

**TCP/11/16(234)**  
**Planning Application 12/01522/FLL – Erection of farm**  
**workers cottage on land 130 metres north of Corryvechter**  
**House, Crieff**

**PAPERS SUBMITTED  
BY THE  
APPLICANT**



# NOTICE OF REVIEW

Under Section 43A(8) Of the Town and County Planning (SCOTLAND) ACT 1997 (As amended) In Respect of Decisions on Local Developments

The Town and Country Planning (Schemes Delegation and Local Review Procedure) (SCOTLAND) Regulations 2008

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.**

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://eplanning.scotland.gov.uk>

1. Applicant's Details		2. Agent's Details (if any)	
Title		Ref No.	
Forename		Forename	
Surname		Surname	
Company Name	Ben Challum Ltd	Company Name	Denholm Partnership LLP
Building No./Name	Wester Crieffvechter	Building No./Name	11
Address Line 1		Address Line 1	Dunira Street
Address Line 2		Address Line 2	
Town/City	Crieff	Town/City	Comrie
Postcode	PH7 3QJ	Postcode	PH6 2lj
Telephone		Telephone	01764 670899
Mobile		Mobile	
Fax		Fax	
Email		Email	admin@james-denholm.co.uk
<b>3. Application Details</b>			
Planning authority		Perth and Kinross Council	
Planning authority's application reference number		12/01522/FLL	
Site address			
Land 130 metres North of Corryvechter House, Crieff			
Description of proposed development			
Erection of farm workers cottage			

Date of application 17/08/2012

Date of decision (if any) 11/12/2012

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

#### 4. Nature of Application

Application for planning permission (including householder application) ☒

Application for planning permission in principle ☐

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) ☐

Application for approval of matters specified in conditions ☐

#### 5. Reasons for seeking review

Refusal of application by appointed officer ☒

Failure by appointed officer to determine the application within the period allowed for determination of the application ☐

Conditions imposed on consent by appointed officer ☐

#### 6. 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.

Further written submissions ☐

One or more hearing sessions ☐

Site inspection ☒

Assessment of review documents only, with no further procedure ☒

If you have marked either of the first 2 options, 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 necessary.

#### 7. Site inspection

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

Can the site be viewed entirely from public land? ☒

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:

## 8. 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.

See attached agents statement

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes ☐ No ☒

If yes, please explain below a) why your are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

### 9. 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

Agents Statement dated 08/03/2013

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.

### 10. Checklist

Please mark the appropriate boxes to confirm that 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 requesting 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 hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:

*Denholm Partnership*

Name:

Denholm Partnership LLP

Date:

08/03/2013

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

## STATEMENT OF SUPPRORT OF LRB APPEAL

Ref 12/01522/FLL

Refused on 11/12/2012

The reasons for refusal were as follows

1. The proposal is contrary to Strathearn Area Local Plan 2001 Policy 54: Housing in the Countryside in that the proposal does not lie in within a building group, does not involve the renovation or replacement of traditional domestic, or non domestic buildings nor is there operational need and it would result in the extension of development into site not defined by surrounding topography, landscape features or field boundaries.
2. The proposal is contrary to the Council's Housing in the Countryside Policy 2009 in that it does not constitute infill development, it does not meet the requirements of new houses in open countryside, it does not involve the renovation or replacement of houses, it does not involve the conversion or replacement or redundant non-domestic buildings nor does the site constitute rural brown field land. Furthermore, the proposal does not comply with a group nor is it in the extension of a building group onto a definable site as the site is not defined by topography or well established features.
3. The proposal is contrary the Strathearn Area Local Plan 2001 Policy 2 which, amongst other criteria, requires all development to have a landscape framework capable of absorbing or screening the development, regard be had to the form of existing development within the locality, thus ensuring the development does not result in a significant loss of amenity to the local community, and that the site should be large enough to accommodate the development satisfactorily in planning terms. The site has no established landscape framework which is capable of absorbing the impact of the proposed development.

We fundamentally disagree with the conclusion by the Planning Officer in terms of the above Policies.

### Reason for Refusal 1

The proposal is not contrary to the Strathearn Area Local Policy Plan 2001 Policy 54 in that there is an operational need as outlined in the Planning Proposal Justification dated April 2012 as prepared by the SAC 9 copy enclosed).

/Cont...

### Reason for Refusal 2

The proposal is not contrary to the Council's Housing in the Countryside Policy 2009 in that the proposal 'respects the character, layout and pattern' and does not contribute to any ribbon development.

### Reason for Refusal 3

We do not believe that the proposal is contrary to the Strathearn Area Local Plan 2001 Policy 2 in that the site is within an existing grouping and respects the form of the existing development, there will be no loss of amenity to the local community and the site is large enough to accommodate the development satisfactory.

The proposed house location is such that the north elevation line through with the existing building line of the barns on site whilst the east elevation is in the line with the existing dwelling house to the south east corner of Corryvechter. The House therefore lies within the grouping and also within the natural boundaries of the site. The proposals indicates a garden area to the north of the house that pushes beyond the existing boundaries but landscaping in this area will be low key and unobtrusive. The house position cannot be closer in the existing building grouping due to the presence of an existing infilled quarry to the south of the proposed location but it was felt that the proposed location still relates to the existing grouping as described above. Proposed beech hedging can be planted as mature 1.2m high plants that will quickly establish the grouping boundary to the north and east.

The red line identifying the site boundary has been positioned to allow for siting of a septic tank and soakaway and it would be possible at detailed design stage to move clearly establish the garden to the house with the existing grouping.

We believe that a site meeting during the LRB process would be the best way for the review panel to access this appeal.

The proposed house is specifically for an employee of our Client and is positioned to allow the employee to oversee all traffic movements to and from the site and to enable a resident stockman to be close at hand to provide care and supervision for the livestock – a need which is identified in the Code of Recommendations for the Welfare of Livestock. Twenty four hour supervision is required during calving so that any problems can be dealt with swiftly and a vet called if necessary. Security is an important consideration for the choice of site given the increase in opportunist theft and vandalism and livestock, vehicles and equipment must be safeguarded.

We would be happy to supply any further information required by the Local Review Body if required.

