

TCP/11/16(512) – 17/01662/FLL – Erection of a dwellinghouse, agricultural building, fencing business store including formation of yard and siting of associated portable buildings, formation of vehicular accesses and associated works, land 300 metres south east of Distillery Cottages, Milton of Edradour

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TCP/11/16(512) – 17/01662/FLL – Erection of a dwellinghouse, agricultural building, fencing business store including formation of yard and siting of associated portable buildings, formation of vehicular accesses and associated works, land 300 metres south east of Distillery Cottages, Milton of Edradour

**PAPERS SUBMITTED
BY THE
APPLICANT**

NOTICE OF REVIEW

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

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

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

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

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

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

Yes ☒ No ☐

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

Planning authority

Planning authority's application reference number

Site address

Description of proposed development

Date of application Date of decision (if any)

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

Nature of application

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

Reasons for seeking review

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

Review procedure

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

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

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

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

it is felt that only by having a hearing session and site inspection can the applicant fully communicate the nature of his business and the full context and impact of the proposals

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:

in order to help ensure the health and safety of visitors and livestock it is advised that the LRB is accompanied during site inspection

Statement

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

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

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

Please refer to the accompanying detailed Notice of Review Supporting Statement dated January 2018

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.

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.

The accompanying Notice of Review Supporting Statement together with a copy of the following information that was included with the original planning application:

Design Supporting Statement prepared by McKenzie Strickland Associates
 Agricultural Justification Supporting Statement prepared by SAC Consulting
 Transport Statement prepared by Millard Consultants
 Site Plans (existing and proposed)
 Plans and Elevations of proposed new farmhouse
 Plans and Elevations of proposed new agricultural shed

Review of Handling Report prepared by PKC Planning Department

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


 for and on behalf of McKenzie Strickland Associates as agents
 for Mr Rab Robertson

Date

10 January 2018

NOTICE OF REVIEW
SUPPORTING STATEMENT
January 2018
Agricultural Shed with Associated Farmhouse and Business Storage Facility, Donavoured near Pitlochry
for Mr Rab Robertson



Prepared by
McKenzie Strickland Associates
159 Dunkeld Road,
Perth
PH1 5AU
t: 01738 445 983
e: info@msa-architects.com

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1.0 INTRODUCTION

McKenzie Strickland Associates were appointed by Mr Rab Robertson (owner of Donavoured Agri and managing director of Robertson Fencing Ltd) to investigate options for a new agricultural shed and farmhouse along with an associated business storage facility on land to the east of Pitlochry between the settlement of Donavoured, and the distillery at Milton of Edradour.

The application was refused on 23rd November 2017 and the applicant wishes to contest this decision by way of local review for the reasons stated later in this supporting statement. This document should be read in conjunction with the drawings and other supporting information submitted with the original application.

2.0 APPLICANT BACKGROUND

Rab Robertson is an admirable example of local entrepreneurship that Perth and Kinross Council planning policy aims to support. Rab was raised in Rannoch in a farming family and after gaining a degree in Agriculture returned to his roots in highland Perthshire to gain experience providing agricultural labour. From modest means Rab started Robertson Fencing Ltd in 2007, a business that has grown successfully and now employs 16 full time employees. The business enterprises operated by Rab Robertson focus on farming, fencing and forestry:

- Donavoured Agri is an established farming enterprise set up in 2016 in order to diversify Mr Robertson's business interests and focusses on sheep, grassland and arable.
- Robertson Fencing Ltd is an expanding business which until early 2017 had been operating from Kinloch Rannoch and has been temporarily relocated to the agricultural yard adjacent to the settlement of Donavoured

It is important to point out that Donavoured Agri is currently operating on a limited level due to the absence of onsite accommodation and undercover facilities. Coming from an upland stock farming background and with a Degree in Agriculture, Rab has interests in expanding the potential of the land at Donavoured to establish a successful and diverse agricultural enterprise. The land has great potential for stock farming including the rearing of sheep and cattle with added arable operations to provide suitable feeding and bedding. Other more specialised agricultural options are also being explored with particular interest in specialist berry production, deer farming and silvopasture.

The planning application proposed an on-site farmhouse adjacent to a new multi-purpose agricultural shed. The proposed buildings are vital for attending to the farm and livestock "twenty four seven" in order that Donavoured Agri can continue to develop as a sustainable farm. The buildings are also necessary for security purposes as the company has invested in valuable specialised excavators, tractors and forestry ploughs, which will be stored at the yard along with high value fencing materials.

It is important to note that as a result of historic sale and subdivision of the farm and property at Donavoured, the original farmhouse and farm buildings have been converted and land developed to provide housing plots forming the settlement of Donavoured. Mr Robertson's planning application merely proposes to reinstate and re-establish a residential working farm at Donavoured which can only be seen as a positive proposal in an era when the farming industry struggles to attract young families.

The relocation of the fencing business is essential to improve efficiencies through operating both business enterprises from the one location with associated pooled buildings. Robertson Fencing was becoming unsustainable from its previous location in Kinloch Rannoch and the proposed permanent relocation to yard facilitates that are close to the A9 (for improved vehicular connection to Perthshire and the North of Scotland) is crucial in order for the fencing and forestry business to expand and grow effectively.

A report prepared by SAC Consulting, a leading specialist in Agriculture and Rural research, accompanied the application and provided a full and detailed justification for the house and agricultural buildings in terms of their requirement in order to sustain both businesses. As stated above, Donavoured Agri is not operating to its full potential currently due to limited facilities. It should be stressed that even at this restricted level, the SAC report still justified a house, and this justification will increase if Mr Robertson is provided the opportunity to develop Donavoured Agri with Perth and Kinross Council's support.

3.0 REASONS FOR REQUIRING A REVIEW:

The applicant strongly disagrees with the decision for refusal of the planning application and considers that the delegated decision has focused on a negative interpretation of policy, and has not given sufficient weight to the overriding economic, cultural and social benefits and the associated planning policy which actively encourages sustainable rural living, business diversification and economic enterprise in the countryside.

Furthermore, it is thought that the planning department have not fully understood the nature of both business and have chosen to discount or ignore the relevant supporting information provided by expert consultants as part of the application. Therefore the applicant requests a local review for the following reasons:

3.1 JUSTIFICATION FOR A PROPOSED NEW DWELLINGHOUSE (Policy RD3 - Housing in the Countryside)

PKC Local Development Plan Policy RD3 states that the Council will support proposals for the erection of single houses in the open countryside when they are required "either on site or in the locality for a local or key worker associated with either a consented or an established economic activity" and if the applicant can demonstrate "to the satisfaction of the Council that there is a need for the house" (Under Category 3.3 "Economic Activity" of PKC Housing in the Countryside Supplementary Guidance).

The Report of Handling of the delegated decision suggests that the proposals are contrary to Policy RD3 because "there is not a clear and sound reason for a dwelling house to be accommodated on the site". However The Agricultural Justification Report that accompanied the application (prepared by SAC Consulting who are experts in Agriculture and Rural Consulting) provided a clear and detailed justification that clearly identified the following:

- That there is an absolute necessity for a permanent dwelling on the site in order to provide supervision 24 hours per day, 7 days a week, 365 days a year for Animal Welfare, Farm Management and to help ensure Health and Safety of employees and the public.
- That Donavoured Agri is an established and viable farming business that has been operating since 2016, and therefore qualifies as an "established economic activity" (particularly considering it will be operating in conjunction with Robertson Fencing that has been in existence since 2007)

Furthermore, Section 6.03 of the Design Supporting Statement included within the original planning application provides a detailed justification of how the proposals meet the other requirements of Policy RD3 and siting criteria of PKC Housing in the Countryside Guidance.

The applicant considers that the Case Officer has misunderstood the nature of the business and misinterpreted planning policy in several respects in coming to a decision as explained below:

1. Report of Handling: On page 7 (last paragraph) of the report of handling the case officer states that it is unclear how the 270 breeding ewes are managed and overseen, and that there is "no clear justification as to why a house is required other than a 24 hour watch is necessary".

Applicant Response: *The SAC Consulting Agricultural Justification report included with the application provide a clear and detailed justification as to why a permanent dwelling is critical to allow the business to continue function at full capacity (reference pages 8 and 9 of SAC report). This is the opinion of a consultant who specialises in rural consulting, yet the Planning Officer seems to have discounted this specialised advice.*

For the avoidance of doubt, the sheep currently farmed at Donavoured have a limited number of breeding ewes due to the absence of 24 hour supervision, and the lack of a permanent on site presence. During the first years of establishing the farm this has proved problematic in terms of animal welfare. It is precisely for this reason and in order to fulfil the full potential of livestock farming at Donavoured that a permanent dwelling is essential.

It should be noted that no request was made by the planning department for additional clarification in this respect during the application process, and instead misinformed assumptions were made by the planning officer upon which the delegated decision was made.

2. Report of Handling: On page 8 (paragraph 1) the case officer states that because the applicant is not a full time farmer that 24 hour supervision will not be provided and incorrectly concludes that the house is therefore not necessary.

Applicant Response: *The planning officer has not fully appreciated the fact that the proposed dwelling is crucial in order that he can provide satisfactory animal welfare supervision outside normal working hours (including through the night during lambing and calving seasons). As was stated in the supporting information, Mr Robertson will run both businesses from a home work office within the new house, with family members or farm employees providing supervision on the odd occasion he is engaged in business away from home. The officer's opinion would suggest that farmers should not run businesses other than farming, which is contrary to PKC Economic Policy which encourages the diversification of rural enterprise.*

3. Report of Handling: On page 8 (paragraph 2) the planning officer notes that the proposed agricultural unit does not directly connect with the livestock fields and implies that the unit will be utilised for the fencing business only.

Applicant Response: *The planning officer has misunderstood the fact that there is no requirement for direct access for livestock between the fields and the shelter, as the barn will be primarily used for livestock during the months of the year they are lambing or calving, when they will be guided to the shelter by farm staff. In addition the shed will be used for over wintering livestock as well as lambing / calving and the proposed location is deliberately situated right in the middle of the Donavoured Agri land giving improved management for stock movements and grazing management. This allows a degree of seasonal flexibility of use of the unit between the farm and fencing business and provides a shared resource that improves business efficiency and helps ensure long term viability of both enterprises.*

It is important to stress that the house will be permanently occupied by Mr Robertson and his family, as it is vital to the continued operation of the agricultural business that the owner lives adjacent to the farm and business premises to allow him to effectively monitor livestock and

efficiently manage operations which regularly happen outside normal working hours. Furthermore, due to the storage of expensive specialist plant and high value materials in the yard it is critical that there is a permanent on-site presence by the owner for the purposes of security. The applicant feels that the planning officer has misinterpreted or overlooked the expert supporting information and taken their own subjective interpretation as to the nature of the agricultural business and the requirement for on-site accommodation, rather than an objective view based on the clear justification for a house that was provided by an agricultural consultant with expert knowledge and experience in the field of commercial rural enterprise.

3.2 GROWTH AND DIVERSIFICATION OF AN ESTABLISHED RURAL BUSINESS (Policy ED3 – Rural Business and Diversification)

Policy ED3 states the following:

"The Council will give favourable consideration to the expansion of existing businesses and the creation of new ones in rural areas. There is a preference that this will generally be within or adjacent to existing settlements. Sites out-with settlements may be acceptable where they offer opportunities to diversify an existing business or are related to a site specific resource or opportunity. This is provided that they will contribute to the local economy through the provision of permanent employment, or visitor accommodation, or additional tourism or recreational facilities, or involves the re-use of existing buildings"

The application proposals are fully consistent with this policy as follows:

- *Donavoured Agri is an established business that has been in operation since 2016 and in conjunction with its sister company Robertson Fencing Ltd represents diversification into fencing work, forestry ground preparation and other agricultural operations in order to consolidate recent growth and expand further in future.*
- *Alternative sites have been explored within or adjacent to settlements, but these are not suitable for the reasons stated in detail in section 2.03 of the McKenzie Strickland Associates Design Supporting Statement included with the planning application. This included the current temporary Robertson Fencing Site adjacent to the settlement of Donavoured that was discounted as not suitable due to the perception of noise and impact on amenity from nearby residents.*
- *The applicant has been actively searching for sites within or beside settlements for several years, but none exist in the Highland Perthshire that can accommodate a covered unit and yard large enough for the requirements of Robertson Fencing.*
- *The proposed site at Donavoured offers a site specific location that is critical in order to provide the opportunity for Donavoured Agri business to operate in conjunction with Robertson Fencing to allow shared facilities, management and improved business efficiencies as a result. This represents diversification in accordance with Policy ED3 and will in turn help ensure the sustained growth of both businesses and continue to provide additional permanent employment in the area as a result.*

None the less, one of the reasons for refusal of the application was that the planning department did not consider that there was an established business on the site. Again the applicant considers that the Case Officer has misunderstood the nature of both established businesses and the importance of a shared site location and come to a decision based on assumption rather than fact as explained below:

1. Report of Handling: On page 8 (last paragraph) of the report of handling the case officer states that "The farming business is the main justification for this location and this is not considered to be an established business as the applicant is a new entrant to farming and does not yet have a justifiable need for this location". It was therefore considered to be contrary to policy and as such will be a reason for refusal on this report

Applicant Response: *The applicant's business 'Donavoured Agri' has been established since 2016 during which time the applicant has been actively farming arable crops and livestock. The Design Supporting Statement and Agricultural Justification reports included with the original application both clearly state that this is the case. In conjunction with Robertson fencing which has been operating since 2007 the proposals represent an established, diversifying enterprise that policy is designed to encourage and is therefore fully consistent with policy ED3.*

The planning officer seems to have equated the term "New Entrant to Farming" as an indication that the business is not established which is incorrect. As explained in the SAC Consulting Report (pages 2 and 3), the Scottish Government actively promotes New Entrants into Farming to encourage and support sustainable farming enterprise in an era when agriculture is in danger of dwindling due to increasing social and economic pressures. Donavoured Agri therefore represents a positive opportunity for a young farmer with established background and education in agriculture to continue farming the land, which should be actively encouraged by Perth and Kinross Council.

The Applicant would like to stress that the proposals are completely consistent with planning policy ED3 as follows:

1. Although sited out-with a settlement boundary (for the reasons stated elsewhere), the businesses offer "opportunities to diversify an existing business" as required by policy, with Robertson Fencing representing a diversification of the Donavoured Agri farming business.
2. Furthermore, Donavoured Agri is an arable and livestock farm which therefore relies on a "site specific resource or opportunity" in accordance with policy ED3. Since Robertson Fencing Ltd in turn relies on shared buildings, plant, management and facilities to make both businesses sustainable and economically viable, it also depends on a site specific opportunity.
3. The relocation of Robertson Fencing will safeguard existing local jobs and is predicted to create additional employment with the predicted growth of both businesses and will therefore "contribute to the local economy through the provision of permanent employment" which is a primary objective of the relevant Rural Business and Diversification Policy.

Whereas it is common for existing farm businesses to operate additional diversification enterprises from existing farm premises unhindered (this is almost the norm for most people starting a business from an agricultural background), it cannot be understated how difficult it is for new and growing rural businesses to find suitable new facilities whilst remaining competitive. The proposed amalgamation of Donavoured Agri and Robertson fencing from shared premises provides an ideal location and facilities that will allow both businesses to continue trading on a level playing field. Furthermore, the overwhelming cultural and economic benefits of establishing a long term traditional farmhouse and livestock farming at Donavoured, combined with the relocation of a successful and growing fencing business strongly outweighs any other perceived impact on the surrounding landscape framework.

3.3 PLACEMAKING, SITING AND SCALE OF THE DEVELOPMENT (Policy PM1 - Placemaking; Policy ER6 – Managing Future Landscape Change)

The delegated decision states that two of the reasons for the decision to refuse the proposed development are linked to visual impact of the proposals, namely:

- "the proposal fails to create a sense of identity and erodes the character of the countryside" and is contrary to Policy PM1B; and
- that the siting and scale of the development is "highly intrusive" to the existing landscape framework and therefore contrary to policy ER6.

The applicant strongly disagrees with this assessment for a number of reasons:

- The siting and design of the proposed barn and house have been carefully considered so as to respect the landscape character and mitigate any visual impact with the location chosen screened by trees and the topography. Section 6.02 of the MSA Design Supporting Statement that accompanied the application included a detailed assessment which demonstrated a negligible impact on the landscape framework.
- Appendix C of the Design Statement included photo-montage images of the proposals which further verified that the visual impact of the house and barn would be negligible (these images are not acknowledged in the delegated report)
- The Design Statement and photo montage images made reference to the fact that under Permitted Development Planning rights, the applicant would be entitled to erect an agricultural barn of up to 15m wide x 30m long x 12m high without making a planning application. Although the proposed footprint of the barn is slightly larger than this (20m wide x 48m long x 10m high barn) it's height is lower and the aggregate visual impact would be negligible in comparison to development acceptable under permitted development rights as demonstrated by the photo montage images (replicated below).



