling. It**		

	is not clear from the proposal as to what will happen with the existing farm dwelling. If it is to be made redundant then this proposal would be considered as a replacement dwelling in terms of the contributions Supplementary Guidance and no contributions sought. If the existing dwelling is to remain in use then the Supplementary Guidance will apply.
Recommended planning condition(s)	**Summary of Requirements** Education: £0 Transport Infrastructure: £2,639 (1 x £2,639) **Total: £2,639** **Phasing** 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. 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. If a Section 75 Agreement is entered into the full contribution should be received 10 days after occupation.
Recommended informative(s) for applicant	**Payment** **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.** **Methods of Payment** On no account should cash be remitted. **Scheduled within a legal agreement** 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. **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.

Other methods of payment

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.

Remittance by Cheque
The Planning Officer will be informed that payment has been made when a cheque is received. However this will require a period of 14 days from date of receipt before the Planning Officer will be informed that the Planning Decision Notice may be issued.

Cheques should be addressed to 'Perth and Kinross Council' and forwarded with a covering letter to the following:
Perth and Kinross Council
Pullar House
35 Kinnoull Street
Perth
PH15GD

Bank Transfers
All Bank Transfers should use the following account details;
Sort Code: 834700
Account Number: 11571138

Transport Infrastructure
For Transport infrastructure contributions please quote the following ledger code:
1-30-0060-0003-859136

Direct Debit
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:

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.
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.

Indexation

All contributions agreed through a Section 75 Legal Agreement will be linked to the RICS Building Cost Information Service building Index.

Accounting Procedures

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.
Date comments returned	03 August 2016

Property

Perth and Kinross Council
The Environment Office
Pullar House
35 Kinnoull Street
Perth
PH1 5GD

Network Rail
Town Planning
1st Floor George House
36 North Hanover Street
Glasgow
G1 2AD

Martin Henderson
Town Planning Technician

Planning reference: 16/01317/FLL
Case Officer: Persephone Beer

E-Mail:
TownPlanningScotland@networkrail.co.uk

Network Rail ref: 320 2016

08/08/2016

Dear Ms Beer,

Town and Country Planning (Scotland) Act 1997 (as amended)
Re: Erection of a dwellinghouse and garage at Land 400 Metres North East Of Broadslap Farm Dunning

Thank you for consulting Network Rail regarding the above development.

Network Rail has no objection to this application and fully supports this proposal.

This proposal will enable Network Rail to close and remove the level crossing at Broadslap. The closure of the crossing will ensure that 100mph line speeds can be maintained and thus assist us to improve journey times. This strategic outcome was identified in the Transport Scotland document: Scotland's Railways, complying with the aims of the Strategic Transport Projects Review and is a requirement of the Scottish Ministers as described in High Level Output Specification. This is also compliant with the TACTRAN Regional Transport Strategy Objectives.

The crossing will be closed as soon as possible after the granting of this application.

We trust full cognisance will be taken of these comments. We would be grateful if Local Planning Authorities would provide a copy of the Decision Notice.

Yours sincerely

Martin Henderson
Town Planning Technician

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	16/01317/FLL	**Comments provided by**	Tony Maric Transport Planning Officer
Service/Section	Transport Planning	**Contact Details**	[redacted]
Description of Proposal	Erection of a dwellinghouse and garage		
Address of site	Land 400 Metres North East Of Broadslap Farm Dunning		
Comments on the proposal	**Insofar as the roads matters are concerned, I have no objections to this proposal.**		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	26 August 2016		

TCP/11/16(451) – 16/01317/FLL – Erection of a dwellinghouse and garage, land 400 metres north east of Broadslap Farm, Dunning

FURTHER INFORMATION

3 March 2017
Ref R437 : LRB/RH/02

RICHARD HALL
architecture design

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

For the attention of ***Gillian Taylor***

Dear Sirs,

NOTICE OF REVIEW
PLANNING APPLICATION 16/01317/FLL
REPLACEMENT FARM DWELLINGHOUSE & GARAGE AT
LAND 400M NORTH EAST OF BROADSLAP FARM, DUNNING PH2 0QL

I refer to the above and your emailed letter of 27th February 2017 requesting the following information;

- The former Broadslap Farm manager's house, steading buildings and 10 acres of farmland, north of the railway line, are now the subject of a sale. These buildings will therefore continue to be used by the new owner.
- The new owner of these buildings and the 10 acres of farmland, has secured vehicular access, to the public road, through a neighbouring farm.