Rod Paul  
8<sup>th</sup> March 2013



<p><b>TCP/11/16(234)</b> <b>Planning Application 12/01522/FLL – Erection of farm workers cottage on land 130 metres north of Corryvechter House, Crieff</b></p>
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## **PLANNING DECISION NOTICE**

## **REPORT OF HANDLING**

## **REFERENCE DOCUMENTS**



# PERTH AND KINROSS COUNCIL

Ben Challum Ltd  
c/o James Denholm Partnership  
11 Dunira Street  
Comrie  
Crieff  
PH6 2LJ

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date 11th December 2012

## TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **12/01522/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 21st August 2012 for permission for **Erection of a farm workers cottage Land 130 Metres North Of Corryvechter House Crieffvechter Crieff** for the reasons undernoted.

Development Quality Manager

### Reasons for Refusal

1. The proposal is contrary to Strathearn Area Local Plan 2001 Policy 54: Housing in the Countryside in that the proposal does not lie within a building group, does not involve the renovation or replacement of traditional domestic or non-domestic buildings nor is there operational need and it would result in the extension of development into site not defined by surrounding topography, landscape features or field boundaries.
2. The proposal is contrary to the Council's Housing in the Countryside Policy 2009 in that it does not constitute infill development, it does not meet the requirements of new houses in the open countryside, it does not involve the renovation or replacement of houses, it does not involve the conversion or replacement of redundant non-domestic buildings nor does the site constitute rural brownfield land. Furthermore, the proposal does not comply with the requirements of the building groups part of the policy in that the site does not lie within a group nor is it the extension of a building group onto a definable site as the site is not defined by topography or well established landscape features.

3. The proposal is contrary to Strathearn Area Local Plan 2001 Policy 2 which, amongst other criteria, requires all development to have a landscape framework capable of absorbing or screening the development, regard be had to the form of existing development within the locality, thus ensuring the development does not result in a significant loss of amenity to the local community, and that the site should be large enough to accommodate the development satisfactorily in planning terms. The site has no established landscape framework which is capable of absorbing the impact of the proposed development.

### **Justification**

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

### **Notes**

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

### **Plan Reference**

12/01522/1

12/01522/2

12/01522/3

12/01522/4

## REPORT OF HANDLING

### DELEGATED REPORT

Ref No	12/01522/FLL
Ward No	N6- Strathearn

**PROPOSAL:** Erection of a farm workers cottage

**LOCATION:** Land 130 Metres North Of Corryvechter House Crieffvechter  
Crieff

**APPLICANT:** Ben Challum Ltd

**RECOMMENDATION:** REFUSE THE APPLICATION

**SITE INSPECTION:** 28 August 2012



## **OFFICERS REPORT:**

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 Strathearn Area Local Plan 2001. The proposed Local Development Plan 2012 is a material consideration.

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.

There are no specific policies of strategic importance, relevant to this proposal contained in the TayPlan.

The application site is located to the north of the established grouping at East Crieffvechter farm which is located to the west of Crieff. The proposal is to erect a new dwellinghouse for a farm worker. The applicant has submitted an SAC labour report in support of the application.

The proposed house is shown to be some 13.9m by 8.2m in footprint, 2.5m to eaves and 6.3m to ridge. The accommodation comprises three bedrooms, utility room, bathroom and kitchen/dining/livingroom. No finishes are detailed but traditional finishes such as natural slate and wet dash render would be appropriate at this location.

Given the location of the application, the relevant policy is SALP 54 and the Housing in the Countryside Policy 2009. As an SAC report has been submitted it appears the applicant wishes the proposal to be considered under the operational need part of the policy. In order to comply with this aspect of the policy, there has to be an exceptional operational justification for the house and it has to comply with numerous criteria in respect of siting and design.

The SAC report states that the holding extends to some 330ha (815ac) split between two farms set 3 miles apart. No indication of the split between the holdings is given. It confirms that there are 3 no dwellinghouses owned by the business; one at Woodburn (housing the farm manager) and two at East Crieffvechter. One at East Crieffvechter is rented out long-term and one is occupied by the stockman/general worker but is stated to be no longer fit for purpose. It must be noted that no structural survey of this property has been submitted. The SAC report concludes that a new house needs to be built to accommodate the existing worker with the proposed site being appropriate for security, privacy for neighbours and easy access to stock. In terms of labour units and animal husbandry arguments I consider there is no justification for granting approval for a third dwellinghouse at East Crieffvechter. There are two properties associated with this farm nucleus at present one of which is occupied by a farm worker. There is no indication given as to the occupant of the other larger property nor of the terms of the let other than it being long term. I conclude that there is no justification for a further house at this location under an argument of agricultural operational need.

Considering whether or not the replacement of the existing house which is said to be of poor quality (as stated by the Farm Business Consultant) is capable of habitation, or of being brought to an appropriate state for habitation at economic costs, is a crucial factor in assessing if the proposal meets the requirements of part (b)(iii) of SALP 54. No structural report has been submitted. It is therefore not possible to

support the proposal under this part of the policy though if a fresh application were to be lodged with such supporting information it may be a way in which the development of a replacement house could be positively considered. It must however be noted that the policy requires the replacement house to be built on the solum of the existing house unless there are good planning reasons to permit an alternative location. The site applied for is remote from the house it is to replace, by some 130m. The proposed site is not defined on all sides by established landscape or topographical features, indeed it was clearly part of the field under crop at the time of my site visit. It sits of the 'outside' of one of the tracks which accesses the yard area, though not the main one which accesses along the northern extent of the recently built house to the south east of the farm nucleus. I consider that there are better sites in planning terms which would provide at least the same level of access and security as the proposed site and which would have a significantly better fit in the landscape. If it were not possible to construct on the solum of the existing house (though this should not be discounted at this stage), then there appears adequate land to the north, east and north east of the existing sub-standard house. I do not consider the proposed site to be acceptable as there are no 'good planning reasons' (as required by policy) to move from the existing solum. The proposed site lies outwith the grouping which is only roughly defined at that point by the access track to the shed at the northern extent of the loose grouping.

I do not consider that the proposed site extends an existing group onto a defined site due to the lack of definition of the site as detailed above.

In conclusion, I do not consider a third house linked with this part of the wider farm business to be essential for the operation of the farm. I do not consider the proposed site to be an appropriate location for any house as it is not an appropriately defined site. I do consider that it may be possible to support an application for the replacement of the existing house if it is shown to be substandard and not capable of rehabilitation at economic cost, though this should be on the solum of the existing property unless there are should planning reasons for an alternative position. The policy is clear that any resiting should be based on planning justifications rather than operational or business reasons.