EXISTING
Photo of existing site taken from road adjacent to Donavourd

PERMITTED DEVELOPMENT

Computer generated photomontage image of theoretic development normally allowable under permitted development for agricultural buildings (based on 15m wide x 30m long x 12m high agricultural barn)

PROPOSED DEVELOPMENT

Computer generated photomontage image of proposed new barn and managers house (based on proposed 20m wide x 48m long x 10m high barn)

Images demonstrate negligible visual impact in the context of the wider landscape.

Furthermore there are several comments and assumptions within the delegated report that the applicant would take issue with. These are as follows:

1. Report of Handling: On page 9 (first paragraph) of the report of handling the case officer states that he is "unconvinced that a 5 bedroomed unit with a home office and a granny flat is required to oversee the businesses as suggested"
Applicant Response: *The applicant would like to stress that the house shall be a long term home for him and his family and as such has been designed with sufficient bedroom space for his partner and potential future children. In addition the house has been planned to be flexible and accessible enough to allow the potential for his parents to live on the farm as they become less independent in older age. This is therefore fully compatible with the requirements of Placemaking Policy PM1B(f) which states that "Buildings and spaces should be designed with future adaptability in mind wherever possible"*
For the reasons stated above and in the original design statement, the height and massing of the house has been sited and designed so as to be sympathetic with the landscape, set within an existing mature tree grouping that provides both a backdrop and visual screening of trees that are taller than the proposed house as illustrated in the photo montage images included within the Design Statement.
2. Report of Handling: On page 9 (first paragraph) of the report of handling the case officer states that "The site plan indicates that some trees are to be removed in order to provide 'selected views' for the dwellinghouse. This will make the house more visible and will compromise the element of screening currently available on this principal boundary"
Applicant Response: *The applicant would note that Housing in the Countryside Policy does not require that new houses are fully obscured from view nor invisible in the landscape, but only that design proposals are "appropriate to, and has a good fit with, the landscape character of the area in which it is located, and demonstrates a specific design approach to achieve integration with its setting". As illustrated in Section 5.02 of the MSA Design Statement the proposed house designs are sympathetic to the countryside setting due to the fact that the house fits within the existing clearing which provides a backdrop of trees that due to the sloping topography are higher than the proposed house which will therefore blend sympathetically with the land form. Although several trees are proposed to be removed to expose views and sunlight to the house, the majority of existing trees to the south-west and south-east shall be retained to help soften the visual impact with only selected glimpses of the house with its high quality modern design which will in fact enhance the countryside setting.*

We would also note that during consultation the Conservation Officer raised no objection to the proposal despite the proximity to the Category B Listed Edradour Distillery which indicates they have no concerns regarding visual impact. Edradour Distillery itself has in the recent past gained planning permission for the erection of numerous large storage sheds in close proximity, presumably because the economic benefits of the business expansion outweighed aesthetic issues. It is the applicant's belief that the social and economic benefits of the Donavoured Proposals strongly outweigh the minor visual impact and would contest that a balanced consideration has not been made within the delegated decision in this respect.

3.4 NEGLIGIBLE TRANSPORT AND ACCESSIBILITY IMPACT (Policy TA1B – Transport Standards and Accessibility Requirements)

The planning application included a detailed Transport Statement prepared by Millard Consulting which concluded that with a suitably designed upgrade to the existing vehicular access and proposed mitigation measures in the form of an additional layby, that the development shall not compromise the capacity of the current road network.

It is important to stress (as was explained in section 5.03 of the MSA Design Statement) that although predicted traffic movement is regular there is a relatively low movement to and from the yard (varying between 20 or 30 visits per week). The Robertson Fencing business operates via satellite sites on a job by job basis all over Central Scotland so most of the time employees are not travelling to the yard on a daily basis. It should also be made clear that the forestry operations side of the business does not involve logging operations nor the transportation and storage of lumber, so the frequency of HGV transport to and from the new site will be minimal.

However, the delegated decision seems to have overlooked this and stated that it considered that the proposals were contrary to Transport Policy TA1B reasons for the following reason:

"The level of traffic to be generated by the proposal is considered to be significant for the existing road network and provisions have not been demonstrated on how the development will be served by other modes of transport (in particular walking, cycling and public transport)" and that "the proposed development only providing 2 staff parking spaces where it is highlighted that approximately 14 members of staff are employed by the business".

The applicant strongly disagrees with this assessment which again has been based on a misunderstanding as to the nature of the proposed businesses and associated traffic movements. It appears that the Transport Statement prepared as part of the application by Transport Specialists Millard Consultants has been disregarded, and the advice of PKC Transport Planning (who raised no objections during consultation) has been overlooked. We have therefore set out below why the planning officer's assessment in this respect should be rejected:

1. Report of Handling: On page 10 (last paragraph) of the report of handling the case officer states that "The proposed development will result in significant traffic generation and as such will require the upgrade of the existing road network." which grossly overstates the assessment of the Transport Planning team

Applicant Response: *A Transport Statement provided by Millard Consulting was prepared following meetings on site with PKC Transport Department and the Applicant. During this pre-planning consultation it was clarified that the businesses generated a modest amount of traffic movements per day and the Transport Department confirmed that they had no concerns, provided that a modest widening of the road was implemented locally to provide one passing place near the proposed access. The Planning Officer therefore appears to have misunderstood and exaggerated the transport impact when coming to his decision, and discounted the advice of an independent Consultant with expertise in transport planning, as well as the assessment of the PKC Transport Department who did not object to the*

proposals in their consultation response.

2. Report of Handling: On page 11 (first paragraph) the report of handling states that the proposals do not comply in full with Policy TA1B "due to the proposal only appearing to be served by one mode of transport with no provision for public transport or bicycle storage."
Applicant Response: *The applicant would argue that the requirement for public transport links to a rural farming businesses is not a reasonable requirement (the majority of farms in Highland Perthshire are not served by bus routes). Furthermore the provision of a manager's house on site will negate the requirement for transport between home and work thus reducing carbon emissions and providing a sustainable long term transport strategy.*
In relation to the Robertson Fencing business it should be noted that this the existing business has grown from its original remote rural location several miles from Kinloch Rannoch which did not have suitable access to public transport, and the relocation to Donavoured will improve accessibility as many current employees live and travel from Pitlochry. It should be noted that due to the nature of the business, employees are field based at various remote project locations around Scotland (often living in temporary accommodation for the duration of the job) and therefore do not need to travel to and from work every day. Notwithstanding the fact that there is no requirement for regular public transport for employees, the applicant notes that the proposed site at Donavoured is a 20 minute cycle from Pitlochry which is well served by train and public bus routes, and the Applicant would be happy to accommodate covered cycle parking as a condition of any forthcoming planning approval.
3. Report of Handling: Page 11 of the report of handling goes on to state that "the Labour Justification statement shows that around 14 people are employed by the businesses and the site plan only incorporates 2 staff parking spaces. This is therefore a cause for concern as the development does not appear to relate to the provided statements. As such, the development is considered to be contrary to Policy TA1b and will be included as a reason for refusal on this report."
Applicant Response: *Again the delegated decision is a result of a misunderstanding of the information provided in the supporting statements which explains that the majority of employees are field based on satellite sites around the country which they travel to and from directly from home. Employee transport to the yard is only required occasionally to pick up materials or collect and maintain vehicles and equipment, and in most cases these journeys are in company vehicles which shall be parked inside the new unit. Two employee parking spaces are more than sufficient as part of the development which is fully consistent with the supporting statements provided as part of the planning application.*

The Councils Transportation Department team were given a full appreciation and understanding of the nature of the business and transport and parking requirements of both businesses at the site meetings held with the applicant, and as a result made no objection on grounds of parking and accessibility.

It should also be noted that the farming business and Robertson Fencing have been operating from the temporary yard adjacent to the settlement of Donavoured for over 9 months and there have been no problems or incidents reported as a result of traffic movements.

The applicant contests therefore that the proposals are fully compatible with Policy TA1B based on the expert advice and assessment, and by having on-site accommodation and a location closer to a larger settlement like Pitlochry the development represents a positive improvement in relation to Transport Standards and Accessibility Requirements.

3.5 CAREFULLY CONSIDERED TREE REMOVAL AND MITIGATION PLANTING (Policy NE2 – Forestry, Woodland and Trees, Policy NE3 Biodiversity)

The delegated decision states that a reason for the decision to refuse the proposed development is that the proposal is contrary to Scottish Government Policy on Woodland Removal as well as Policy NE2 (Forestry, Woodland and Trees_ of the Perth and Kinross Local Development Plan which states:

"Where there are existing trees on a development site, any application should be accompanied by a tree survey. There is a presumption in favour of protecting woodland resources. In exceptional circumstances where the loss of individual trees or woodland cover is unavoidable, mitigation measures will be required"

The proposed new house at Donavoured is located within an existing 3 acre grouping of commercial woodland. The applicant feels that in deciding to refuse the application on the removal or relocation of a handful of trees within the context of 3 acres of managed woodland, the planning officer has overstated the impact of the proposed development, particularly when balanced against the cultural and economic benefits of the proposed businesses.

It should also be pointed out that at no point prior to making their decision has the Planning Authority requested that the applicant provide a tree survey nor an ecological study during the detailed Planning Application process. Nor was the likely requirement of such reports advised as part of the Pre-Application Consultation. The applicant was not given the opportunity to commission appropriate reports to demonstrate compliance with policy, and the delegated decision to refuse the application was taken on the basis of subjective opinion and in the absence of any specialist analysis by an independent consultant that would have allowed a more balanced and informed assessment

The applicant would also like to draw attention to other matters within the Report of Handling that he considers to be misinformed or factually incorrect :

1. Report of Handling: On page 9 (first paragraph) of the report of handling the case officer states the following. "The site plan indicates that some trees are to be removed in order to provide 'selected views' for the Dwellinghouse" and "Whilst it is noted that the site plan shows that these trees are to be transplanted, I have consulted with the Biodiversity Officer who has informed me that this is unlikely to be successfully achieved for trees of this maturity."

Applicant Response: The applicant would point out that in the course of his business in forestry works he regularly relocates trees of comparable maturity or larger, and this can be achieved successfully with his own specialist machinery that allows for a large enough root ball to be retained (and provided that transplantation is carried out at the correct time of year). The delegated decision has been made on the basis of advice from a Biodiversity Officer rather than a qualified Arboriculture Consultant who would have the necessary expertise to comment.

2. Report of Handling: the second paragraph on page 9 states the following in relation to the siting and visual impact of the proposed barn unit on the landscape: "Whilst there is a backdrop available in the form of woodland to the north of the proposed business units, the remaining 3 elevations remain exposed and in this prominent location on the landscape this is not considered to be appropriate siting. As mentioned above, the transplanting of particular trees to provide screening is unlikely to be successful."

Applicant Response: For the reasons stated above the applicant considers that the assessment of the visual impact has been based on an

incorrect assumption that that the existing trees cannot be successfully transplanted to provide landscape screening and alleviation of tree loss. The planning application drawings propose to screen the South-West elevation of the barn with transplanted trees. However this has been unfairly discounted by the case officer, when in fact the proposed extension of the tree belt will successfully mitigate any visual impact and in particular when viewed from the Edradour/ Donavours road which is the only view visible to the public. This has in turn unfairly impacted on the assessment of visual impact of development on the wider landscape (as explained in section 3.3 of this statement).

3. Report of Handling: On page 11 under the heading of Biodiversity the delegated report states that the Biodiversity Officer requested that a tree survey and phase 1 ecological survey was undertaken in order to determine the impacts upon the biodiversity of the area, but that the Case officer did not request this as the decision had already been made for refusal on grounds of the principle and location of the development.

Applicant Response: *The applicant would reiterate that he was not given the opportunity to commission the reports requested by the Biodiversity Officer (nor was the requirement for a tree survey or ecology report noted by the planning team as part of the Pre-Application feedback). In the event of the decision being overturned by the Local Review Body, Mr Robertson would be happy for a suspensive condition to be included with any forthcoming planning approval which states that the removal and relocation of any existing trees would be subject to written approval by the Planning Department upon submission of a tree survey and phase 1 ecological survey being carried out and any necessary mitigation measures being implemented.*

The applicant therefore strongly disagrees with the assessment that the development is contrary to policy NE2 for the reasons stated above and as follows:

- Policy NE2A(b) states that the Council will support proposals which "protect existing trees; woodland, especially those with high natural, historic and cultural heritage value". The tree grouping in question is a commercial woodland which is composed of mainly fast growing conifers and birch which have no natural, historic or cultural heritage value, and by its very nature is subject to trees being removed and re-planted as part of ongoing woodland management. Although the tree grouping as a whole provides some value to the landscape character, the removal of a handful of trees within 3 acres of woodland is negligible in terms of its visual impact and woodland resource.
- It is important to note that no existing trees need to be removed in order to implement the house construction itself, and the proposals only sought to remove or relocate a number of trees in carefully selected locations in order to facilitate views and improve sunlight provision to and from the new dwelling. Should the removal of any of these trees not be possible due to issues raised in future ecological reports, the house could still be built without the removal of any trees.
- The majority of affected trees were proposed to be relocated rather than removed in order to mitigate any impact in accordance with Policy NE2. However the applicant would have no objection if a planning condition is attached to any forthcoming approval which states that any trees that are not successfully transplanted are to be replaced with new heavy standard trees to mitigate any loss and provide visual screening to the new development.
- Furthermore the applicant would have no objection to a planning condition being imposed that prohibits the removal of any additional trees within the main tree grouping without prior approval of the planning authority.

4.0 JUSTIFICATION FOR CONTESTING THE DELEGATED DECISION

The Decision Notice gave the following reasons for refusal. Alongside these the applicant has summarised their justification for a review of the decision and the reasons why the decision should be overturned:

Reason 1

Delegated Decision:

"The proposal is contrary to Policy RD3 - Housing in the Countryside, of the Perth and Kinross Local Development Plan 2014, in addition to the Council's Housing in the Countryside Guide 2014, as it does not comply with any of the categories of the policy guidance where a dwellinghouse or dwellinghouses would be acceptable in principle at this location."

Applicant Response:

As demonstrated in section 3.1 above and associated supporting information , the development proposal is fully justified under Policy RD3 - Housing in the Countryside and the guidance given in Council's Housing in the Countryside Guide 2014 by providing an on-site manager's dwelling that is vital to the continued operation, growth and diversification of an established business where it is essential that the owner lives adjacent to the farm and business premises to allow him and his family to effectively monitor livestock "twenty-four seven" and efficiently manage operations which regularly happen outside normal working hours.

Reason 2

Delegated Decision:

"The proposal is contrary to Policy ED3 - Rural Business and Diversification, of the Perth and Kinross Local Development Plan 2014, as the farming business is not considered to be established and there is no site specific justification which would allow for the site to be acceptable."

Applicant Response:

As demonstrated in section 3.2 above and the associated supporting information, the development proposal is fully compliant with LDP planning Policy ED3 - Rural Business and Diversification, as follows

- The proposed site at Donavoured offers a site specific location that is critical in order to provide the opportunity for Donavoured Agri business to operate in conjunction with Robertson Fencing and allow shared facilities, management and improved business efficiencies as a result. This represents diversification in accordance with Policy ED3 and will in turn help ensure the sustained growth of both businesses and continue to provide continuing economic benefits and additional permanent employment in the area as a result*
- Alternative sites have been explored within or adjacent to settlements, but these are not available or not suitable for the reasons stated above*
- The proposed agricultural/woodland site is perfectly compatible with both business uses and has been specifically chosen so as to be far enough detached from residential properties so as not to detract from their amenity.*

Reason 3

Delegated Decision:

"The proposal is contrary to Policy ER6 - Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Areas Landscapes, of the Perth and Kinross Local Development Plan 2014, as the siting and scale of the proposed development is highly intrusive to the existing landscape framework and does not conserve or enhance the surrounding landscape as required by the Policy."

Applicant Response:

As demonstrated in section 3.3 above and the associated supporting information, the development proposal is not contrary to Policy ER6 - Managing Future Landscape Change. The siting and design of the proposed barn and dwelling have been carefully considered so as to respect the character of the local landscape, and is to be screened by existing trees and the topography, with additional tree planting proposed to mitigate visual impact.

The overwhelming cultural and economic benefits of establishing a long term traditional farmhouse and livestock farming at Donavoured, combined with the relocation of a successful and growing fencing business strongly outweighs any minor visual impact on the surrounding landscape framework.

Reason 4

Delegated Decision:

"The proposal is contrary to Policy PM1B - Placemaking criterion (a) and (b), of the Perth and Kinross Local Development Plan 2014, as the proposal fails to create a sense of identity and erodes the character of the countryside, whilst the removal of certain trees and the overall location of the proposed development would additionally erode and dilute the areas landscape character."