We understand as the use of these former farm manager's buildings is to continue, the replacement house, which is the subject of this application, will be subject to the Perth & Kinross Council's Contributions policies, which we accept.

Due to the proximity to the railway line to the existing house and lands to the north, retaining the above could never be an option, as the temptation for workers and the farm manager to cross the closed track to reach the farm to the south, is too much of a risk as it is only a 10 metre crossing against a 4 mile trip by car. As most of the seasonal workers don't drive this would be an impossible situation. As stated above, he house and lands have now been sold, gaining access through a neighbouring farm with the capital released to fund the new build, which will create a better and safer environment in the long term.

I trust the above and enclosed are in order but if you require anything further please don't hesitate to phone.

Yours faithfully

Richard G A Hall *RIBA RIAS*

Encl.

Cc Mr Sandy Stuart, The Stuart Partnership

The Studio, Cordon Mains, Abernethy, Perthshire PH2 9LN ☐ Richard Hall RIBA ARIAS
T 07973 701025 **E** rick@hallarchitects.co.uk **W** www.hallarchitects.co.uk
Architects Office, Seton Mains Garage, Longniddry, East Lothian EH32 0PG ☐
T 01875 812 175 **E** building@architectsoffice.co.uk **W** www.architectsoffice.co.uk

VAT Registration Number 804 8748 10

CHX Planning Local Review Body - Generic Email Account

From:	Persephone Beer
Sent:	24 March 2017 14:54
To:	CHX Planning Local Review Body - Generic Email Account
Cc:	Christine Brien
Subject:	TCP/11/16 (451) Application Ref: 16/01317/FLL – Erection of a dwellinghouse and garage on land 400 metres North East of Broadslap Farm, Dunning – The Stuart Partnership

Dear Ms Taylor

Town & Country Planning (Scotland) Act 1997
The Town & Country Planning (Schemes of Delegation & Local Review Procedure) (Scotland) Regulations 2008
Application Ref: 16/01317/FLL – Erection of a dwellinghouse and garage on land 400 metres North East of Broadslap Farm, Dunning – The Stuart Partnership

I refer to your letter of 13th March in connection with the written submission associated with the above.

I have the following comments to make on the written submission:

The original proposal was assessed on the basis of the application being for a replacement house as the original farm manager's house could no longer be used following closure of the level crossing and access to it would no longer be available. This situation has changed with access to the house being secured although the property and associated land is in the process of being sold. The proposal is now for an additional house in the countryside and as such appropriate developer contributions in line with policy PM3 would be required. The housing in the countryside policy supports houses for key workers if required and if this can be demonstrated. The location of the house must also satisfy the policy. I understand that the house is required for a farm manager at Broadslap primarily to be responsible for the running of the pick your own berry enterprise and supervision of seasonal workers. As far as I am aware the seasonal workers accommodation has been moved to the area around the farm shop from the vicinity of the original farm manager's house. It would be logical for any operational workers accommodation required in connection with the berry enterprise to also be closely associated with these buildings. If the LRB is satisfied that the holding at Broadslap meets the criteria for an essential worker's house in the countryside I am of the opinion that this should relate better to the existing farm buildings and be located as part of the cluster of buildings close to the farm shop, seasonal workers accommodation and associated structures.

I trust that the above comments are of assistance.

If you require any further information, please do not hesitate to contact me.

Yours sincerely

Persephone Beer

Persephone Beer
Planning Officer
Planning and Development
The Environment Service

31 March 2017
Ref R437 : LRB/RH/03

RICHARD HALL
architecture design

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

For the attention of ***Heledd Rhienhallt***

Dear Sirs,

NOTICE OF REVIEW 451
PLANNING APPLICATION 16/01317/FLL
REPLACEMENT FARM DWELLINGHOUSE & GARAGE AT
LAND 400M NORTH EAST OF BROADSLAP FARM, DUNNING PH2 0QL

I refer to the above and your emailed letter of 24th March 2017 with the attached response from Ms Persephone Beer, and we comment as follows;