Given the above I have no alternative but to recommend refusal of the current application. I would recommend that the applicant considers an alternative location for a replacement house (if this can be justified) and submits a fresh planning application.

It must be noted that if permission were to be granted for the current proposal a financial contribution towards primary education (£6395) would be required due to capacity issues.

## **DEVELOPMENT PLAN**

### **S\_002 Strathearn Development Criteria**

All developments will also be judged against the following criteria:

- (a) The sites should have a landscape framework capable of absorbing or, if necessary, screening the development and where required opportunities for landscape enhancement will be sought;
- (b) In the case of built development, regard should be had to the scale, form, colour, and density of existing development within the locality;

- (c) The development should be compatible with its surroundings in land use terms and should not result in a significant loss of amenity to the local community;
- (d) The road network should be capable of absorbing the additional traffic generated by the development and a satisfactory access onto that network provided;
- (e) Where applicable, there should be sufficient spare capacity in drainage, water and education services to cater for the new development;
- (f) The site should be large enough to accommodate the development satisfactorily in site planning terms;
- (g) Buildings and layouts of new developments should be designed so as to be energy efficient;
- (h) Built developments should where possible be built within those settlements that are the subject of inset maps.

#### S\_005 Strathearn Design

The Council will require high standards of design for all development in the Strathearn Area. In particular encouragement will be given to:

- a) The use of appropriate high quality materials;
- b) Innovate modern design incorporating energy efficient technology and materials;
- c) Avoiding the use of extensive under-building on steeply sloping sites;
- d) Ensuring that the proportions of any building are in keeping with its surroundings;
- e) Ensuring that the development fits its location.

The design principles set out in the Council's "Guidance and Design of Houses in Rural Areas" will be used as a guide for all development in the Strathearn Area.

#### S\_054 Strathearn Houses in Countryside

The Council will normally only support proposals for the erection of individual houses in the countryside which fall into at least one of the following categories:

##### (a) Building Groups

(i) Development within existing small groups, where sites are contained by housing or other buildings, and where further development would not significantly detract from the character or amenity of existing housing or lead to extension of the group.

(ii) Development within or adjacent to established building groups which have compact nucleated shapes creating an identifiable "sense of place". Where an application reveals that there may be a number of opportunities relating to the group, the Council will defer consideration of the application until an Advisory Plan has been produced. Consent will be granted for houses within such groups provided they do not detract from the amenity of the group and for houses which extend the group



onto definable sites created by surrounding topography, landscape features or field boundaries which will constrain the continued spread of the group.

(a) Renovation or Replacement of Houses

Consent will be granted for the restoration or replacement of houses, including vacant or abandoned houses, subject to the following criteria:

- (i) where the existing house is:
  - of traditional form and construction,
  - or is otherwise of architectural merit,encouragement will be given to its restoration rather than its replacement.
- (ii) any alterations and extension to an existing house should be in harmony with the existing building form and any extension of the property should generally be the subordinate rather than the dominant element of the completed house.
- (iii) if it can be shown that the existing house is
  - either not worthy of retention,
  - or is not capable of rehabilitation,substantial rebuilding or complete replacement will be permitted.
- (iv) where rebuilding or demolition is permitted of a traditional house, or one of architectural merit, the replacement house shall be of similar form, size, style and materials as the original house.
- (v) the replacement of an abandoned or ruinous house will be permitted only where sufficient of the existing house remains to enable the size and form of the building to be identified.
- (vi) a replacement house should be constructed on the solum of the existing house, unless there are good planning reasons to permit an alternative location, and shall be of a form, style and size which gives a good 'fit' in the landscape."

(c) Conversion or Replacement of Non-Domestic Buildings

Consent will be granted for the conversion of non-domestic buildings such as steadings, mills, etc. to form houses and may be granted for the replacement of such buildings provided the following criteria are met:

- (i) where the building:
  - is of traditional form and construction,
  - or is otherwise of architectural merit,- or makes a positive contribution to the landscape, and its retention is considered beneficial to its surroundings,
  - and it is capable of conversion to residential use without requiring major extensions or alterations to its external appearance which would detract from its character or attractiveness,encouragement will be given to its conversion rather than its replacement.
- (ii) any alteration and extension should be in harmony with the existing building form and any extension of the building should generally be the subordinate rather than the dominant element of the completed house.
- (iii) if the existing building is not worthy of restoration or capable of conversion, its replacement by a new house may be permitted provided:
  - sufficient of the existing building remains to enable its size and form to be identified,
  - it is located on an established site with a good landscape setting and a good 'fit' in the landscape and on a site acceptable on planning grounds,

- the new house is, in essence, a replacement of the existing building, in terms of size, character, building form and constructed of traditional materials, reusing where possible existing materials.

- the house is a replacement for a well located traditional building rather than, for example, a modern agricultural or industrial building or telephone exchange which are explicitly excluded from this policy.

(iv) a satisfactory residential environment can be created if the house is to be located adjacent to a working farm, and provided the introduction of a house will not interfere with the continuation of legitimate agricultural and related activities.

(v) applications to create more than one house from an existing building will be treated on their merits, with particular attention being given to the need to provide adequate access, privacy and amenity space for each house created.

(vi) applications to create more than one house through a replacement building will only be permitted if it can be proved that the original building would have been of sufficient size to have contained more than one house.

(vii) applications for conversion of non-domestic property will not be approved within fifteen years of the date of their construction

#### (a) Operational Need

Exceptionally, where there is an operational need for a house in the countryside, subject to the satisfactory siting and design of the house and to a condition controlling its occupancy.

#### For All Proposals

(i) Satisfactory access and services should be available or capable of being provided.

(ii) Proposals should comply with the design advice contained in the Council's Guidance on the Siting and Design of Houses in Rural Areas

(iii) The quality of the design and materials of the house should be reflected in the design and finish of outbuildings, means of enclosure, access etc. The Planning Authority will consider whether permitted development rights in respect of extensions, outbuildings and means of enclosure etc should be removed to protect the rural character of the curtilage of a new house in the countryside.

(iv) There will be a strong presumption against the replacement of Listed Buildings, or their restoration in a way which completely changes the character of the original building.

v) Full applications should be submitted for all proposals, but where an outline application is made, this must be accompanied by sketch plans indicating the size of the proposed new building or extension and proposed elevational treatments and materials.

Reference should also be made to Policies 3, 4 and 5.