Applicant Response:

As demonstrated in section 3.3 above and the associated supporting information, the development proposal is fully compliant with planning policy Policy PM1B - Placemaking. The siting and design of the proposed barn and low energy managers home have been carefully considered so as to respect the character of the local landscape, and is to be screened by existing trees and the topography, with additional tree planting proposed to mitigate visual impact. This is fully consistent with placemaking policy criteria whilst social and economic benefits of the Donavoured Proposals strongly outweigh the minor visual impact and the applicant would contest that a full and balanced consideration has not been made within the delegated decision in this respect.

Reason 5

Delegated Decision:

"The proposal is contrary to Policy TA1B – Transport Standards and Accessibility Requirements, of the Perth & Kinross Local Development Plan 2014, as the level of traffic to be generated by the proposal is considered to be significant for the existing road network and provisions have not been demonstrated on how the development will be served by other modes of transport (in particular walking, cycling and public transport). This is in addition to the proposed development only providing 2 staff parking spaces where it is highlighted that approximately 14 members of staff are employed by the business."

Applicant Response:

As demonstrated in section 3.4 above the development proposals are not contrary to Policy TA1B. This business will only result in a modest increase in traffic which shall not compromise the capacity of the current road network as verified by a specialist Transport Consultant. No objections were raised by PKC Transport Planning during consultation and the business has been operating from a temporary yard on a neighbouring site for over 9 months without any impact on the same road network.

Accessibility in terms of other forms of transport is no different to any other farm enterprise, and the proposed dwelling house and on-site manager provides a sustainable arrangement with no reliance on public transport. Similarly, public transport and alternative modes of transport are not a requirement due to the field based nature of Robertson Fencing's business and the associated impact in terms of accessibility shall be improved by relocating the business from its original remote location in Rannoch to within walking and cycling distance from Pitlochry which is served by good public transport links.

Reason 6

Delegated Decision:

"The proposal is contrary to the Scottish Government's Policy on Woodland Removal, the Scottish Forest Strategy, the National Planning Framework as well as Policy NE2B of the Perth and Kinross Local Development Plan 2014, as there are no clear public benefits associated with the removal of the certain trees within the woodland to provide selected views for the proposed dwellinghouse."

Applicant Response:

As demonstrated in section 3.5 above, the development proposals are not contrary to Policy National and Local policy on Woodland Removal on the basis that the tree grouping affected is (and will continue to be) managed commercial woodland with no significant cultural or heritage value, and that suitable mitigation planting shall be provided as part of the development proposals. Once again the benefits to the public in the form of local employment and economic growth provided by both businesses greatly outweigh the minimal impact caused by the removal of trees within a large commercial woodland.

5.0 CONCLUDING STATEMENT

Donavoured Agri and its sister company Robertson Fencing Ltd represent a success story as rural businesses that have diversified and expanded with the resulting employment benefits to the wider community. Mr Robertson's long term aspiration to further develop his agricultural business Donavoured Agri and successfully farm the land at Donavoured cannot be fulfilled without the support of this application. Without suitable onsite accommodation and undercover agricultural facilities the business will be unlikely to flourish and threaten the establishment of a young entrant within the agricultural sector. Robertson Fencing has out-grown their previous premises in Rannoch which were no longer fit for purpose. The absence of a suitable yard, workshop and covered storage has in the past been a limiting factor and put strain on the business, and after 8 years of searching, no suitable premises large enough are available within the settlement boundaries of Pitlochry or other Perthshire settlements. It is critical to the continued development of both enterprises that suitable new premises are secured that can operate in conjunction with This will help broaden his business interests for a more sustainable portfolio for the future, and help secure long term employment opportunities within both businesses. As established in this statement along with the other justification reports included in the original planning application, a permanent dwelling on site, along with the associated shed buildings are essential to the operation and management of both businesses and critical to the continued successful growth of Donavoured Agri and Robertson Fencing.

The applicant feels aggrieved that the planning application at Donavoured has been refused and believes strongly that the delegated decision is inherently flawed for the reasons highlighted elsewhere in this statement as summarised below:

- a) The decision has been based on a misunderstanding or misinterpretation of critical elements within the information presented within the planning application;
- b) The assessment has been made upon assumption and subjective opinion in relation to key issues, rather than an objective analysis based on the factual advice prepared by specialist consultants and consultees;
- c) Sufficient consideration has not been given to the areas of policy where the proposals contribute positively in terms of business enterprise and diversification of the rural economy, and the resultant public benefits in terms of economic growth, safeguarding and increasing local employment and the re-establishment of a working residential farm.

The applicant therefore would appreciate that the Local Review Body make a fresh and fair assessment of the proposals on its wider economic and community merits and based on the facts presented in this statement and the original planning application documents.

Approval of the application would represent an opportunity for Perth and Kinross Council to support an exemplary model of a successful rural business that continues to diversify and expand whilst offering employment growth as a result. It will also allow the reinstatement of a working farmhouse at Donavoured and help encourage a young agricultural business in an era with many challenges due to social and economic pressures. This can only be a positive development where the pros strongly outweigh the cons and a great opportunity would be passed by it the delegated decision to refuse the application was to be upheld.

This supporting statement provides a robust demonstration that the proposals for Donavoured epitomise the social and economic aspirations of Perth and Kinross Council whilst satisfying all the relevant planning policy criteria. The applicant would therefore ask that the Local Review Body overturn the delegated decision and approve the planning application to allow the onward growth and diversification of a successful rural business in order that it can continue to contribute to the local economy and wider community as a whole.

CONTACT DIRECTORY

Client/Applicant

Mr Rab Robertson

Balgowan Farm
Pitlochry
Perthshire
PH16 5JT

Architect/Agent

McKenzie Strickland Associates

159 Dunkeld Road
Perth
Perthshire PH1 5AU

t: 01738 445 983

e: info@msa-architects.com
www.msa-architects.com



McKenzie Strickland Associates
— *Chartered Architects* —

e: info@msa-architects.com

W: www.msa-architects.com

Perth Office: 159 Dunkeld Road, Perth PH1 5AU

T: 01738 445 983

Aberfeldy Office: 23 Bank Street, Aberfeldy PH15 2BB

T: 01887 829 228

REPORT OF HANDLING

DELEGATED REPORT

Ref No	17/01662/FLL	
Ward No	P4- Highland	
Due Determination Date	11.12.2017	
Case Officer	Sean Panton	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Erection of a dwellinghouse, agricultural building, fencing business store including formation of yard and siting of associated portable buildings, formation of vehicular accesses and associated works.

LOCATION: Land 300 Metres South East of Distillery Cottages, Milton of Edradour.

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: 16th October 2017

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

The application site is on land 300metres south-east of distillery cottages, Milton of Edradour, by Pitlochry. The application seeks detailed planning permission for the erection of a dwellinghouse, an agricultural building, a

fencing business store and the formation of a yard and vehicular accesses, the siting of associated portable buildings and associated works. The site is located to the south east of the category B listed Edradour Distillery complex (LB 47625).

The proposed business use of the site is associated with farming, fencing and forestry and it is indicated that the business is the currently established 'Robertson Fencing Limited' which is a rural contracting business. The company was established at a site in Rannoch however more recently have been operating from a temporary facility at Donavoured Farm, near Pitlochry.

The proposed dwellinghouse is a detached 5 bedroomed unit with a large home office and a separate granny flat. The proposed dwellinghouse will be set over 1 ½ storey, measuring approximately 19.8metres at maximum length and 19.8metres at maximum width. The overall floor area of the house is approximately 314m² and the maximum height (excluding the flue) is approximately 9.1metres. The exterior walls of the proposal will be clad in a combination of vertical and horizontal larch cladding whilst the roof will be dark grey metal standing seam roofing. All windows and doors will be timber double glazed units. The proposed dwellinghouse is located in an existing clearing within woodland however it is indicated that selected views will be created by further tree removal. It is indicated that the dwellinghouse is required for the proposed business.

The proposed unit for the business is a large agricultural style unit measuring 48metres at maximum length and 20metres at maximum width. This creates an overall footprint of approximately 960m². The unit will contain an agricultural barn and a livestock shelter (approximately 576m²) in addition to a secure storage area and workshop (approximately 338m²). There will also be an external wash bay and large area of yard storage. In addition to the main unit, there will also be the provision of 2 portable buildings which contain staff changing and welfare facilities and a meeting room. There is 2 staff parking spaces associated with the proposed development. The proposed development will require the upgrade of the existing track and access to make it more suitable for deliveries from HGV's.

The proposals have been advertised in the Local Press and a site notice posted, in accordance with Regulation 5 of the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) (Scotland) Regulations 1987.

SITE HISTORY

None.

PRE-APPLICATION CONSULTATION

Pre-application Reference: 17/00162/PREAPP

It was highlighted at pre-application stage that there were concerns with the proposal in relation to impact upon the road network, visual impact, landscape impact and the overall justification for the 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 2016-2036 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

Within the approved Strategic Development Plan, TAYplan 2016, the primary policies of specific relevance to this application are Policies 2 and 9.

Policy 2: Shaping Better Quality Places

Part A of Policy 2 seeks to 'deliver distinctive places by ensuring that the arrangement, layout, design, density and mix of development are shaped through incorporating and enhancing natural and historic assets'.

Policy 9: Managing TAYplan's Assets

Part C of Policy 9 aims to safeguard the integrity of natural and historic assets through understanding and respecting the regional distinctiveness and scenic values of the TAYplan area.

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 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 HE2 - Listed Buildings

There is a presumption in favour of the retention and sympathetic restoration, correct maintenance and sensitive management of listed buildings to enable them to remain in active use. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the building's character, appearance and setting.

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 TA1B - Transport Standards and Accessibility Requirements

Development proposals that involve significant travel generation should be well served by all modes of transport (in particular walking, cycling and public transport), provide safe access and appropriate car parking. Supplementary Guidance will set out when a travel plan and transport assessment is required.

Policy NE2B - Forestry, Woodland and Trees

Where there are existing trees on a development site, any application should be accompanied by a tree survey. There is a presumption in favour of protecting woodland resources. In exceptional circumstances where the loss of individual trees or woodland cover is unavoidable, mitigation measures will be required.

Policy NE3 - Biodiversity

All wildlife and wildlife habitats, whether formally designated or not should be protected and enhanced in accordance with the criteria set out. Planning permission will not be granted for development likely to have an adverse effect on protected species.

Policy ED3 - Rural Business and Diversification

Favourable consideration will be given to the expansion of existing businesses and the creation of new business. There is a preference that this will generally be within or adjacent to existing settlements. Out-with settlements, proposals may be acceptable where they offer opportunities to diversify an existing business or are related to a site specific resource or opportunity. This is provided that permanent employment is created or additional tourism or recreational facilities are provided or existing buildings are re-used. New and existing tourist related development will generally be supported. All proposals are required to meet all the criteria set out in the policy.

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 EP8 - Noise Pollution

There is a presumption against the siting of proposals which will generate high levels of noise in the locality of noise sensitive uses, and the location of noise sensitive uses near to sources of noise generation.

OTHER POLICIES

Development Contributions and Affordable Housing Guide 2016

This document sets out the Council's Policy for securing contributions from developers of new homes towards the cost of meeting appropriate infrastructure improvements necessary as a consequence of development.

Housing in the Countryside Guide

A revised Housing in the Countryside Guide was adopted by the Council in October 2014. The guide applies over the whole local authority area of Perth and Kinross except where a more relaxed policy applies at present. In practice this means that the revised guide applies to areas with other Local Plan policies and it should be borne in mind that the specific policies relating to these designations will also require to be complied with. The guide aims to:

- Safeguard the character of the countryside;
- Support the viability of communities;
- Meet development needs in appropriate locations;
- Ensure that high standards of siting and design are achieved.

The Council's "Guidance on the Siting and Design of Houses in Rural Areas" contains advice on the siting and design of new housing in rural areas.

Listed Buildings and Conservation Areas

Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.
Scottish Planning Policy 2010 Historic Scotland's Scottish Historic Environment Policy (SHEP).

In addition, Perth & Kinross Council's Placemaking Guide states that;

"Listed buildings are buildings of special architectural or historic interest where alterations require special consent... Generally, particular weight is placed on retaining the identity, appearance, character and special interest of listed buildings".

CONSULTATION RESPONSES

Environmental Health:

No objection to the proposed development subject to a condition and informatives being added to the consent in relation to water supply.

Transport Planning:

No objection to the proposed development subject to a number of conditions and an informative being added to the consent

Biodiversity Officer:

A tree survey and extended phase 1 ecological survey of the site is required in order to provide an informed response.

Contributions Officer:

No contributions required.

Conservation Team:

No comments or concerns in relation to the proposal.

REPRESENTATIONS

3 letters of representation were received **objecting** to the proposed development. In summary, the letters highlighted the following concerns:

- Not an appropriate land use
- Will increase traffic in the area
- Road safety concerns
- No clear justification for location of site
- Proposed house is not of a suitable scale for the associated business

ADDITIONAL INFORMATION RECEIVED:

Environmental Impact Assessment (EIA)	Not Required
Screening Opinion	Not Required
EIA Report	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Submitted
Report on Impact or Potential Impact eg Flood Risk Assessment	Submitted (Transport Statement / Labour Statement)

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 2016 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

Proposed Dwellinghouse

The local plan through Policy PM4 - Settlement Boundaries specifies that development will not be permitted, except within the defined settlement boundaries which are defined by a settlement boundary in the Plan.

However, through Policy RD3 - Housing in the Countryside, it is acknowledged that opportunities do exist for housing in rural areas to support the viability of communities, meet development needs in appropriate locations while safeguarding the character of the countryside as well as ensuring that a high standard of siting and design is achieved. Thus the development of single houses or groups of houses which fall within the six identified categories will be supported. 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

The agent has indicated through the provided Design Statement that the application should be considered under criterion (c) as it is suggested that the proposed dwellinghouse is required to oversee the proposed business.

On reviewing the provided labour justification however, I am unconvinced of the requirement of a dwellinghouse on the site to oversee the proposed business use of the site. A fencing and forestry business is generally not the type of business which requires a dwellinghouse on site to oversee the business. As such, attention now turns towards the farming enterprise where it is more likely to be acceptable for a dwellinghouse on the site to oversee the business in relation to animal welfare and management.

The provided statements indicate that the farming business has approximately 270 breeding ewes. However, it is not clear how these sheep are currently managed and overseen. The statement provides no clear justification as to why a house is required other than a 24 hour watch is necessary. However,

the statement further indicated that the applicant is a new entrant to farming who also manages the other said businesses. This suggests that the applicant is therefore not a full time farmer and the provision of a dwellinghouse on the site is unnecessary as even if a dwellinghouse was accommodated a 24hour watch over the sheep would not be obtained.

Furthermore, it is shown on the plans that the location of the livestock shelter would result in the livestock having to pass over the fencing storage area as there is no clear route of entry for the livestock to pass between the unit and the adjacent field. This raises concern that the entirety of the unit will be utilised for the fencing business which would not require a dwellinghouse on site.

In conclusion, the applicant's justification does not provide a clear and sound reason for a dwellinghouse to be accommodated on the site and as such is contrary to Policy RD3- Housing in the Countryside of the Perth and Kinross Local Development Plan 2014. This will be included as a reason for refusal on this report.

Proposed Business Use

Policy ED3 - Rural Business and Diversification of the Perth and Kinross Local Development Plan gives favourable consideration to the expansion of existing businesses and the creation of new business in rural areas. There is a preference that this will generally be within or adjacent to existing settlements. Out-with settlements, proposals may be acceptable where they offer opportunities to diversify an existing business or are related to a site specific resource or opportunity. This is provided that permanent employment is created or additional tourism or recreational facilities are provided or existing buildings are re-used. New and existing tourist related development will generally be supported. All proposals are required to meet all the criteria set out in the policy.

In this instance, there is no justification for the forestry business to be located in this location. Whilst it is appreciated that the applicant wishes to be closer to the A9 for transportation purposes, it is considered that the applicants analysis of alternative sites could be researched further. Furthermore, the policy requires that new businesses in rural areas must have a site specific justification for its presence and this has not been adequately demonstrated. The farming business is the main justification for this location and this is not considered to be an established business as the applicant is a new entrant to farming and does not yet have a justifiable need for this location. The proposal is therefore considered to be contrary to this policy and as such will be a reason for refusal on this report.

Design and Layout

Proposed Dwellinghouse

The design of the proposed dwellinghouse is considered to be of a high quality with a sensitive choice of materials for a woodland site. However, my concerns relate to the siting and scale of the proposed development. I am unconvinced that a 5 bedroomed unit with a home office and a granny flat is required to oversee the businesses as suggested. A house of this scale would also be intrusive on this site due to its prominent location. The site plan indicates that some trees are to be removed in order to provide 'selected views' for the dwellinghouse. This will make the house more visible and will compromise the element of screening currently available on this principal boundary. Whilst it is noted that the site plan shows that these trees are to be transplanted, I have consulted with the Biodiversity Officer who has informed me that this is unlikely to be successfully achieved for trees of this maturity. Overall, the scale and siting of the proposed dwellinghouse is not considered to be appropriate for this site.