1. It is important to consider the main purpose of the application, which is for the erection of a replacement dwellinghouse on Broadslap Farm, for the Farm Manager, as the previous dwelling has become redundant due to the closing of the rail crossing. The replacement dwelling therefore is required for economic and business reasons to enable and support the future viability, succession and security of the Broadslap farmholding. Broadslap Farm and the neighbouring Duncrub Farm are under the ownership of the Applicant, Mr. Stuart, and for business efficiency the Farm Manager at Broadslap is also required to oversee the chicken operation at Duncrub Farm. Therefore the location of the replacement house, on operational grounds, needs to provide a visible link to both farms, and the application site provides this.
2. Although access has now been secured for the former Farm Managers house, it is no longer a viable location for the Farm Manager, with the closure of the railway crossing. This means the journey distance to Broadslap Farm, is nearer 4 miles rather than the 10 metres over the railway crossing. The 10 metre crossing is too much of a temptation, in time of urgency, and on clear safety grounds, this cannot be allowed. The principle of the replacement house has been fully accepted by the Planning Officer.
3. Economic, employment and business issues are important material considerations in the determination of a planning application, as stated in Section 25 of the 1997 Act, and therefore these material issues need to be given appropriate weight in any assessment. The siting of the dwellinghouse can only be on land that is available to the applicant on Broadslap Farm. As farm security is an important material consideration in the need for the dwellinghouse the proposed review site was chosen where it would provide an ideal situation for surveillance and overseeing of the farmholding, while at the same time being sited and designed as far as possible to blend sympathetically with the landform. Broadslap farm

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Architects Office, Seton Mains Garage, Longniddry, East Lothian EH32 0PG ☐
T 01875 812 175 **E** building@architectsoffice.co.uk **W** www.architectsoffice.co.uk

VAT Registration Number 804 8748 10

produces strawberries and the location of the strawberry fields is on either side of a natural ridge. The Farm Manager needs to have clear visibility of both sides of the farm for security reasons – theft of strawberries from the fields is a major issue during the growing season. If the replacement house were sited beside the existing farm buildings, as suggested by the Planning Officer, then one side of the farm would be unsupervised. The proposed site provides further security, in that it also has visibility of the private approach road, alerting the Farm Manager to any vehicle movement.

4. The strawberries will only grow in areas out of the prevailing wind and the fruit is rotated in a 5 year cycle. The Planning Officer is suggesting the replacement house is sited beside the existing farm buildings, but this is all valuable fruit growing land, out of the prevailing wind and essential for the economic viability of the farmholding. The application site has been chosen so that is does not affect the 5 year cycle and take up valuable fruit growing land.

5. The review application was made on the basis of a replacement dwellinghouse and also on economic activity grounds where the proposed dwellinghouse is required to manage the Broadslap Farmholding. A Labour Requirement Justification has been submitted in support of the review, which indicates that the farmholding at Broadslap and Duncrub can support 22 farm workers. The primary material consideration therefore is the need for the dwellinghouse on the farmholding in a location that best serves the future viability and security of the business.

6. In response to the Planning Officer's conclusions in the Delegated Report and reasons for refusal, it is considered that the siting and design of the proposed dwellinghouse will not have a significantly detrimental impact on the visual amenity or landscape character of this part of Strathearn or the Ochil Hills and certainly not such an impact that would merit or justify the refusal of the proposal within the context of the economic and security needs for the dwellinghouse. This is an important material consideration in the determination of the application.

7. The Farm Manager should be provided some opportunity for downtime away from the main farm buildings *and* the seasonal workers accommodation, and the proposed site provides this, while still providing all of the security measures stated above.

8. As access has now been secured for the former Farm Managers house we accept that contributions will now be required in accordance with policy PM3.

9. The review site and the design concept for the proposal allows the dwellinghouse to sit comfortably in the landscape by using existing landform and landscape features such as change in slope, a backdrop of trees and hedging, and a horizontal rather than vertical traditional built form which provides a suitable landscape fit, which will not have any detrimental impact on the surrounding landscape, in accordance with Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Housing in the Countryside Guide 2012. Based on discussions with the Planning Officer, in response to the first refusal and prior to making the second Planning Application, the design of the house and garage was rationalized so they sit even more comfortably in the landscape.

10. The proposed site location for the dwellinghouse is the only viable location, which will provide security and supervision of the 5 year fruit crop rotation on Broadslap Farm which will contribute importantly to the future economic viability of the farmholding which is an important material consideration in the determination of the review proposal.

I trust the above and enclosed are in order but if you require anything further please don't hesitate to phone.

Yours faithfully

[redacted]

Richard G A Hall *RIBA RIAS*

Cc Mr Sandy Stuart, The Stuart Partnership