#### PKC Local Development Plan, Jan 2012 Proposed Plan

This is the Council's most recent policy statement and is a consideration. The Plan has yet to be adopted.

Policy PMA1: Placemaking requires that all development must contribute positively to the quality of the surrounding built and natural environment. All development should be planned and designed with reference to climate change, mitigation and adaption. The design and siting of development should respect the character and amenity of the place and should create and improve links within and, where practical, beyond the site. Proposals should also incorporate new landscape and planting works where appropriate to the local context and the scale and nature of the development.

### Policy RD3: Housing in the Countryside

This policy supports the development of single houses or groups of houses which fall within at least one of the six identified categories. This policy does not apply in the Green Belt and is limited within the Lunan Valley Catchment Area. Further guidance is provided within the Supplementary Guidance.

## OTHER POLICIES

### Scottish Planning Policy 2010

This SPP is a statement of Scottish Government policy on land use planning and contains:

- the Scottish Government's view of the purpose of planning,
- the core principles for the operation of the system and the objectives for key parts of the system,
- statutory guidance on sustainable development and planning under Section 3E of the Planning etc. (Scotland) Act 2006,
- concise subject planning policies, including the implications for development planning and development management, and
- the Scottish Government's expectations of the intended outcomes of the planning system.

Housing in the Countryside Policy 2009: This policy updates the Council's previous Housing in the Countryside Policy 2005. It seeks to strike a balance between the need to protect the outstanding landscapes of Perth and Kinross and to encourage appropriate housing development in rural areas (including the open countryside).

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.

It remains the aim of the Development Plan to seek to locate the majority of new development in or adjacent to existing settlements but 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 six prescribed categories within this policy. A series of criteria is also applicable to all proposals.

## SITE HISTORY

None on the same site but previous permission for a house on an adjacent plot and a farm shed.

## CONSULTATIONS/COMMENTS

### Transport Planning

No objection subject to conditions relating to turning facilities and car parking provision.

### Education And Children's Services

This development falls within the Crieff Primary School catchment area.  
Based on current information this school will reach the 80% capacity threshold.

Approved capacity	466
Highest projected 7 year roll	341
Potential additional children from previously	

approved applications	70.47
Possible roll	412.28
Potential % capacity	88.3%

Therefore I request that the Finalised Primary Education and New Housing Contributions Policy be applied to this application.

Environmental Health

No objection subject to a condition requiring a contamination investigation to be carried out.

**TARGET DATE:** 21 October 2012

**REPRESENTATIONS RECEIVED:**

Number Received: none

**Summary of issues raised by objectors:**

Not applicable.

**Response to issues raised by objectors:**

Not applicable.

**Additional Statements Received:**

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

**Legal Agreement Required:**

no

Summary of terms:

N/A

**Direction by Scottish Ministers:**

no

**Reasons:-**

- 1 The proposal is contrary to Strathearn Area Local Plan 2001 Policy 54: Housing in the Countryside in that the proposal does not lie within a building group, does not involve the renovation or replacement of traditional domestic or non-domestic buildings nor is there operational need and it would result in the extension of development into site not defined by surrounding topography, landscape features or field boundaries.
- 2 The proposal is contrary to the Council's Housing in the Countryside Policy 2009 in that it does not constitute infill development, it does not meet the requirements of new houses in the open countryside, it does not involve the renovation or replacement of houses, it does not involve the conversion or replacement of redundant non-domestic buildings nor does the site constitute rural brownfield land. Furthermore, the proposal does not comply with the requirements of the building groups part of the policy in that the site does not

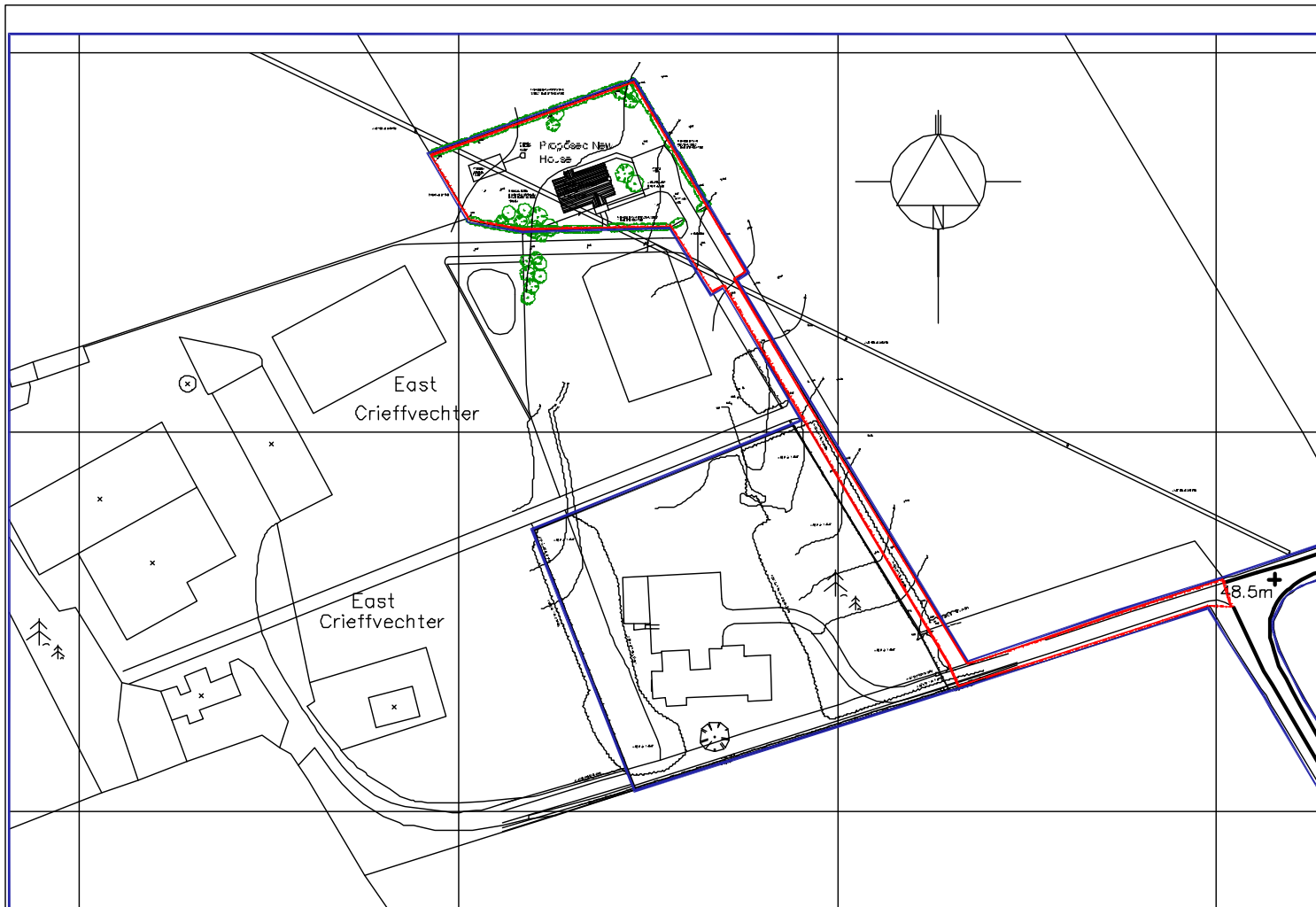
lie within a group nor is it the extension of a building group onto a definable site as the site is not defined by topography or well established landscape features.