Proposed Business Units

The design of the main proposed business unit appears as an agricultural barn and is coloured appropriately for the rural environment in which it is located. However, my concerns relate to the scale of the proposed unit on this site. The location of the development does not provide a landscape framework to accommodate a proposal of this scale as the unit will be located on an area which is currently a field with no established site boundaries. This will make the proposal highly visible in the surrounding area and will appear out of place. Whilst there is a backdrop available in the form of woodland to the north of the proposed business units, the remaining 3 elevations remain exposed and in this prominent location on the landscape this is not considered to be appropriate siting. As mentioned above, the transplanting of particular trees to provide screening is unlikely to be successful. I also have concerns in relation to the location of the livestock shelter as if this is to indeed be utilised by livestock, there is no clear route of entry for the livestock to enter the adjacent field without passing the fencing storage area. This raises concern, as mentioned above, at the integrity of the farming business and the requirement for it to be located in this location.

It should be noted at this stage that the portable units also proposed are considered to be effectively screened by the proposed unit due to its vast scale. For the avoidance of doubt, this does not provide justification for the larger agricultural style business unit.

Landscape

Development and land use change should be compatible with the distinctive characteristics and features of Perth & Kinross's landscape. Development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross.

In this case, the siting of a proposed dwellinghouse and associated business on this site is considered to erode the local distinctiveness, diversity and quality of the landscape. This is due to the elevated nature and prominence of

the site from the surrounding area and the scale of the proposed development. The proposal will therefore be highly visible and intrusive within the existing landscape framework and will appear out of place.

The surrounding area is a highly popular tourist destination within Perth & Kinross and as such the siting of development such as this should be more sensitively located and utilise available screening. The location of the business units is on an area which is currently an open field and whilst there is a backdrop of woodland to the north of the proposed development, there are no established boundary treatments or screening opportunities to the remaining 3 elevations. This will make the unit highly visible and due to the scale of it, at approximately 960m², highly intrusive to the landscape framework. The proposal is therefore considered to be contrary to Policy ER6 - Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Areas Landscapes, and as such will be a reason for refusal on this report.

Residential Amenity

Due to the rural nature of the proposed development, it is not considered that there are any adverse issues arising in relation to residential amenity. This is due to the nearest residential receptor being approximately 200metres away from the development site. There is however the potential for noise disturbance to nearby residential properties from the traffic generation that will be created from this proposal. Whilst this is a cause for concern, I do not consider the noise from this additional traffic to have an adverse impact upon residential amenity. The impacts from the traffic generation will be discussed further under the roads and access section of this report.

Visual Amenity

It is considered that the proposal will erode the visual amenity of the area as the prominent siting of the proposed development and the removal of some trees to provide views for the proposed dwellinghouse will compromise the visual integrity of the area and make the development visually intrusive. As previously mentioned, whilst the woodland provides a backdrop to the proposed business units, this does not account for the remaining 3 elevations making them highly visible which in turn will have a detrimental impact upon the visual amenity of the surrounding area.

Roads and Access

The proposed development will result in significant traffic generation and as such will require the upgrade of the existing road network. It was highlighted at pre-application stage that the existing road network was a cause for concern. As part of this application, a Transport Statement was submitted which highlights the expected level of traffic and the upgrades to be carried out to the existing access road.

My colleagues in Transport Planning were consulted as part of this application and whilst have no objection to the proposal recommended a number of conditions. However, Policy TA1B - Transport Standards and Accessibility Requirements, requires that all proposals which result in significant travel generation should be well served by all modes of transport (in particular walking, cycling and public transport), provide safe access and appropriate car parking. In this instance, whilst my colleagues have no objection to the proposed development in terms of access and the existing road network, the proposal does still not comply in full with Policy TA1B. This is due to the proposal only appearing to be served by one mode of transport with no provision for public transport or bicycle storage. Furthermore, the Labour Justification statement shows that around 14 people are employed by the businesses and the site plan only incorporates 2 staff parking spaces. This is therefore a cause for concern as the development does not appear to relate to the provided statements. As such, the development is considered to be contrary to Policy TA1b and will be included as a reason for refusal on this report.

Biodiversity

The Biodiversity Officer was consulted as part of the application and raised concerns regarding the tree felling required to accommodate parts of the proposal. The site also forms part of the Breadalbane Environmentally Sensitive Area. As such, the Biodiversity Officer requested that a tree survey and phase 1 ecological survey was undertaken in order to determine the impacts upon the biodiversity of the area.

As the application is being recommended for refusal on grounds of the principle and location of the development, as Case Officer, I felt it would be unreasonable to request this further information from the applicant as this would be an added expense and the application would still remain recommended for refusal.

Listed Buildings

The proposed development site is located to the south east of the category B listed Edradour Distillery complex (LB 47625). As such, the Conservation Officer was consulted as part of this application. The Conservation Officer stated that there are no concerns regarding the impact of the proposed development on the setting of the listed buildings. I therefore do not consider the proposed development to have any negative impact upon the nearby listed buildings.

Drainage and Flooding

The proposal is not located in an area of known flood risk and the proposal incorporates 2 proposed soakaways, one of which is located to the south of the proposed dwellinghouse and the other is to the north east of the proposed business units. These are considered to be sufficient for the drainage of the

site and as such I have no adverse concerns in relation to drainage and flooding.

Developer Contributions

The Council's 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 Pitlochry Primary School.

Education & Children's Services have no capacity concerns in this catchment area at this time and therefore no education contribution is required.

Economic Impact

The development of this site would count towards local housing targets, accounting for short term economic investment through the short term construction period and indirect economic investment of future occupiers of the associated development. There will also be some economic impact from the provision of businesses on the site. Whilst the Council is supportive of economic development, all development must be located in appropriate locations and for reasons mentioned above this is not considered an acceptable site for this type of 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.

Conditions and Reasons for Recommendation

- 1 The proposal is contrary to Policy RD3 – Housing in the Countryside, of the Perth and Kinross Local Development Plan 2014, in addition to the Council's Housing in the Countryside Guide 2014, as it does not comply with any of the categories of the policy guidance where a dwellinghouse or dwellinghouses would be acceptable in principle at this location.
- 2 The proposal is contrary to Policy ED3 - Rural Business and Diversification, of the Perth and Kinross Local Development Plan 2014, as the farming business is not considered to be established and there is no site specific justification which would allow for the site to be acceptable.
- 3 The proposal is contrary to Policy ER6 - Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Areas Landscapes, of the Perth and Kinross Local Development Plan 2014, as the siting and scale of the proposed development is highly intrusive to the existing landscape framework and does not conserve or enhance the surrounding landscape as required by the Policy.
- 4 The proposal is contrary to Policy PM1B - Placemaking criterion (a) and (b), of the Perth and Kinross Local Development Plan 2014, as the proposal fails to create a sense of identity and erodes the character of the countryside, whilst the removal of certain trees and the overall location of the proposed development would additionally erode and dilute the areas landscape character.
- 5 The proposal is contrary to Policy TA1B - Transport Standards and Accessibility Requirements, of the Perth & Kinross Local Development Plan 2014, as the level of traffic to be generated by the proposal is considered to be significant for the existing road network and provisions have not been demonstrated on how the development will be served by other modes of transport (in particular walking, cycling and public transport). This is in addition to the proposed development only providing 2 staff parking spaces where it is highlighted that approximately 14 members of staff are employed by the business.
- 6 The proposal is contrary to the Scottish Government's Policy on Woodland Removal, the Scottish Forest Strategy, the National Planning Framework as well as Policy NE2B of the Perth and Kinross Local Development Plan 2014, as there are no clear public benefits associated with the removal of the certain trees within the woodland to provide selected views for the proposed dwellinghouse.

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

Not Applicable.

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

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Date of Report 21st November 2017

DESIGN SUPPORTING STATEMENT

September 2017

Agricultural Shed and Business Storage Facility with Associated Managers House, Donavoured near Pitlochry
for Mr Rab Robertson, c/o Balgowan Farm, Pitlochry PH16 5JT



Prepared by

McKenzie Strickland Associates

159 Dunkeld Road,

Perth

PH1 5AU

t: 01738 445 983

e: info@msa-architects.com

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1.00 INTRODUCTION

McKenzie Strickland Associates were appointed by Mr Rab Robertson (owner of Donavourd Agri and managing director of Robertson Fencing Ltd) to investigate options for a new agricultural shed and business storage facility along with an associated manager's house for the business on land to the east of Pitlochry between the settlement of Donavourd, and the distillery at Milton of Edradour. Mr Robertson purchased land at East Haugh and Donavourd in 2016 which extends to more than 80 hectares (200 acres) and he has since been actively farming the land



The business enterprises operated by Rab Robertson focus on farming, fencing and forestry. Donavourd Agri commenced in 2016 in order to diversify Mr Robertson's business interested and focusses on sheep, grassland and arable.

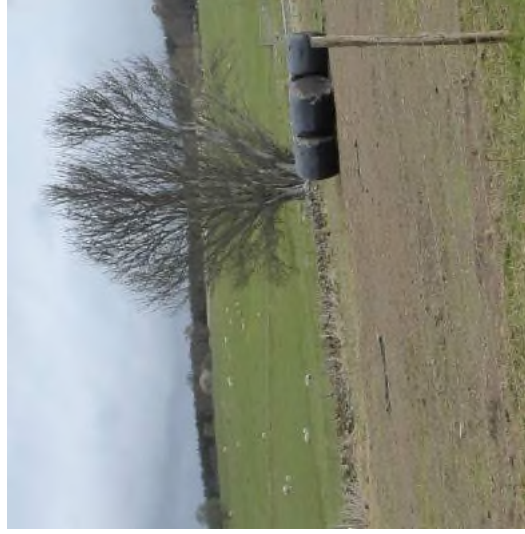
Robertson Fencing Ltd is an established business which until early 2017 had been operating from Kinloch Rannoch has been temporarily relocated to the agricultural yard adjacent to the settlement of Donavoured.

The relocation of the business was essential to improve efficiencies through operating both business enterprises from the one unit. In particular Robertson Fencing was becoming unsustainable from its previous location in Kinloch Rannoch and the proposed permanent relocation to yard facilitates that are close to the A9 (for improved vehicular connection to Perthshire and the North of Scotland) is crucial in order for the fencing and forestry business to expand and grow effectively.

The proposed on-site manager's house adjacent to the farm shed building is vital for attending to the farm and livestock as well as security purposes as the company have invested in valuable specialised excavators, tractors and forestry ploughs, which will be stored at the yard along with high value fencing materials.

This document should be read in conjunction with the accompanying planning application drawings, agricultural justification report and transport statement.

2.00 BACKGROUND FOR PROPOSED DEVELOPMENT



Donavourd: current livestock and arable production.

2.01

Donavourd Agri

Rab Robertson grew up in a farming family on a working croft in the Rannoch area. Following studies at Agriculture College where he gained a degree in Agriculture, Rab Robertson worked in the local Rannoch area focusing on fencing work and providing agricultural contract labour (e.g. shearing sheep, gathering sheep and general farm work). Building up knowledge and skills during this time, Rab Robertson developed his own fencing business of Robertson Fencing but retained his interest in farming. His recent acquisition of the land at Donavourd is part of the long term objectives of Mr Robertson to retaining his family roots and personal interest in active farming whilst developing a diverse business portfolio revolving around land based industries centred in rural Perthshire.

Donavourd Agri was set up in November 2016 for the purpose of livestock and arable production following the purchase of agricultural land at both Donavourd and East Haugh of Dalshian. The applicant is currently living in temporary accommodation near Pitlochry but it is becoming increasingly impractical to operate the farm to full capacity, particularly in terms of livestock commitments during lambing seasons and being resident in a permanent dwelling on the site is essential.

2.02

Robertson Fencing Ltd

Established in 2007, Robertson Fencing Ltd operates a contracting service throughout Scotland specialising in the agricultural, forestry and civil engineering sectors. The company provides rural employment for specially trained local workers and owns an extensive fleet of specialised plant and machinery. As well as works in the agricultural and forestry industry Robertson Fencing have also carried out major fencing works on civil engineering projects (powerlines / hydro schemes / windfarms etc.), railway works and on highland sporting estates.



Images of typical plant and operations carried out by Robertson Fencing.



Images of typical plant and operations carried out by Robertson Fencing.

2.02

Opportunity for Business Expansion + Diversification

The success of Robertson Fencing has led to their expansion into the forestry ground preparation sector to complement their established fencing operations and offer customers a turnkey choice when appointing contractors for forestry establishment projects. Appendix C includes a summary of the growth in turnover and employee numbers for the firm. The number of employees has grown steadily from one person in 2007 to 12 in 2015/16 and is predicted to increase to 14 employees or more through 2017, with turnover expected to increase to £1,000,000 for 2016/17. This has resulted in them outgrowing their previous facilities in Rannoch and in order to allow the business to grow efficiently a new permanent yard location is necessary for the following reasons:

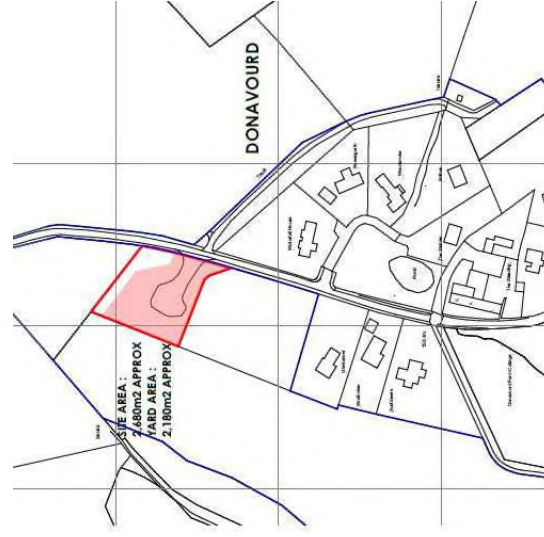
1. The company owns specialist plant and machinery including fencing machinery, excavators, forestry ploughs and modified tractors and crawlers all of which need to be stored and secured under cover. It is essential for the growth of the company to have a workshop and undercover store. Not having this in the past has been a limiting factor and put strain on the business.
2. Improved connectivity to the A9 is critical for transport of plant and employees to serve the whole of Scotland from a centralised base.
3. Growth of the business provides an opportunity for the employment of additional permanent staff from the local rural community. Associated with this is the requirement for new company offices and staff welfare facilities including toilets changing and showers, particularly for employees working shifts.
4. Due to the nature of the company's operations, staff and plant is regularly operated outside normal office hours with shift workers starting at dawn and not returning until late at night. A suitable rural location is necessary to avoid disturbance to the amenity of residential settlements.

A suitable site with the capacity to accommodate an adjacent manager's house is essential for management and security purposes for the reasons described above, as well as being a requirement for running the farmland.

The accompanying 'Planning Justification Report' prepared by SAC Consulting provides a more detailed account of the business resources and labour requirements for both businesses, and the associated justification that a permanent dwelling is a necessity.



A site close to the settlement boundary at East Haugh has been considered but rejected as unsuitable.



A temporary consent for use of the land shown above as a business yard was obtained in July 2017.

2.03 Alternative Sites Considered for Expansion

The applicant has considered other sites for relocation but these have been discounted for the reasons stated below:

1. **Previous premises at Kinloch Rannoch:** Until late 2016 the business had been operating from a very small yard and a single container located off Bunnarnoch Place on the outskirts of Kinloch Rannoch. Robertson Fencing had however outgrown this yard which was not suitable for effective growth of the business due to its limited size and isolated location on east end of loch Rannoch. This made it too remote from the main A9 and the associated logistics of transport of plant and employees accessing the forestry sites around Scotland.
2. **Other sites within or adjacent to settlement boundaries:** The nature of Robertson Fencing's business involves work long hours with vehicles and deliveries coming to the yard frequently and at unsociable hours, often involving noisy operations. The working activities also mean they need to store large volumes of materials and forestry waste, as well as numerous items of heavy equipment in the yard. Agricultural activities would also be better suited to being removed from areas near houses. In order to avoid any detrimental impact in terms of noise and visual amenity close to residential settlements such sites are not therefore considered suitable.
3. **Land at East Haugh, near Pitlochry:** The applicant submitted a request for pre-application advice for locating the business to a site at East Haugh (PKC planning ref 16/00570/PREAPP). Although the pre-application feedback was leaning towards the positive, the site at East Haugh was discounted for various reasons including flood risk, and primarily due to the proximity of the site to domestic properties in the settlement of East Haugh for the reasons explained in item 2 above.
4. **Agricultural yard adjacent to Donavoured:** In early 2017 the applicant had been using an area of farmland immediately adjacent to settlement of Donavoured as an agricultural yard, including storage of some fencing materials and equipment. A planning consent was approved in July 2017 (PKC planning reference 17/00888/ELL) for temporary use of this area as a storage yard for fencing equipment until July 2018. However, due to the feedback from the neighbouring properties in Donavoured who were concerned about the impact on their amenity close to the dwellings the applicant has looked at relocating the yard remote from Donavoured, to the site location proposed in the accompanying application.