- 3 The proposal is contrary to Strathearn Area Local Plan 2001 Policy 2 which, amongst other criteria, requires all development to have a landscape framework capable of absorbing or screening the development, regard be had to the form of existing development within the locality, thus ensuring the development does not result in a significant loss of amenity to the local community, and that the site should be large enough to accommodate the development satisfactorily in planning terms. The site has no established landscape framework which is capable of absorbing the impact of the proposed development.

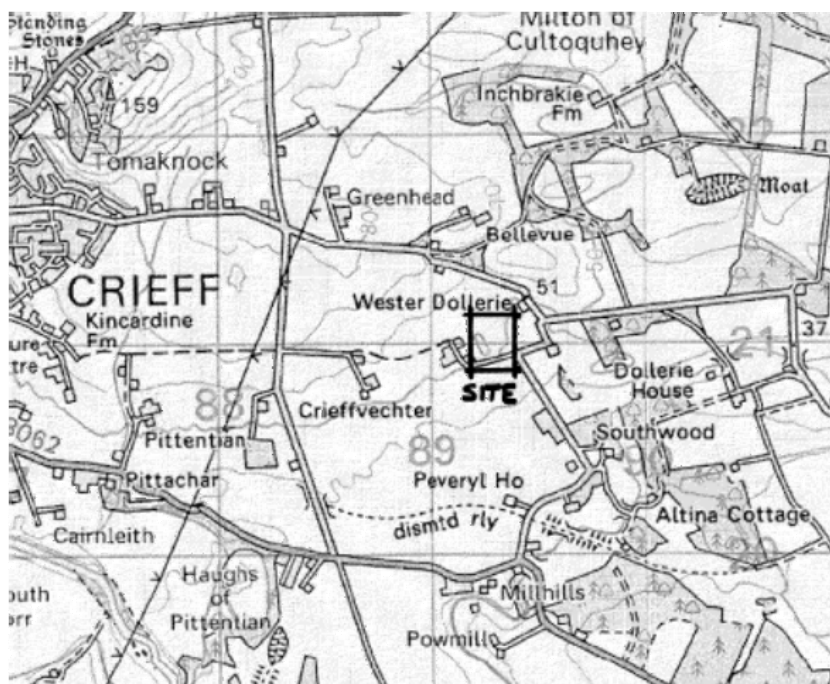
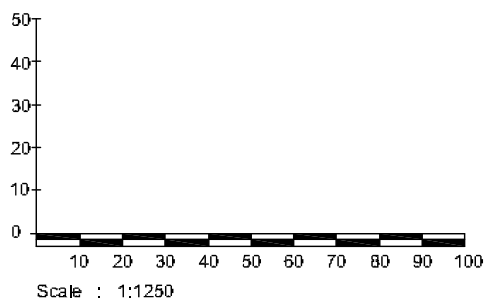
### **Justification**

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





Location Plan Scale 1:1250



Location Plan Scale 1:25000

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**James Denholm Partnership**  
ARCHITECTS  
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Client  
**Ben Challum Ltd.**

Project  
**New Farm Worker's Cottage**

Drawing Title  
**Location Plan**

Scale  
**1:1250, 1:25000**

Drawn by  
**RJP**

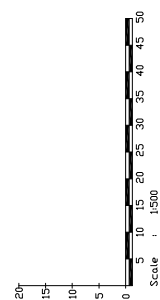
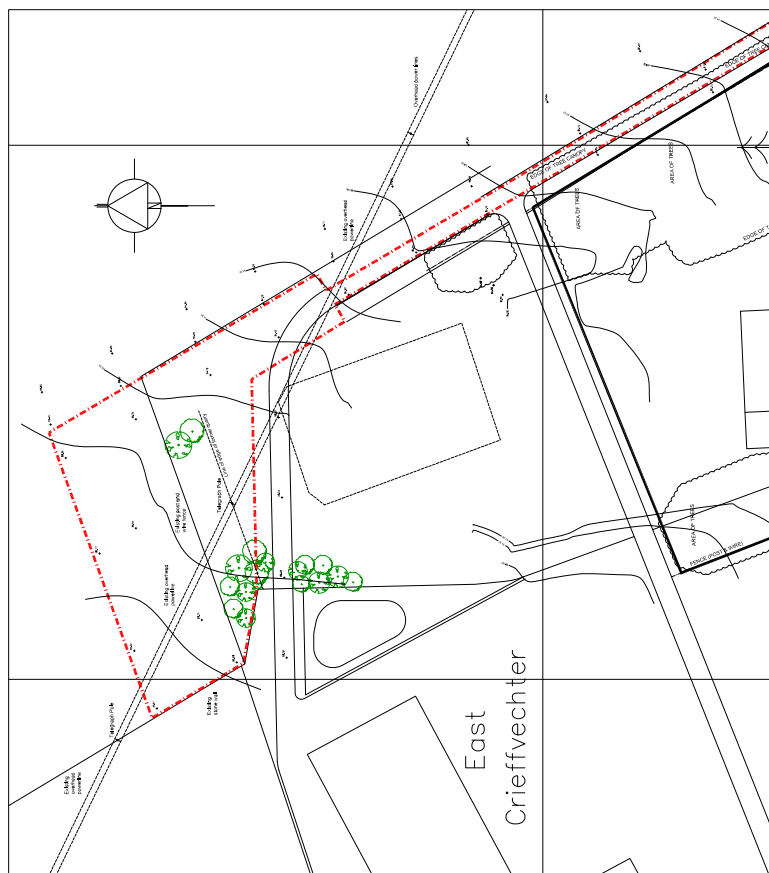
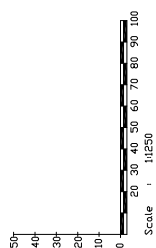
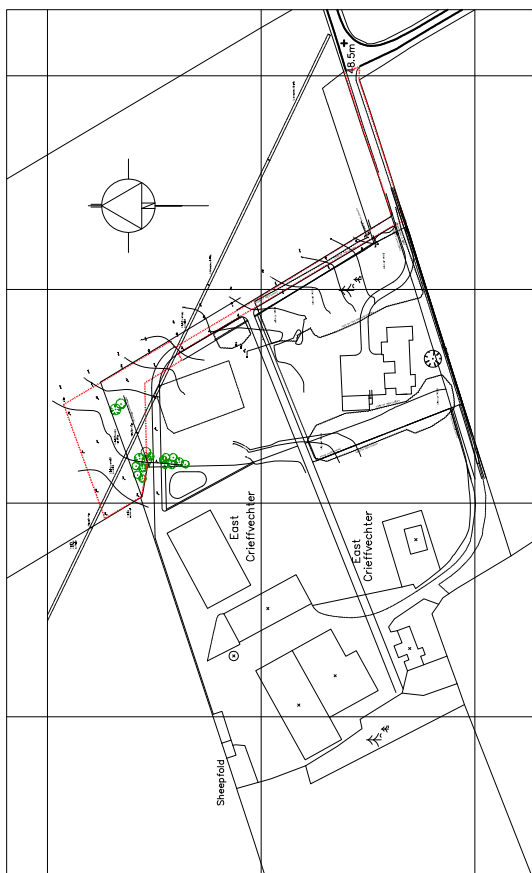
Date  
**17.08.12**

Purpose  
**Building Warrant**

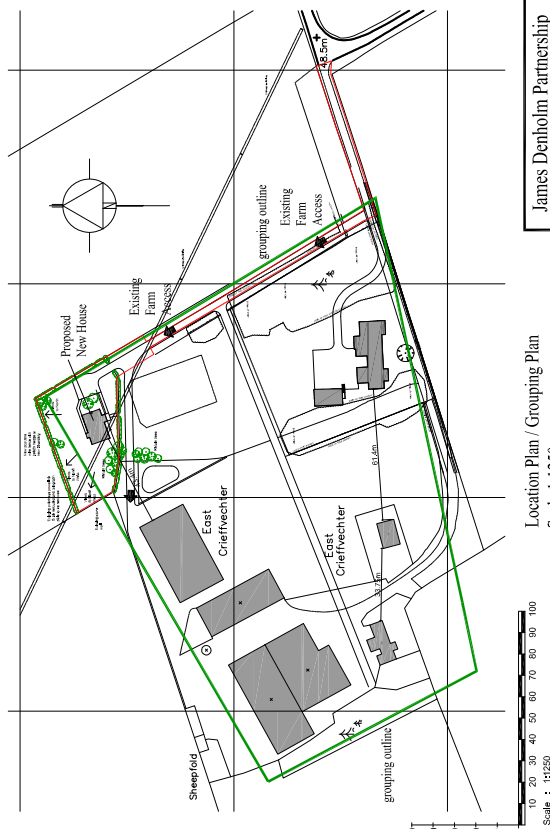
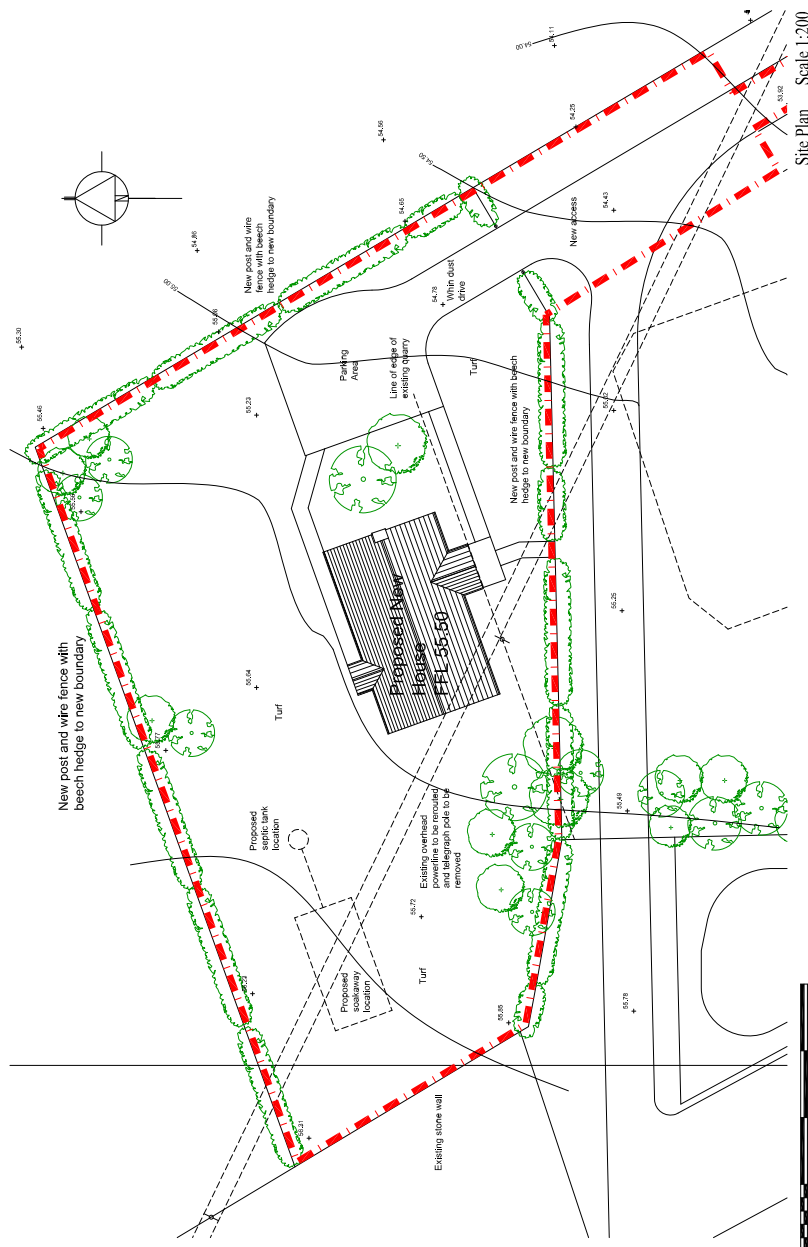
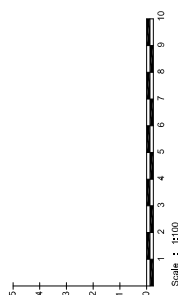
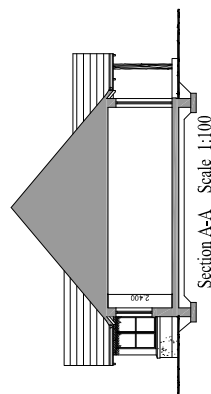
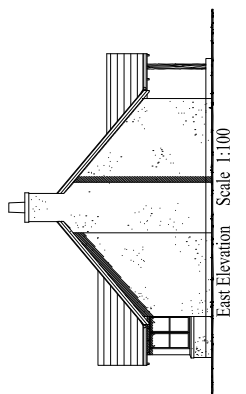
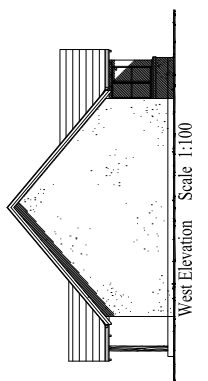
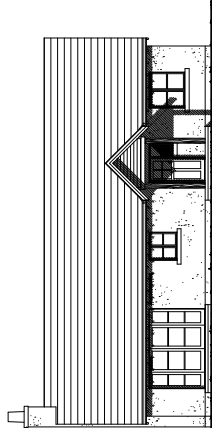
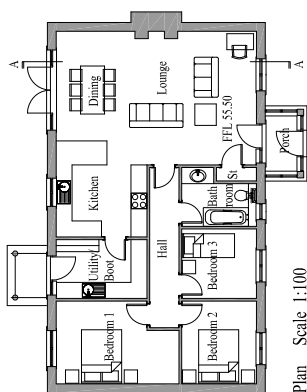
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**Loc 1**