3.00 SITE DESCRIPTION AND LANDSCAPE APPRAISAL

The proposed site is located to the east of Pitlochry, just off the road which connects the residential settlement of Donavour (to the South-West) and Milton of Edradour (to the North-West).

The land surrounding the site is mainly open agricultural fields which the applicant manages as arable farmland and sheep grazing, and is interspersed with groupings of trees, with sloping topography which rises up to the east towards the wooded summit of Tom Beithe, and slopes down to the west towards Ballinluig and the River Tummel.

The Edradour Distillery which is situated a few hundred meters to the North- West sits on the Edradour burn, a tributary of which runs close to the north of the proposed site. In recent years the distillery has developed several large warehouses for the storage of barrels to the east of Edradour.

A large grouping of trees sits around 200m to the east of the public road, which is currently served by a vehicular access and agricultural track road. The tree grouping has been managed over the years and contains a large clearing within the center of the wood (see aerial photos in Appendix A)



Aerial view – proposed development location outlined red



Proposed site viewed from south-east from road

4.00 PLANNING PRE-APPLICATION CONSULTATION

4.01 Pre-Application Submission.

A pre-application submission was made to Perth and Kinross Council Development Management (Ref No 17/00162/PREAPP) which focused on the proposed business use for Robertson Fencing rather than the established agricultural use of the land. The response from the planning department was positive with respect to Rural Business Diversification policy which gives favourable consideration to the expansion of existing businesses and the creation of new ones in rural areas. The pre-app feedback did however note a number of concerns in connection with the proposals which are summarised below (undefined) together with an explanation of how the comments have been considered and addressed:

1. Pre-Application Observation: some reservations regarding the local road network ability to accommodate the nature and volume of the traffic generated by the proposed development, and concerns there may be frequent instances where the route down through Donavoured would be preferable rather than traversing over via Edradour and down through Pitlochry.
2. Pre-Application Observation: particular attention would need to be made to the visual impact of the development, particularly in relation to the large farm buildings given the elevated nature of the site within the context of the wider landscape.

The proposed location of the house and shed has been carefully considered in order to minimise and visual impact as explained in the 'Design Proposals' section of this design statement. In response to the pre-

application feedback the applicant has commissioned photo-montage images that demonstrate that the proposed development will have negligible visual impact on the wider countryside setting, especially when considered against the context of the visual impact of structures that would be permissible under agricultural permitted development rights (see Appendix C).

3. Pre-Application Observation: a requirement for a supporting statement that provide a very robust justification for the proposed house based on the operational requirements of the business (and the need for someone to live on site 24 hours a day) and is related to a site specific resource or opportunity.
The pre-application submission concentrated on the proposed business requirements of Robertson Fencing Ltd and did not cover the operational requirements of the existing agricultural business of Donavoured Agri. In response to the pre-application feedback the applicant has commissioned a separate report which provides justification that the farming business in itself requires a permanent dwelling in order to effectively manage the agricultural land. Please refer to the accompanying Planning Justification Report prepared by SAC Consulting.

5.00 DEVELOPMENT PROPOSALS



Proposed site plan showing development proposals.

5.01 NEW AGRICULTURAL SHED AND BUSINESS STORAGE FACILITY

The applicant proposes to relocate both the agricultural yard and Robertson Fencing storage facilities from its current temporary location next to Donavours. The proposed business premises and yard will be located to the South East Corner of the existing main tree grouping. This area is currently used for agricultural storage including stacked rolled hay bales as the location is well screened from view, both from the road and from Edradour Distillery.



Proposed Barn Elevations

It is the intention to erect an agricultural shed in this location that will provide the following:

1. An open sided agricultural barn for livestock shelter as well as general covered storage for supplies and equipment related to the farm.
2. Secure storage for high value agricultural supplies and equipment including the specialist fencing and forestry machinery and fencing materials for Robertson Fencing where security and visibility are critical.
3. A covered workshop for ongoing maintenance of vehicles and equipment
4. A small office, accessible staff toilet, showers and welfare facilities to satisfy workplace requirements for staff which is necessary in particular for shift workers. This shall be housed in porta cabin accommodation adjacent to the barn in order to provide flexible staff accommodation and welfare facilities as the business grows.

An open working yard is proposed immediately adjacent to the shed that will be used for the storage of agricultural and forestry products that do not require cover. Surfacing materials to the roads and storage yard areas shall be compacted hardcore to allow SUDs compliant surface water drainage.

The yard and shed will be substantially screened from view by the trees and from the road due to the existing topography of the land. The shed shall be typical agricultural steel framed building, with cladding painted in a recessive colour in order to complement its surroundings. The proposed new barn has a footprint size of 20m wide by 48m long in order to accommodate the required floor area (960m²) for the agricultural shed and secure covered workshop and storage. The proposed height of the barn to the highest point of the roof is 10m to the ridge line.

It should be noted that a max 12m high building of 465m² footprint would be allowable in principal under permitted development guidance for use classes class 18 (agriculture) and class 22 (forestry).

The yard location has been deliberately chosen to be sufficiently remote from residential properties (almost half a kilometre from the settlement at Donavours) so that the operations will not negatively impact dwellings in way of noise or visual amenity. In order to further mitigate the visual impact of the proposed new barn the applicant proposes to transplant the existing mature trees where they are being thinned-out around the proposed manager's house site (see below) along the west boundary of the new yard to help screen the new development when viewed from Donavours and the public road.



Proposed Barn Plan

The photo montage images included in Appendix C demonstrate that the barn building will have negligible visual impact, particularly when compared to the theoretical visual impact of an agricultural building that would be allowable under permitted development.



EXISTING

Photo of existing site taken from road adjacent to Donavourd



PERMITTED DEVELOPMENT

Computer generated photomontage image of theoretic development normally allowable under permitted development for agricultural buildings (based on 15m wide x 30m long x 12m high agricultural barn)



PROPOSED DEVELOPMENT

Computer generated photomontage image of proposed new barn and managers house (based on proposed 20m wide x 48m long x 10m high barn)

Images demonstrate negligible visual impact in the context of the wider landscape.

5.02

NEW MANAGERS HOUSE

As demonstrated in the accompanying report provided by SAC consulting, a new manager's house adjacent to the yard is critical to allow the owner of the business to manage the farmland and livestock as well as overseeing regular Robertson Fencing yard operations outside standard working hours, and also to ensure security of high value plant and materials stored in the yard.

5.02.1

House Location and Orientation:

It is proposed to locate a new modest family home within the existing clearing which forms a defined site bounded by mature trees which will also provide visual screening from the wider landscape (see photomontage images in Appendix C).

The house has been oriented so that the primary side elevation faces due south so that living spaces can benefit from views down the glen whilst maximising sunlight and thermal gain. The main living room is oriented to the north-west gable of the house to benefit from the views towards Pitlochry

5.02.2

Form and Massing

The proposed new dwelling has been designed as a contemporary interpretation of traditional agricultural forms. The main living accommodation is contained in a 'one and three quarter' storey dwelling that follows a simple traditional form, with a pitched roof and generous overhanging eaves that echoes the form of a simple rural barn. The main part of the house has been designed to allow sufficient space for a large family to suit the applicant's potential future requirements. The main living spaces have been arranged on the south and west facing elevations, with generous glazing towards the impressive views and which will maximise natural daylight. A lower single storey wing to the north will help form a small entrance courtyard. This wing shall provide a home working office for both businesses and in future years as a semi-independent a family annex for Mr Robertsons parents in later years.



Proposed site plan showing house in existing clearing.



Form and massing of new house as a contemporary barn.

5.02.3

Materials and Detailing

The house design proposes high quality natural materials with contemporary detailing. Natural larch cladding is proposed to be sourced locally via the applicants supply contacts through his fencing business. The timber cladding will be articulated in a mix of horizontal and vertical boards to help break down the scale and massing of the house, and will be left rough sawn and untreated so that it shall weather to a silvery grey over time and blend in with the woodland setting.

A grey metal standing seam roof will provide a contemporary aesthetic that shall complement the timber cladding whilst respecting traditional forms and detailing.



Massing of house will be broken down by cladding.



Timber cladding and grey standing seam roofing



Precedent images of simple forms with contemporary timber cladding and metal roofing

5.02.4

Sustainable, Low Energy Design

In addition to using local sustainable materials, the applicant is also keen to explore constructing the house as a low carbon pilot project utilising biomass technology powered from coppicing of trees around the farm estate and waste products from the fencing and forestry management business.

5.02.5

Site Servicing

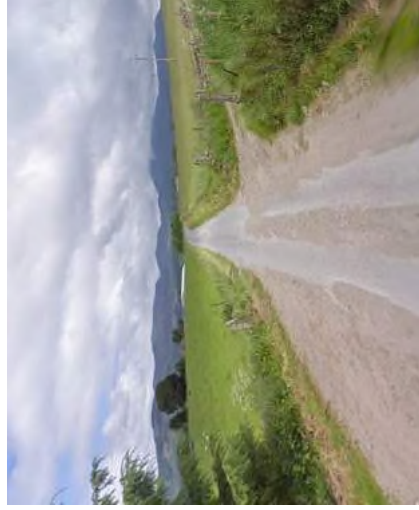
It is proposed that all general refuse and recycling will be dropped off by the applicant in wheeled bins at a collection point located at the upgraded access adjacent to the main road, with bin capacity and collection intervals to suit requirements of PKC Environmental Department. Foul drainage for the new development shall be provided by new septic tanks that shall discharge to soakaways to adjacent land sized to suit ground porosity.

SITE ACCESS AND TRANSPORT STATEMENT

The site location close to the A9 provides a good logistical base for vehicular connection to Perthshire and the North of Scotland which is vital to allow forestry business to expand and grow effectively. Likewise, proximity to Pitlochry will assist in recruiting local employees as the business expands.

The site is served by a minor public road (ZU 165) which links Donavoured with Edradour which in turn connects the A924 to the North and the A9 to the south. It is proposed that the existing vehicular access and agricultural track which serves the tree grouping is retained and upgraded to allow access for the forestry traffic. It is intended that all large vehicles will travel to and from the Edradour side of the public road which is already used regularly for HGVs and coach parties heading to the Distillery.

The applicant has carried out estimates predicted traffic to the new yard for Robertson Fencing Ltd based on where the site teams are likely to be working (please refer to the accompanying Transport Statement prediction prepared by Millard Consulting). Although traffic movement is regular there is a relatively low predicted traffic movement to and from the yard (varying between 20 or 30 visits per week). The Robertson Fencing business operates via satellite sites on a job by job basis all over Central Scotland so most of the time employees are not travelling to the yard on a daily basis. It should also be made clear that the forestry operations side of the business does not involve logging operations nor the transportation and storage of lumber, so the frequency of HGV transport to and from the new site will be minimal.

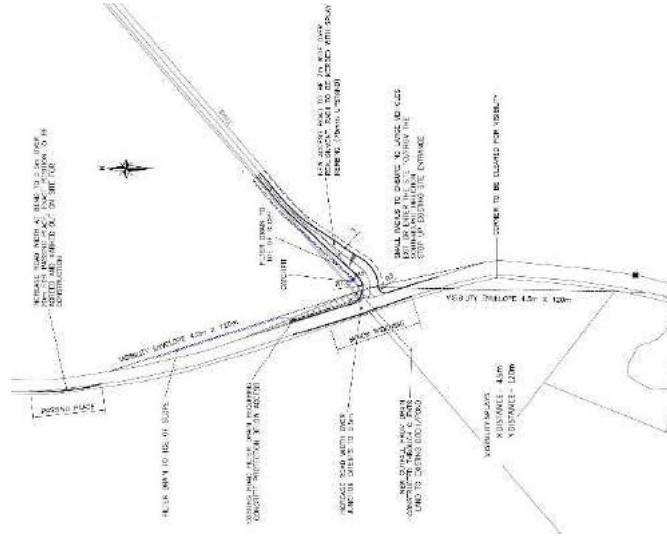


Existing vehicular access (approaching from South)

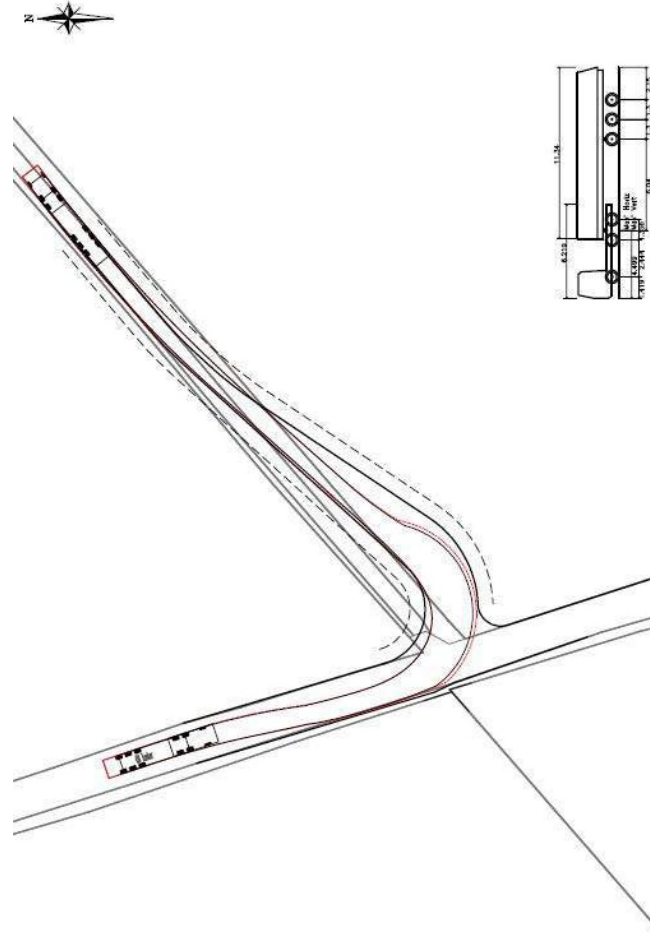


Existing vehicular access to proposed site (approaching from North) – existing agricultural track runs the other side of the stone dyke

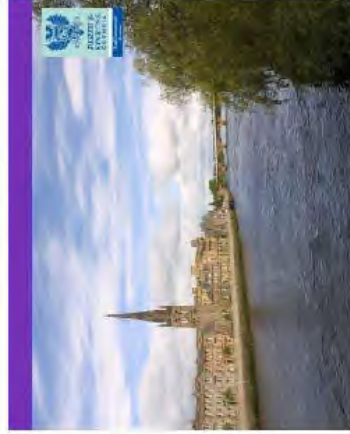
Following direct consultation between the applicant's transport consultant Millard Consulting and Perth and Kinross Council's Roads Department, designs for an improved access arrangement to the existing vehicular access track has been developed, along with proposed mitigation measures such as additional laybys to ensure that the development shall not compromise the road networks current capacity (the accompanying Transport Statement provides detailed analysis in this respect). The geometry of the proposed upgraded access has been carefully considered and designed to discourage HGV and other large vehicles from turning left when exiting the site, as well as improving site visibility lines and implementing the necessary track upgrading.



Improved access to existing track will meet roads dept requirements in terms of visibility and capacity



Vehicle access geometry will encourage traffic to turn right towards Edrabort and prevent large HGV vehicles from turning left towards Donavours when leaving the site



Perth & Kinross Council
Local Development Plan

Adopted 3 February 2016



6.00 PLANNING POLICY

The proposals have been conceived and carefully considered in order to be compatible with the key Local Development Plan policy guidance, and after considering these in relation to the site and wider landscape setting.

The bullet points below demonstrate how the proposals meet the relevant policy (policy extract quoted in inverted commas):

6.01 Policy ED3 – Rural Business and Diversification

Policy ED3 states the following:

"The Council will give favourable consideration to the expansion of existing businesses and the creation of new ones in rural areas. There is a preference that this will generally be within or adjacent to existing settlements. Sites outwith settlements may be acceptable where they offer opportunities to diversify an existing business or are related to a site specific resource or opportunity. This is provided that they will contribute to the local economy through the provision of permanent employment, or visitor accommodation, or additional tourism or recreational facilities, or involves the re-use of existing buildings"

The proposals are consistent with this policy as follows:

- **Robertson Fencing Ltd is an established business which has diversified into forestry ground preparation and other agricultural operations in order to consolidate recent growth and expand further in future. Donavoured Agri is one such diversification that is related to the site specific farming resource at Donavoured and has been established for over 9 months since being set up in November 2016.**
- **Alternative sites have been explored within or adjacent to settlements, but these are not suitable for the reasons stated above**
- **The proposed site at Donavoured offers a location that is critical in order to provide the opportunity for the business to diversify further and provide additional permanent employment in the area as a result.**

The proposals also meet the additional relevant criteria of policy ED3 as follows:

"All proposals will be expected to meet all the following criteria:

(a) The proposed use is compatible with the surrounding land uses and will not detrimentally impact on the amenity of residential properties within or adjacent to the site.