Rev.

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Owner	Ben Challum Ltd.	New Farm Worker's Cottage  East Criesfwehler  Drawing Title			
Designer					
Plans, Elevations, Site Plan and Grouping Plan As Proposed					
Scale	Drawn to	RP			
Date	Project	Planning			
Job No.	Ref No.	P01			
4199	300512				

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## **Planning Proposal Justification**

**Ben Challum Ltd  
East Crieffvechter  
Crieff  
PH7 3QR**

This report has been prepared exclusively for the use of **Ben Challum Ltd** on the basis of information supplied, and no responsibility can be accepted for actions taken by any third party arising from their interpretation of the information contained in this document. No other party may rely on the report and if he/she does, then he/she relies on it at his/her own risk. No responsibility is accepted for any interpretation which may be made of the contents of this report.

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Certificate FS 94274  
ISO 9001:2008

**April 2012**

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## **INTRODUCTION**

This report has been prepared at the request of Ben Challum Ltd, Woodburn Farm, Crieff, Perthshire to support an application for planning consent for a dwelling house on the lands of East Crieffvechter Farm.

Information was gathered by Annette Redpath, SAC, Perth. Data for enterprise labour requirements is based on the UK Farm Classification Working Party Report, made up by members from UK Rural Affairs Departments.

## **SUMMARY & CONCLUSIONS**

The business of Ben Challum Ltd is a limited company with Christian Stewart, David Stewart and Ian Stewart as directors. Matthew Mauchlen is farm manager and in charge of the day to day running of the farm. The directors do not provide any labour for the farm. There is a cattleman/general farm worker also employed by the farm. The business owns approximately 815 acres of land. The land is split between two farms, East Crieffvechter and Woodburn Farm which are situated approximately 3 miles apart.

Farming operations are split between the two farm steadings. The spring calving cows are kept at East Crieffvechter and the majority of the young stock are kept at Woodburn. The combinable cropping operation is split between East Crieffvechter and Woodburn Farms.

There are three dwelling houses owned by the business, two at East Crieffvechter and one at Woodburn. Matthew Mauchlan lives in the house at Woodburn. One house at East Crieffvechter is rented out on a long term let. The other is lived in by the stockman/general farm worker at the moment, but is no longer fit for purpose.

Therefore the business requires a new house to be built to accommodate the current worker. As well as not being suitable for the current worker, he is approaching retiring age and a more modern house would be required to attract a new employee to the business.

The proposed site of the new house is important for security reasons to reduce the potential for theft at East Crieffvechter, privacy to neighbours and to allow easy access to the stock, in particular during calving time. The business has a total labour requirement of 5.6 standard labour units and can therefore fully justify the provision of a house on the lands of East Crieffvechter.

**This report fully supports the application for the erection of a dwelling house on the proposed site at East Crieffvechter Farm.**



## BACKGROUND INFORMATION

The business of Ben Challum Ltd owns and farms the lands of East Crieffvechter and Woodburns Farms, Crieff. The business is a limited company with Christian Stewart, David Stewart and Ian Stewart as directors.

There are three dwelling houses within the business, two located at East Crieffvechter and one at Woodburn Farm. The farm manager lives in the house at Woodburn. One house at East Crieffvechter is let out on a long term let. The other is currently lived in by the farm worker but is in a state of disrepair and is no longer suitable for habitation and improved accommodation is required for him. The current farm worker is close to retirement age and more suitable accommodation will be required when the time comes to find a new worker.

East Crieffvechter and Woodburn Farms extend to approximately 815 acres and are situated 3 miles apart.

The typical cropping areas are as follows.

Winter Wheat	-	130 acres
Spring Barley	-	100 acres
Spring Oats	-	100 acres
Beans	-	70 acres
Silage (2 cuts)	-	40 acres
Rotational Grass	-	72 acres
Permanent Pasture	-	250 acres

The business runs 150 spring calving suckler cows on the grassland. The male calves are reared as bull beef and sold at 13/14 months of age. Twenty heifer calves are kept for breeding and the rest are generally sold at a year of age. The calving cows are kept at East Crieffvechter with the young stock split between Woodburn and East Crieffvechter.



All operations within the business including all work associated with the livestock production, cereal growing, and the associated paperwork are carried out in house by the farm manager and the general farm worker.

The vast majority of the fertiliser, tools, fuel tanks, machinery and feedstuffs are located at East Crieffvechter Farm.

The business proposes to provide more suitable housing for the current general farm worker which will also help to attract a new worker when the current farm worker retires. Given the nature of the work, on-site accommodation is necessary to enable the stockman to check on cows calving throughout the night and at the weekend when they are on duty. On site accommodation is also required for security reasons as East Crieffvechter has been a target for thieves in the past. This need for security is the reason for the proposed site for the new dwelling house as it will be situated on the side of the farm driveway.

## LABOUR PROFILE

Labour requirements for farming operations of Ben Challum Ltd and the associated rented land are calculated and shown below (Based on UK Farm Classification Working Party Report, made up by members from UK Rural Affairs Departments).

The labour profile calculation (shown in Appendix 1) shows that this business has a total labour requirement of **10,603 hours/annum**.

The UK Agricultural Departments agreed in the “UK Farm Classification System and Topology” (January 2005) that a Standard Labour Unit should equate to 1,900 hours/annum. This is calculated on the assumption that a person working full time in agriculture would work 237.5 standard working days per year to include an element of overtime as well as taking into account public holidays weekends and illness. A standard man day is taken as 8 hours and it is the widely accepted standard in agriculture.

Where this standard is applied the Labour Profile calculates that the business of Ben Challum Ltd requires the equivalent of **5.6 standard labour units** in order to operate.

At present there are two employees working full time at the farm. As one of the current dwelling houses is not fit for purpose, to retain the current worker on site a new dwelling house must be built.

## **THE NEED FOR ON-SITE ACCOMMODATION**

The presence of livestock on a farm is generally accepted as a need for a resident stockman to provide care and supervision within the Code of Recommendations for the Welfare of Livestock. All cattle are fed twice per day and must be inspected at least once per day and continuous care may be required for any ill or injured animals. Twenty-four hour supervision is required during calving so that any problems can be dealt with swiftly and a vet called if necessary.

Security is an important consideration for the proposed site of the house given the close proximity of the farm to Crieff and Perth. Opportunist theft and vandalism are increasing and livestock, vehicles and equipment must be safeguarded. There have been recent incidents at East Crieffvechter to show that the farm is a target for theft.

The proposed dwelling house would be sited on the road side, on a recently build access road for East Crieffvechter. This road takes the farm traffic away from the privately owned property near to the farm. This will allow privacy for both the privately owned neighbouring house and for the newly built house.

From the proposed position of the dwelling house privacy will be achieved, vehicle movements can easily be monitored and attended to whilst also enabling easy access to the farm buildings for checking livestock.

# **APPENDIX I**

## **LABOUR PROFILE**

**TCP/11/16(234)**  
**Planning Application 12/01522/FLL – Erection of farm workers cottage on land 130 metres north of Corryvechter House, Crieff**

## **REPRESENTATIONS**

- Representation from Environmental Health Manager, dated 23 August 2012
- Representation from Education and Children's Services, dated 27 August 2012
- Representation from Transport Planning, dated 14 September 2012



# Memorandum

To Head of Development Control From Environmental Health Manager

Your ref PK12/01522/FLL

Our ref LJ

Date 23 August 2012

Tel No (47)5248

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

## Consultation on an Application for Planning Permission

### PK12/01522/FLL RE: Erection of a farm workers cottage Land 130 Metres North Of Corryvechter House Crieffvechter Crieff for Ben Challum Ltd

I refer to your letter dated 22 August 2012 in connection with the above application and have the following comments to make.

#### Recommendation

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

#### Contamination

The proposed development is partially located on an area of land that was once an old quarry. The quarry was approximately 4,500sqm in size although the depth is unknown, as is the nature of the material used to infill the quarry after work there ceased. There is therefore the potential for localised ground gas production that could possibly impact on any residential properties being built close by.

There is also the possibility of contaminants being present in the fill therefore a full ground risk assessment should be carried out prior to building commencing.

I therefore recommend the following conditions be applied to the application.

#### Condition

(1) Development should not begin until a scheme to deal with the contamination on the site has been submitted to and approved in writing by the planning authority. The scheme shall contain proposals to deal with the contamination to include:

- I. the nature, extent and type(s) of contamination on the site
- II. measures to treat/remove contamination to ensure the site is fit for the use proposed
- III. measures to deal with contamination during construction works
- IV. condition of the site on completion of decontamination measures

(2) Before any residential unit is occupied the measures to decontaminate the site shall be fully implemented as approved by the planning authority. Verification that the schemes proposals have been fully implemented must also be submitted to the planning authority.







# Memorandum

To	Nick Brian Development Quality Manager	From	Gillian Reeves Assistant Asset Management Officer
Your ref	12/01522/FLL	Our ref	GR/CW
Date	27 August 2012	Tel No	(4) 76395

Education & Children's Services

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

## Planning Application Ref No 12/01522/FLL

This development falls within the Crieff Primary School catchment area.

Based on current information this school will reach the 80% capacity threshold.

Approved capacity	466
Highest projected 7 year roll	341
Potential additional children from previously approved applications	70.47
Possible roll	412.28
Potential % capacity	88.3%

Therefore I request that the Finalised Primary Education and New Housing Contributions Policy be applied to this application.

Please do not hesitate to contact me should you require any further information.

*Support Services is committed to providing a high level of customer service designed to meet the needs and expectations of all who may come into contact with us. Should you have any comments or suggestions you feel may improve or enhance this service, please contact [ecssupportservices@pkc.gov.uk](mailto:ecssupportservices@pkc.gov.uk)*





# MEMORANDUM

To	Christine Brien Planning Officer	From	Niall Moran Transport Planning Technician Transport Planning
Our ref:	NM	Tel No.	Ext 76512
Your ref:	12/01522/FLL	Date	14 September 2012

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

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

With reference to the application 12/01522/FLL for planning consent for:- **Erection of a farm workers cottage Land 130 Metres North Of Corryvechter House Crieffvechter Crieff for Ben Challum Ltd**

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

- Prior to the occupation or use of the approved development turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear.
- Prior to the occupation or use of the approved development a minimum of 2 No. car parking spaces shall be provided within the site.

I trust these comments are of assistance.