- **The proposed agricultural/woodland site is perfectly compatible with both business uses and has been specifically chosen so as to be far enough detached from residential properties so as not to detract from their amenity.**

- “(b) The proposal can be satisfactorily accommodated within the landscape capacity of any particular location.
- **The new building and yard locations have been situated so that existing topography and tree cover will screen and accommodate the proposed new agricultural buildings. This has been demonstrated on the accompanying photomontage images that help illustrate the negligible visual impact**
- “(c) The proposal meets a specific need by virtue of its quality or location in relation to existing business or tourist facilities.
- **There is a specific need for Donavoured Agri to manage the farmland and for the Roberson Fencing business to be located close to the A9 as well as being situated in a rural location away from residential settlements. The proposed site at Donavoured therefore meets these requirements.**
- (d) Where any new building or extensions are proposed they should achieve a high quality of design to reflect the rural nature of the site and be in keeping with the scale of the existing buildings.
- **As illustrated elsewhere in this statement, both the new house and proposed barn have been carefully considered and are of a high quality, sustainable design in particular for the proposed new manager’s house.**
- (e) The local road network must be able to accommodate the nature and volume of the traffic generated by the proposed development in terms of road capacity, safety and environmental impact.
- **The accompanying Transport Statement demonstrates that with the implementation of several simple mitigation measures as part of the development this shall ensure that the road network can accommodate the proposals in terms of capacity and necessary safety requirements.**

6.02

Policy PM1 - Placemaking

Policy PM1A states the following:

- “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 adaptation. The design, density 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 appropriate to the local context and the scale and nature of the development.”
- **The proposed development has been deliberately sited to as to be remote from the local settlement so as not to impact on the amenity of the place, with the location chosen screened by trees and the topography. The siting and design of the proposed barn and low energy managers home have been carefully considered so as to respect the character of the local rural context as illustrated elsewhere in this statement.**

Policy PM1B: The proposals also satisfy the relevant placemaking criteria under PM1B as follows:

"All proposals should meet all the following placemaking criteria:

"(b) Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area.

- **As described above the positioning of the new buildings have been carefully considered to be screened from view within the context of the wider landscape character.**

"(c) The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.

- **The proposed size of the barn is only marginally larger than would be allowed by permitted development under relevant use classes, which is necessary in order to provide the covered floor area required for livestock shelter, agricultural equipment and materials, a covered workshop and storage of fencing materials and plant. The barn will be a typical agricultural steel framed building, with cladding painted in a recessive colour in order to complement its surroundings.**

"(f) Buildings and spaces should be designed with future adaptability in mind wherever possible.

- **The proposed buildings have been designed to be of sufficient size to allow for future expansion of the business in terms of office space, employee welfare and plant storage. The manager's house shall be designed to current building standards in terms of accessibility and long term flexibility for the occupants.**

6.03 **Policy RD3 – Housing in the Countryside**

"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. **(not applicable)**

(b) Infill sites. **(not applicable)**

(c) New houses in the open countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance.

- **The proposed manager's house will fall into Category 3 (3.3 Economic Activity) under Section 3 of the Housing in the Countryside Supplementary Guidance.**

The house will be occupied by Mr Robertson and his family, as it is vital to the continued operation of the business that the owner lives adjacent to the farm and business premises to allow him to effectively monitor livestock and efficiently manage operations which regularly happen outside normal working hours. Furthermore, due to the storage of expensive specialist plant and high value materials in the yard it is critical that there is a permanent on-site presence by the owner for the purposes of security.

(d) Renovation or replacement of houses. **(not applicable)**

- (e) Conversion or replacement of redundant non-domestic buildings. **(not applicable)**
- (f) Development on rural brownfield land". **(not applicable)**

Furthermore, the proposed new managers house can be located and designed to be compliant with the other Criteria specified under Category 3:

"Siting Criteria

Proposals for a new house falling within category 3 above will require to demonstrate that if when viewed from surrounding vantage points, it meets all of the following criteria:

a) it blends sympathetically with land form;

- **The house will be located within an existing clearing in the established tree grouping identified for development, therefor being largely concealed from view thus blending with the land form, as further demonstrated by the photo montage images included in Appendix C.**

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

- **As noted above the tree grouping will both screen and form a backdrop to the proposed new dwelling from all sides.**

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 (e.g. a dry stone dyke, a hedge at minimum height of one metre, a woodland or group of mature trees, or a slope forming an immediate backdrop to the site). 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;

- **The proposed site is clearly definable within an established grouping of mature mixed woodland and therefore meets this criteria.**

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

- **The new house will be largely hidden from view, being screened on all sides by existing mature trees which also act as a backdrop to the new dwelling and will therefore have no detrimental impact on the wider countryside setting.**

7.00 CONCLUSION

Robertson Fencing Ltd represents a success storey as a modest rural business that have diversified and expanded with the resulting employment benefits to the wider community. They have now out-grown their previous premises in Rannoch which are no longer fit for purpose. The absence of a workshop and undercover store in the past has been a limiting factor and put strain on the business. This combined with the remote location means it is critical to the continued development of the company that suitable new premises are secured.

Donavourd Agri is a further diversification of Mr Robertson's business into farming the land at Donavourd and will help broaden his business interests for a more sustainable business portfolio for the future, and help secure long term employment opportunities within both businesses. As established in this statement along with the other justification reports which accompany this application, a permanent dwelling on site, along with the associated shed buildings are essential to the operation and management of both businesses and critical to the continued economic growth of Donavourd Agri and Robertson Fencing.

This supporting statement demonstrates that the proposed site at Donavourd meets all the economic requirements whilst satisfying all the key planning policy criteria, and the accompanying proposals address all the pre-application observations made by Perth and Kinross Planning Department. The applicant would therefore ask that Perth and Kinross Council approve the accompanying application to allow the continued expansion and diversification of a successful rural businesses in order that it can continue to contribute to the local economy.

APPENDIX A

Aerial Photograph 1

Proposed site viewed from South West



Aerial Photograph 2

Proposed site viewed from South with settlement of Donavoured at bottom of picture



Aerial Photograph 3

Proposed site viewed from South East corner with Edradour Distillery in background

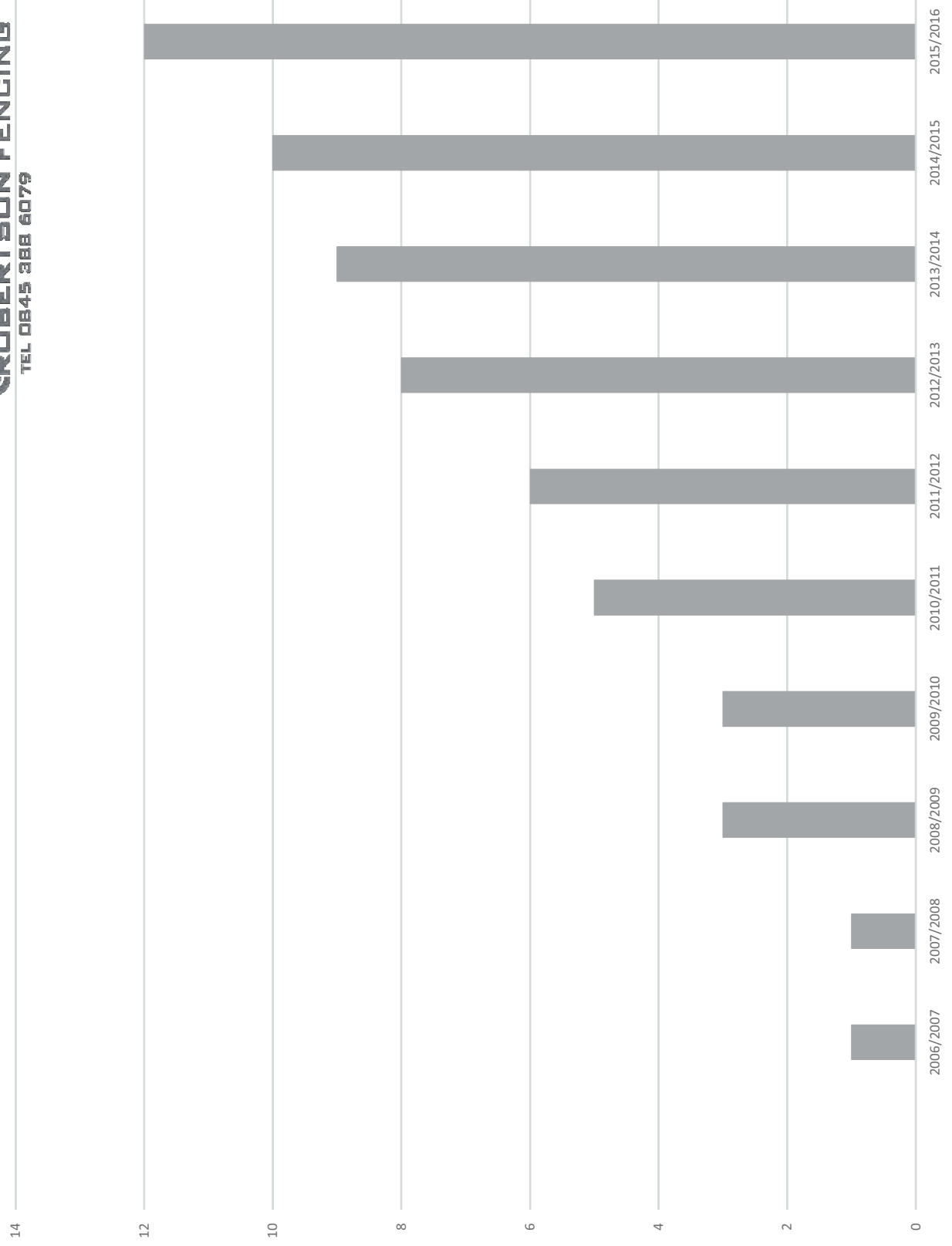


Aerial Photograph 4

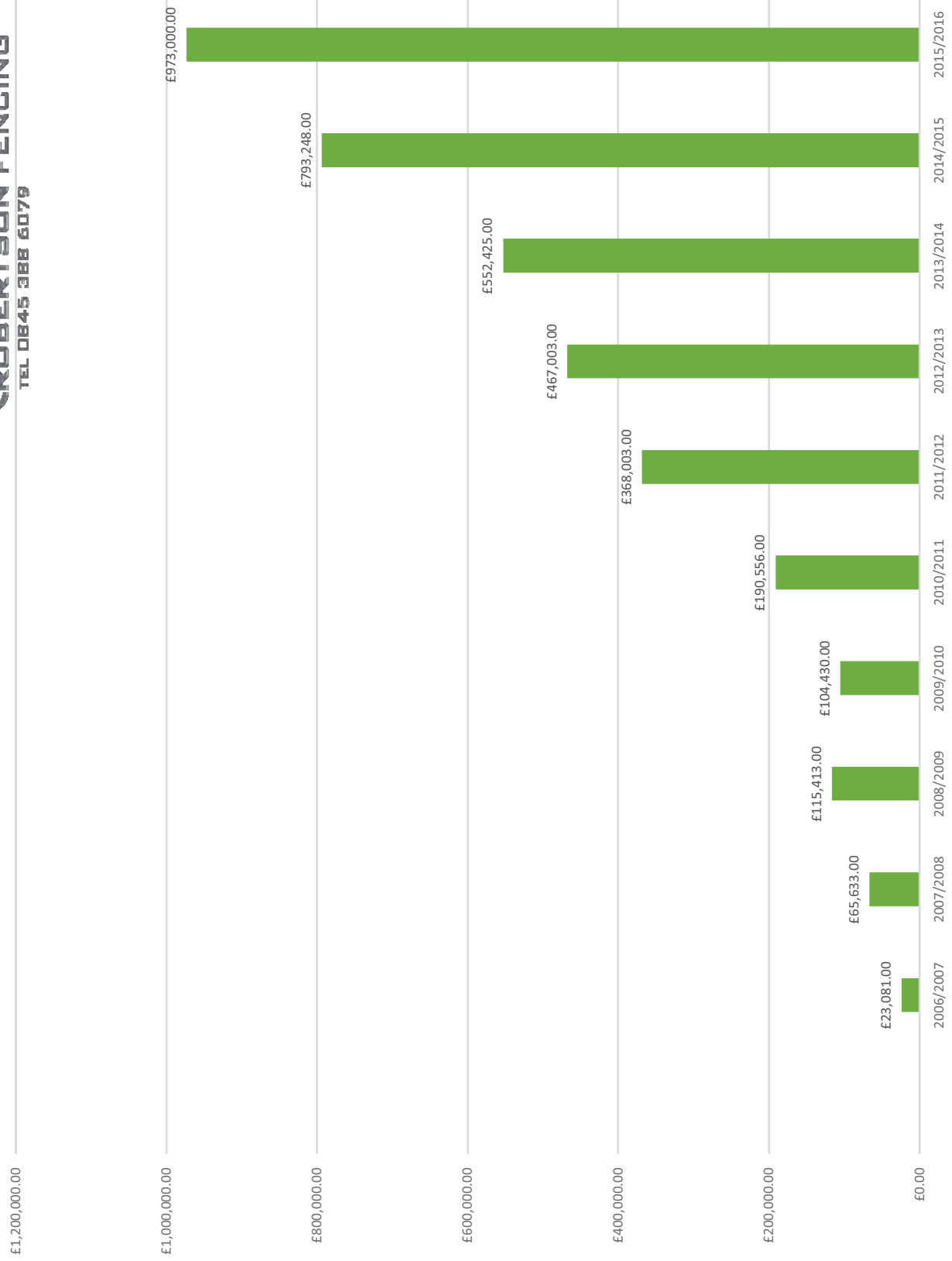
Proposed site showing existing woodland clearing viewed from above



EMPLOYEES

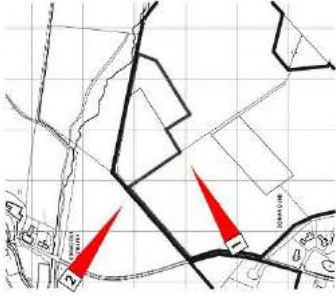


TURNOVER





view 1



view 2

APPENDIX C1

Photographs of Proposed site

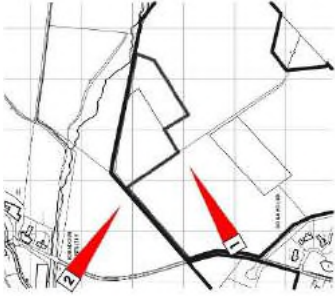
AS EXISTING

View 1 – From Donavoured

View 2 – From Edradour



view 1



view 2

APPENDIX C2

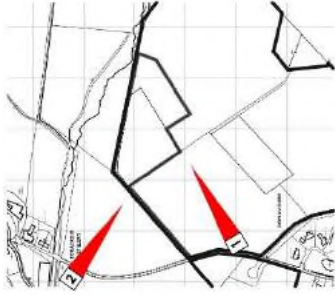
Images of Theoretic extent of
Agricultural Development
**AS ALLOWED BY
PERMITTED DEVELOPMENT**

View 1 – From Donavoured

View 2 – From Edradour
(development fully concealed from view
as indicated by blue outline)



view 1



view 2

APPENDIX C3

Images of
PROPOSED DEVELOPMENT

View 1 – From Donavoured

View 2 – From Edradour
 (development fully concealed from view
 as indicated by red outline)

CONTACT DIRECTORY

Client/Applicant

Mr Robert Robertson
Robertson Fencing Ltd
c/o Lochruinne
Rannoch
By Pitlochry
PH17 2QP

Architect

McKenzie Strickland Associates
159 Dunkeld Road
Perth
Perthshire PH1 5AU

t: 01738 445 983
e: info@msa-architects.com
www.msa-architects.com



e: info@msa-architects.com

W: www.msa-architects.com

Perth Office: 159 Dunkeld Road, Perth PH1 5AU

T: 01738 445 983

Aberfeldy Office: 23 Bank Street, Aberfeldy PH15 2BB

T: 01887 829 228



Millard

More than civil engineers



**Agricultural Shed and Business
Storage Facility with Associated
Managers House at Donavoured,
Near Pitlochry**

Transport Statement

14167/KP/468A

September 2017

**AGRICULTURAL SHED AND
BUSINESS STORAGE
FACILITY WITH ASSOCIATED
MANAGERS HOUSE AT
DONAVOURD, NEAR
PITLOCHRY**

TRANSPORT STATEMENT

SEPTEMBER 2017

DOC REF: 14167/KP/468A

Proposed Forestry Shed for Offices and Managers House at Donavoured, Near Pitlochry

TRANSPORT STATEMENT

SEPTEMBER 2017

REPORT REFERENCE: 14167/KP/468A

CLIENT: Rab Robertson

ENGINEER: Millard Consulting
Seabraes
18 Greenmarket
Dundee
DD1 4QB

Tel: 01382 227 380
Fax: 01382 204149

Report Prepared By:

.....
Ken Pirie BEng MSc CEng MICE MCIHT

Report Checked By:

PP
Mark Pirie BEng CEng MICE MaPS

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Our Ref: KP/FLM/14167

14th September 2017

FAO Rab Robertson
c/o McKenzie Strickland Associates
159 Dunkeld Road
Perth
PH1 5AU

Dear Sirs,

**TRANSPORT/ACCESS STATEMENT – AGRICULTURAL SHED AND BUSINESS STORAGE FACILITY
WITH ASSOCIATED MANAGERS HOUSE AT DONAVOURD, NEAR PITLOCHRY**

Millard Consulting have been appointed by Rab Robertson to provide transport and access advice for the above development proposal. The specific purpose of this report is to address comments from Perth & Kinross Council on transport/access concerns during pre-application discussions.

Brief

Pre-application advice on the development proposals was received on 19th April 2017 from the Planning Officer. Part of the transport/access advice provided required that for all proposals it had to be demonstrated that ***“the local road network must be able to accommodate the nature and volume of the traffic generated by the proposed development in terms of road capacity, safety and environmental impact.”***

The main concern was that ***“the existing local road network in this area is quite poor”*** and there were ***“some reservations regarding the local road network ability to accommodate the nature and volume of the traffic generated by the proposed development.”***

The proposals indicated that the preferred route would be in the direction of the Edradour Distillery and down through Pitlochry. Concerns were raised by the Council that limiting traffic movements along the preferred route and not via the opposite direction down through Donavoured could not be controlled by condition.

Another concern raised was that the levels of traffic generated by the development will continue to increase as the business continues to grow at its current rate.

In order to both consider the concerns raised by the Council during the pre-application discussions and to specifically address these issues we proposed to undertake the following scope of works:

- Consider the type and size of vehicles generated by the new development;
- Review the trip generation rates anticipated to arise as a consequence of the development proposals;
- We would undertake a visual route survey along both potential access/egress corridors to the site;
- We would review potential safety improvements which could be undertaken along both access corridors and also to the existing private access which currently serves the development site;
- We would review the standard of the existing private site access and prepare suitable access arrangements for the development traffic including adequate visibility standards which would be acceptable to the Council;
- We would also review existing clients operations in and around the general vicinity of the site and report on our findings;

Good practice generally involves early discussions on the considerations and brief to determine an agreed scope of works. In this instance it was agreed with representatives of the roads development team that a joint site meeting would be extremely useful. A summary of the subsequent meeting is contained as a separate subsection to this report.

Site Description

The development site nestles between the Edradour Distillery to the North-West and the small settlement of Donavourd to the South-West. A site location plan has been enclosed in Appendix A. The site is currently served by a private track which connects onto the minor public road (ZU 165) linking Edradour with Donavourd. The site access sits a few hundred metres from the settlement of Donavourd. The condition of the site access onto this road is sub-standard and does not meet current design guidelines. A photograph of the existing site access is enclosed in Appendix B.

Surrounding the site is mainly greenfield agricultural land which our client currently manages.

Edradour Distillery also lies only a few hundred metres to the North-West of the development site. Following the route from Edradour to Pitlochry, which lies to the East, via the A924 which runs through Moulin, the distance from the site to Pitlochry is approximately 4 KMs.

Development Proposals

The applicant's current business was historically located in Kinloch Rannoch but was recently relocated in early 2017 to a temporary yard adjacent to Donavoured, however business growth needs requires new facilities which are more accessible to/from the A9 improving vehicular connections to Perthshire and the North of Scotland.

The development proposals include relocating the current business premises and yard within an existing tree grouping which can be served by the current private access, subject to improvements. The site is currently used for agricultural storage. The development will comprise of a new agricultural shed which will provide secure storage for fencing products; forest machinery; livestock and agricultural supplies/storage; a covered workshop for vehicle maintenance. A small office, staff toilets, showers and welfare facilities will be accommodated in porta cabins adjacent to the shed.

An open yard will be constructed adjacent to the shed for storage of both agricultural and forestry plant.

Proposals also include a new manager's house adjacent to the yard mainly for management of the farm and livestock as well as security cover for Robertson Fencing.

Access Route Survey Assessment

Prior to opening discussions with the Council's highway representatives a visual appraisal of the existing site access and the potential two access/egress routes used to serve the development was undertaken earlier in June 2017. The existing un-made site access serves a vehicular and agricultural track. The track rises at a reasonable gradient upto the proposed site. The architect's site proposal plan layout, enclosed in Appendix C, indicates the existing private track will be upgraded to a standard suitable for forestry vehicles. The track will be extended along the Northern side of the copse of trees to serve the new yard and shed. The proposed manager's house will be served off a private track to provide its own access. The access itself onto the ZU 165 corridor is also un-made with sub-standard visibility and also junction geometry. Currently used by

agricultural vehicles the access has no known accident history. Existing traffic volumes along the ZU 165 route in the vicinity of the site access are extremely light as would be expected from such a minor class route.

A survey of the route from the site access to the South-West through Donavoured and along General Wades Military Road before connecting onto the A9 highlighted many concerns. The route itself is quite convoluted with significant sections having sub-standard highway width. Forward visibility is also extremely poor creating dangerous driving conditions. The access onto the A9 is to design standard however the development traffic would in the main require to cross the A9 to head Northwards. With a sub-standard and central reserve at this location on the A9 the crossing of this corridor by slow moving forestry vehicles will create an environment for road accidents as inadequate refuge is available to protect this type of vehicle.

The route to the North-West of the site access was also surveyed. As Edradour Distillery attracts a significant volume of both service HGV's and tourist coach parties to and from Pitlochry via the A924 this section of the route was not surveyed as it was considered suitable for its current use. Only a few hundred metres of the route from the site access to Edradour Distillery was therefore surveyed. The route itself was considered to be suitable in width however between both locations there was one pronounced section with sub-standard forward visibility.

In summary we can report that the route via Edradour is considered appropriate to serve the type and volume of vehicles generated by the proposed development. In contrast to this however, the route through Donavoured was considered to be unsuitable and potentially hazardous for HGV and larger vehicles.

Development Trip Generation Rates

All of Robertson Fencing services are carried out on sites quite distant from the proposed development. Although general employment concentrates on specially trained local employees the sites where services are provided are on civil engineering projects such as powerlines; hydro schemes and wind farms all of which are generally located on highland estates outwith the proposed development site.

Over the last 10 years there has been a significant increase in employees from sole practitioner upto 12 in 2015/2016. This has resulted in the existing facilities, which are generally used for storage of plant and materials being insufficient in scale in relation to the business size. In the main the plant comprises of fencing machinery, excavators, fencing ploughs, modified tractors and crawlers which require secure under cover protection. With the planned business growth there will become a requirement for additional permanent,

local staff. The centralized based, with good access to the A9, will provide the business with an opportunity to serve the whole of Scotland more efficiently.

Company operations regularly require services to be provided out of normal office hours with shift workers starting at dawn and not returning until late at night. The transporting of employees is generally undertaken by van and in most instances they travel straight to site rather than to the yard on a daily basis. Also on many occasions forestry plant is also left on the working sites overnight.

Forecasts from the applicant predict relatively low traffic movements to/from the site. A general schedule of predicted movement as supplied by the applicant is enclosed in Appendix D. The 4 week forecast implies that the weekly movements will range from between 18 and 32 two way trips (36 to/from site up to 64 trips to/from site) albeit the applicant himself will reside onsite and will only egress and access the site once per day. Generally on a 4 week cycle there will be four fixed bed lorry deliveries; two artic lorry deliveries and two large van deliveries which is sufficient for their business requirements. In summary therefore the predicted trip generation rates on a daily basis will be extremely light and likewise traffic volumes on the ZU 165 are also light so lack of traffic capacity will not be a concern.

Although the business plan is to grow the business the very nature and operational procedures will still apply in that the majority of employees will still go straight to site and directly home.

The applicant also has planning permission for a temporary yard virtually across from the proposed site access. The storage yard is fully functional and has been for some time now which indicates that the road network adequately accommodates both forestry plant as well as service delivery vehicles. There have also been no accidents recorded along the preferred route via Edradour Distillery over the last few years which implies this route currently operates adequately.

Site Meeting with Council Representatives

Initial discussions were held with Niall Moran, Transport Planning Officer from Perth & Kinross Council. Niall's concerns arising from the initial discussions centred around adequate road widths, suitable passing places and the suitability of the proposed routing. Niall also had queries over the anticipated traffic generation rates. It was agreed that it would be best to arrange a site meeting as we explained that we had already undertaken a

route survey and the proposals and access to/from the site were not as onerous as we had first predicted. The site meeting took place on 28th June 2017 and Niall was accompanied by Brian Milne, Roads Inspector for the Council. We also arranged for the applicant to be available.

Initially discussions took place over trip generation rates arising from the proposed development. We discussed in detail the operational structure of the business including the fact that they do not undertake logging works and hence there was no requirement for logging HGV's. The applicant also explained that most of his employees and plant are based on-site for a number of weeks at a time with employees going directly to the site. As and when additional plant was required they would be taken from the storage yard. The storage yard was also used for maintenance of the plant from time to time. The applicant also made Niall aware of the fact that there was already a temporary yard adjacent to the site access where it could visually be inspected to review the level of material supplies and plant requirements for storage. The applicant also discussed in detail the delivery/supplier requirements for the business. Only one delivery every two weeks was necessary by HGV for the timber supplies and smaller vehicles each week for other fencing supplies. Niall was appreciative of the business operational procedures especially with the majority of the working sites being distant from the proposed development. Niall also took comfort in the fact that there was also an operational yard in place and movements to/from the yard had been accommodated onto the existing road network without any complications.

Discussions then took place on improving safety as it was still possible to use the more tortuous route to the A9 via Donavoured. The applicant appreciated this however it was made clear that the current and preferred route was via Edradour Distillery and down through Pitlochry onto the A9 via the A924. Whilst we appreciate the Council's and Niall's specific concerns that movement limited to/from Edradour cannot be dismissed or controlled by condition, we highlighted however that this could be controlled through junction design by alignment of the site access in the direction of Edradour making it virtually impossible for plant and supplier vehicles to turn onto the route down through Donavoured due to the swept path limitations. This was acceptable to Niall and he could envisage how this could be controlled subject to appropriate access design.

Visibility standards were also discussed and it was agreed that 4.5m x 120m visibility envelopes would be required in each direction. To the North-West towards Edradour the provision of such a splay would require control over part of the field opposite the adjacent track. The applicant confirmed that this would not be an issue as he has an agreement to obtain further land from the owner if required. It was generally agreed by all parties that in that instance appropriate visibility splays could be achieved. To the South-West towards Donavoured the visibility envelope would require control over land across the road from the site access. Some of this land would also have to be cleared to provide the required visibility. The applicant also confirmed that

this was possible as he owned this land himself and if conditioned through planning then such a condition could be satisfied.

It was also agreed to walk part of the route to Edradour from the site access to review the suitability of the route for such traffic arising from the development. There is only one significant bend between the site and Edradour Distillery as the rest of the route is virtually straight. It was agreed that only a walk over survey up to the bend would be required. It was also agreed that the existing route from Edradour down to Pitlochry would be sufficiently adequate to accommodate site development traffic given its current use for two way traffic to and from the Distillery which in the main comprises of HGV delivery vehicles as well as tourist coaches.

It was also noticeable that traffic speed in the vicinity of the site access on ZU165 was very low indeed which reduced the sensitivity towards potential accidents. The walk over survey mutually agreed that the existing road width was sufficiently adequate to accommodate development traffic. The only improvement which was required was the construction of an additional passing place on the bend between the site access and Donavoured.

Brian Milne also raised the point that this area was subject to flooding due to a previous land owner blocking up an existing culvert during construction works. This was only identified following investigation by the Council. It was agreed that the applicant could improve the situation by constructing filter drains along the foot of the visibility splay to the North-West where the catchment area for surface water runoff is quite significant as the slope to the East of ZU 165 is quite pronounced. The new filter drain would also be continued along part of the access track to limit any surface water runoff. We advised that surface water from this filter drain could be controlled by providing a new outfall across the ZU 165 onto land controlled by the applicant. There is an adjacent ditch as identified on our site access plan which issues to the South-West of the site access. This was agreed by all parties as being an appropriate improvement to the existing situation albeit the discharge location would have to be agreed with the Council's flooding team. In summary, the proposals and improvements were found to be acceptable to the Council which would alleviate all of their concerns subject to suitable access layouts being provided.

Proposed Access Layout

We have prepared a proposed access layout plan, as enclosed on Appendix E, which indicates the visibility splay requirements; alignment of the site access to route traffic to/from the preferred direction of Edradour; filter drains as required and also the new passing place on the bend as requested by the Council.

In addition to the access improvements we have also considered vehicle tracking in/out of the access and carried out swept path analysis, as enclosed in Appendix F, which demonstrates that the access will accommodate design vehicles adequately.

Conclusions

It can be concluded that the site traffic generated by the proposals will not have a significant impact on the existing highway network. Appropriate site access and off-site improvements can be provided as agreed by Council Officers to an acceptable standard. Site access layout can be provided to direct traffic to/from the preferred route via Edradour. Site access arrangements can also accommodate site vehicles as demonstrated by swept path analysis. We can therefore conclude that initial concerns raised by the Council on highway issues can be satisfactorily addressed to a level which has confirmed to be acceptable by the Council's Roads Department.

- Appendix A - Site Location Plan
- Appendix B - Existing Site Access Photograph
- Appendix C - Architects Site Proposals Plan
- Appendix D - Applicant Predictions for Site Trip Generation Movements
- Appendix E - Proposed Site Access Plan and Highway Improvements
- Appendix F - Swept Path Assessment of the Improved Site Access

Yours Sincerely,



Kenneth Pirie
Managing Director

Enc.

APPENDICES

APPENDIX A
Site Location Plan

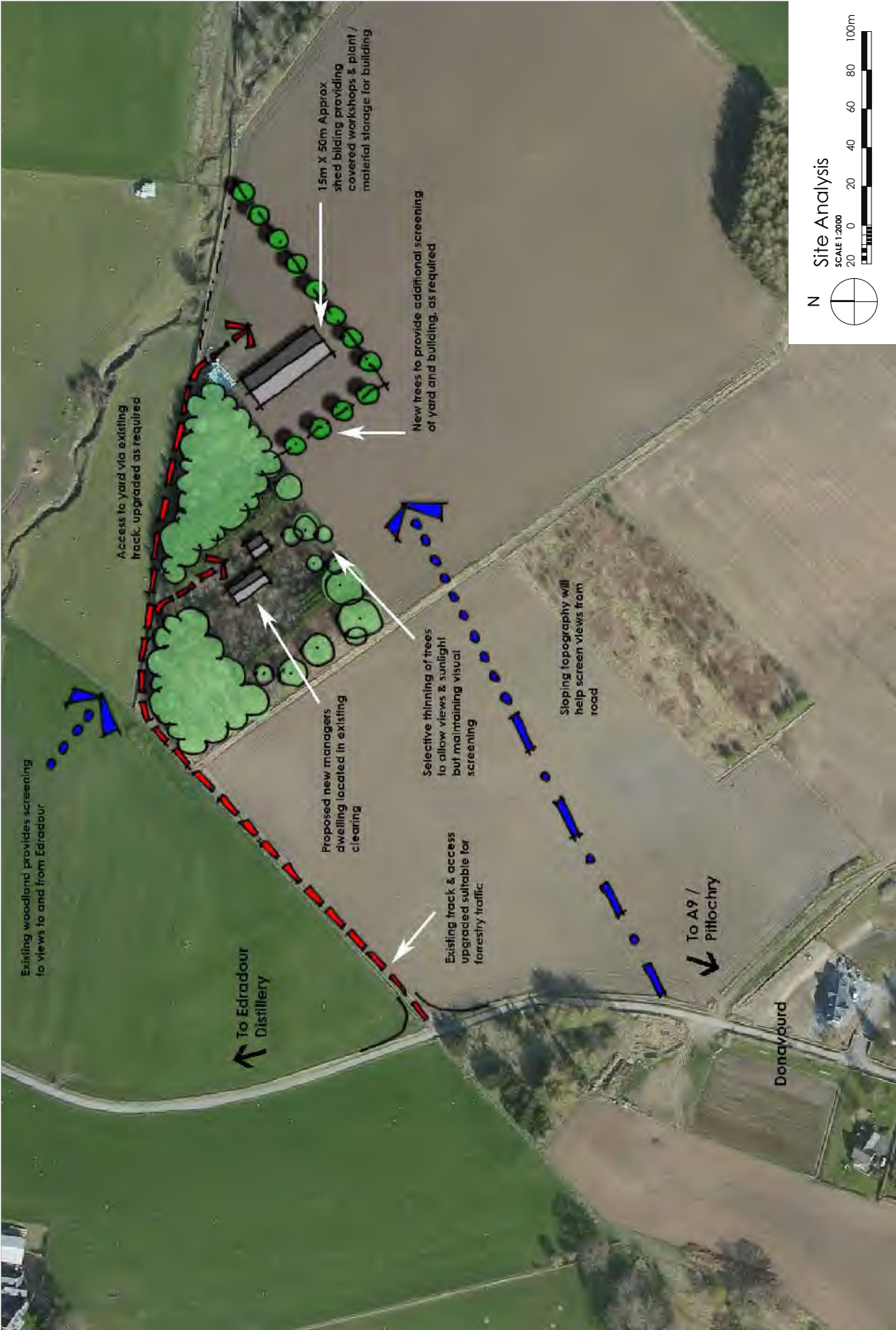
APPENDIX B

**Existing Site Access
Photograph**



APPENDIX C

**Architects Site Proposals
Plan**



		McKenzie Strickland Associates 23 Bank Street, Aberfeldy PH15 2BB. T: 01837 829 228		e: info@msa-architects.com 159 Dunkeld Road, Perth, PH1 5AS. T: 01738 445 983		All Contents Copyright All Rights Reserved 21 Cornie Street, Crief PH7 4AX. T: 01764 910 410	
JOB TITLE:							
1079 - Donavoured							
DRAWING TITLE:		SCALE:		DRAWING STATUS:		DRAWN BY:	
Site Analysis		1:2000 @A3		Sketch		KW	
DRAWING NUMBER:		REVISION:		DATE:		CHECKED BY:	
1079(SK)02				07/03/2017		JR	

APPENDIX D

**Applicant Predictions for
Site Trip Generation
Movements**

Monday	RR RR	AM PM	4x4 Truck 4x4 Truck
Tuesday	RR RR AD SUPPLIER 1	AM PM PM PM	4x4 Truck 4x4 Truck 4x4 Truck Fixed Bed Lorry
Wednesday	RR RR	AM PM	4x4 Truck 4x4 Truck
Thursday	RR AD SUPPLIER 2	AM AM PM	4x4 Truck 4x4 Truck Fixed Bed Lorry
Friday	RR AD RW RR	AM AM AM PM	4x4 Truck 4x4 Truck 4x4 Truck 4x4 Truck
Saturday	RR RR	AM PM	4x4 Truck Tractor
Sunday	AD	PM	4x4 Truck
NUMBER OF VISITS PER WEEK			18

Monday	RR RW ZW RR LH	AM AM AM PM PM	4x4 Truck 4x4 Truck Van 4x4 Truck Tractor
Tuesday	RR RW ZW RR	AM AM AM PM	4x4 Truck 4x4 Truck Van 4x4 Truck
Wednesday	RR RW ZW RR AD	AM AM AM PM AM	4x4 Truck 4x4 Truck Van 4x4 Truck 4x4 Truck
Thursday	RR RW ZW SUPPLIER 3	AM AM AM PM	4x4 Truck 4x4 Truck Van Artic Lorry
Friday	RR RW ZW RR SUPPLIER 4	AM AM AM PM PM	4x4 Truck 4x4 Truck Van 4x4 Truck Large Van
Saturday	RR RS LH	AM AM AM	4x4 Truck 4x4 Truck Tractor
Sunday	AD RR	PM PM	4x4 Truck 4x4 Truck
NUMBER OF VISITS PER WEEK			28

WEEK 3 Fencing and Mounding Teams All Working Outwith Area

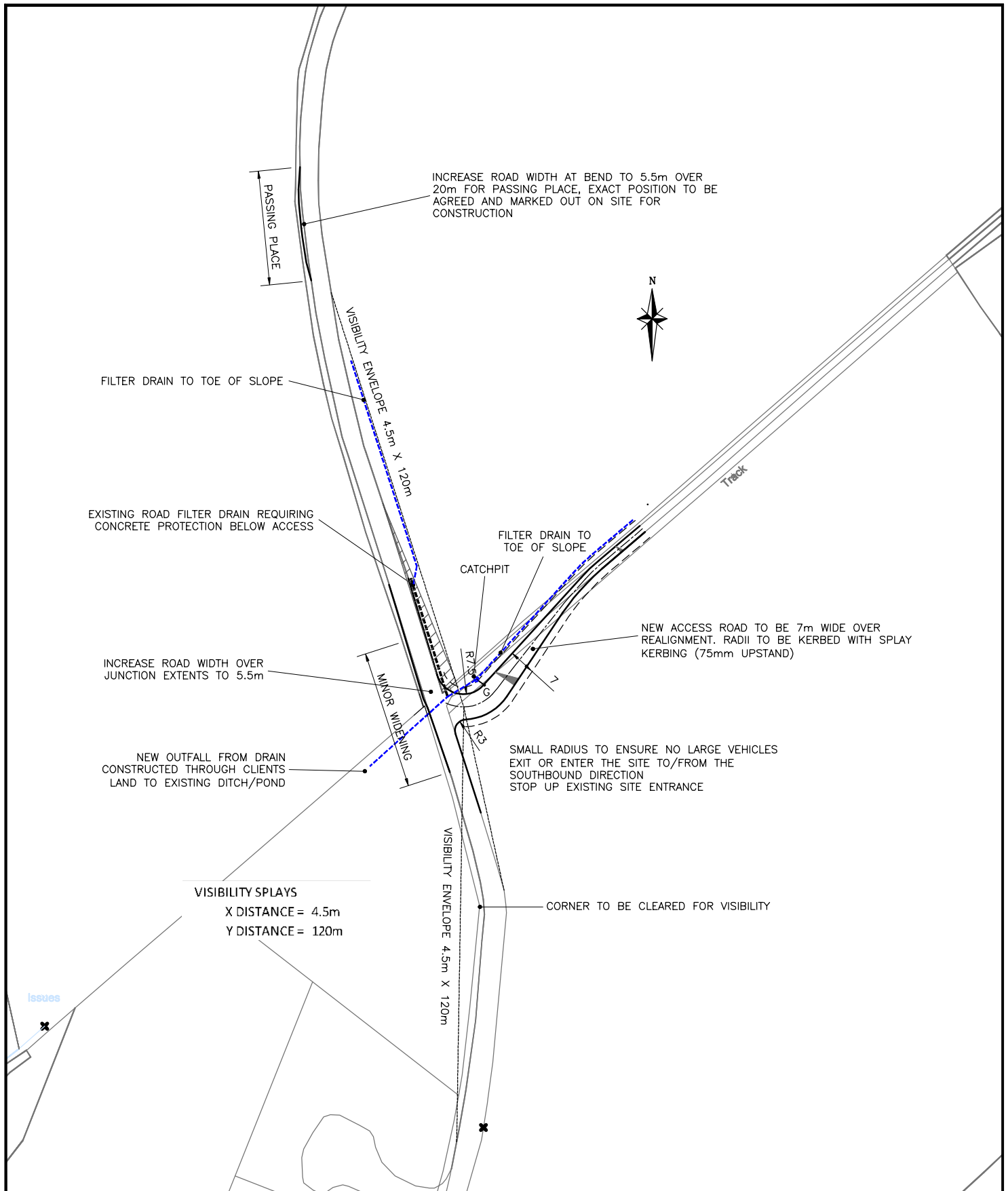
Monday	Team Member	Time	Type
	RR	AM	4x4 Truck
	RR	PM	4x4 Truck
	SUPPLIER 1	PM	Fixed Bed Lorry
Tuesday	RR	AM	4x4 Truck
	RR	PM	4x4 Truck
	AD	PM	4x4 Truck
Wednesday	RR	AM	4x4 Truck
	RR	PM	4x4 Truck
Thursday	RR	AM	4x4 Truck
	AD	AM	4x4 Truck
	SUPPLIER 2	PM	Fixed Bed Lorry
Friday	RR	AM	4x4 Truck
	AD	AM	4x4 Truck
	RW	AM	4x4 Truck
	RR	PM	4x4 Truck
Saturday	RR	AM	4x4 Truck
	RR	PM	Tractor
Sunday	AD	PM	4x4 Truck
NUMBER OF VISITS PER WEEK			19

WEEK 4 Both Fencing Teams Working Near Yard

Monday	Team Member	Time	Type
	RR	AM	4x4 Truck
	AD	AM	4x4 Truck
	RW	AM	4x4 Truck
	ZW	AM	Van
	RR	PM	4x4 Truck
	LH	PM	Tractor
Tuesday	RR	AM	4x4 Truck
	AD	AM	4x4 Truck
	RW	AM	4x4 Truck
	ZW	AM	Van
	RR	PM	4x4 Truck
	RR	PM	4x4 Truck
Wednesday	RR	AM	4x4 Truck
	AD	AM	4x4 Truck
	RW	AM	4x4 Truck
	ZW	AM	Van
	RR	PM	4x4 Truck
	LH	PM	Tractor
Thursday	RR	AM	4x4 Truck
	AD	AM	4x4 Truck
	RW	AM	4x4 Truck
	RR	PM	4x4 Truck
	SUPPLIER 3	PM	Artic Lorry
Friday	RR	AM	4x4 Truck
	AD	AM	4x4 Truck
	RW	AM	4x4 Truck
	ZW	AM	Van
	RR	PM	4x4 Truck
	SUPPLIER 5	PM	Large Van
Saturday	RR	AM	4x4 Truck
	RS	AM	4x4 Truck
	LH	AM	Tractor
Sunday	AD	PM	4x4 Truck
	RR	PM	4x4 Truck
NUMBER OF VISITS PER WEEK			32

APPENDIX E

**Proposed Site Access
Plan and Highway
Improvements**



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REV	AMENDMENT DETAILS	DRAWN	APPROVED	DATE

PROJECT PROPOSED FORESTRY SHED FOR OFFICES & MANAGERS HOUSE AT DONAVOURD, NEAR PITLOCHRY	DESIGNED BY CB	DRAWN BY CB	SCALE 1:1000
	CHECKED BY DK	APPROVED BY DK	
DRAWING TITLE ACCESS LAYOUT BELLMOUTH MINIMISATION	DRAWING STATUS PRELIMINARY		DATE SEP '17
CLIENT McKENZIE STRICKLAND ASSOCIATES	DRAWING NUMBER 14167/03/001		REVISION

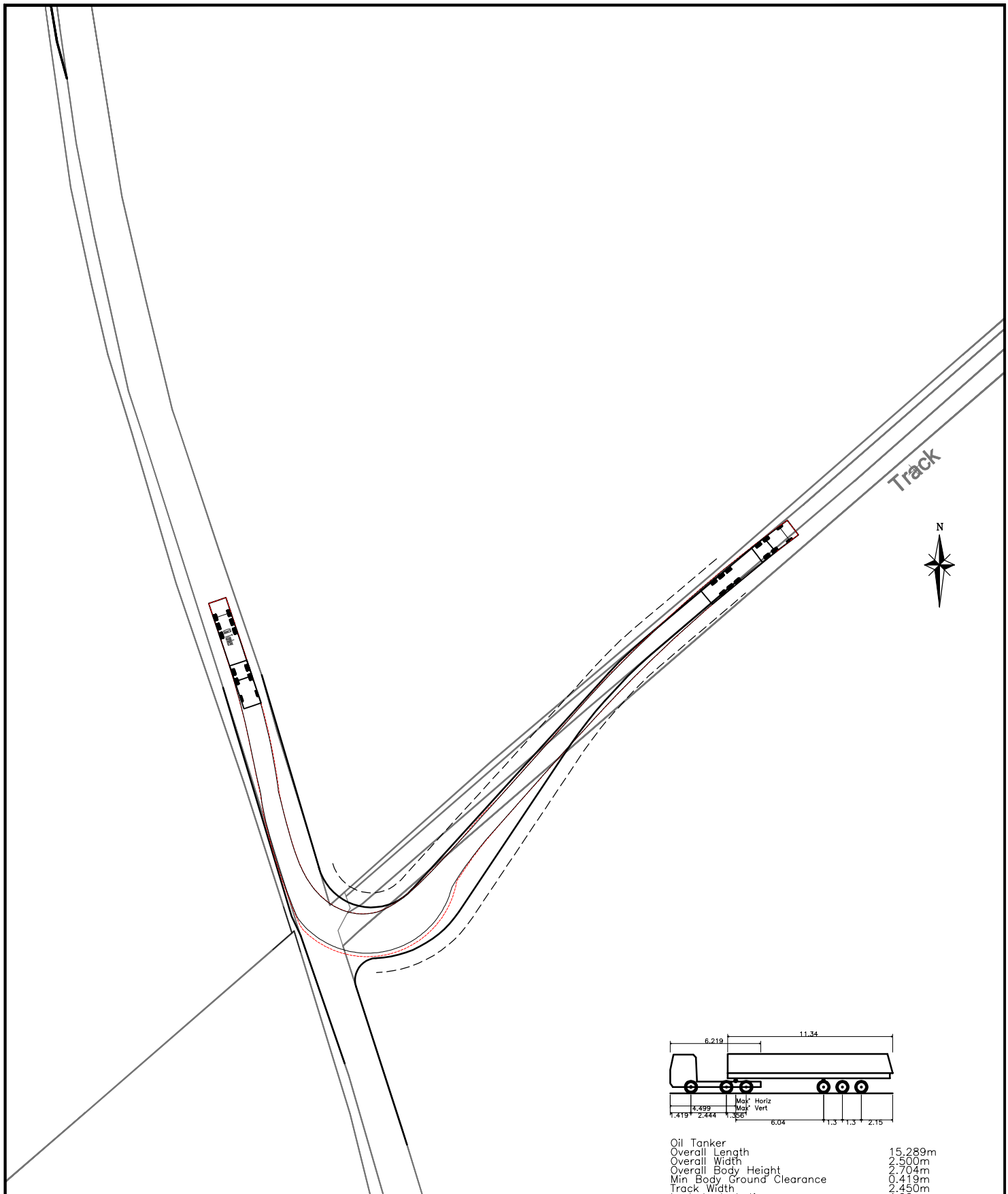
Dundee Office
Seabraes
18 Greenmarket
Dundee
DD1 4QB

tel: 01382 227380
email: dundee@millardconsulting.co.uk
web: www.millardconsulting.co.uk

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APPENDIX F

**Swept Path Assessment
of the Improved Site
Access**



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REV	AMENDMENT DETAILS	DRAWN	APPROVED	DATE

PROJECT PROPOSED FORESTRY SHED FOR OFFICES & MANAGERS HOUSE AT DONAVOURD, NEAR PITLOCHRY	DESIGNED BY CB	DRAWN BY CB	SCALE 1:500
	CHECKED BY DK	APPROVED BY DK	
DRAWING TITLE ACCESS LAYOUT VEHICLE TRACKING	DRAWING STATUS PRELIMINARY		DATE SEP '17
CLIENT McKENZIE STRICKLAND ASSOCIATES	DRAWING NUMBER 14167/03/002		REVISION

Dundee Office
Seabraes
18 Greenmarket
Dundee
DD1 4QB

tel: 01382 227380
email: dundee@millardconsulting.co.uk
web: www.millardconsulting.co.uk







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Registered in Scotland No: SC220557

Registered Office: Seabraes, 18 Greenmarket, Dundee DD1 4QB

TA Millard Scotland Ltd trading as Millard Consulting

Planning Justification Report

Rab Robertson

Prepared for: Rab Robertson

Prepared by: SAC Consulting

Contact: Kara Craig
Sandpiper House
Ruthvenfield Road
Inveralmond Industrial Estate
Perth PH1 3EE

Date: June 2017



SAC Consulting is a division of SRUC

Leading the way in Agriculture and Rural Research, Education and Consulting

Prepared for:

Rab Robertson
Lochruinne
Rannoch
by Pitlochry
PH17 2QP

Farm Code: 89/682/0137
BRN: 239672

Prepared by:

SAC Consulting

Contact:

Kara Craig
Sandpiper House
Ruthvenfield Road
Inveralmond Industrial Estate
Perth PH1 3EE

Tel: 01738 636611
Mob: 07776 466039
Email: kara.craig@sac.co.uk
Fax: 01738 627860

Reviewed by:

James Buchanan

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INTRODUCTION

This report has been prepared at the request of Rab Robertson to supplement a planning application for the construction of a new dwelling house for an essential worker at Donavoured Farm, near Pitlochry.

Information about the business policy and factors that would support the proposed dwelling house was gathered by Kara Craig, SAC Consulting (Perth) in discussion with Rab Robertson.

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

SUMMARY

Rab Robertson has recently purchased land and is actively farming at East Haugh and Donavourd. The land farmed by Rab Robertson extends to approximately 81.10 hectares (200 acres).

The business enterprises operated by Rab Robertson focus on farming, fencing and forestry. Donavourd Agri commenced in 2016 and focusses on sheep, grassland and arable. Rab Robertson is a new entrant into farming. Robertson Fencing Ltd is an established business which has been temporarily relocated in 2017 to the yard adjacent to the settlement of Donavourd. This move was essential to improve business efficiencies through operating all the business enterprises from the one unit.

There are no dwelling houses on the land at East Haugh and Donavourd. It is proposed that a dwelling house and associated farm buildings are constructed at Donavourd to allow Rab Robertson to oversee all his business enterprises.

Based solely on the current farming activity there is full justification for an additional dwelling house at Donavourd for a full time employee. The estimated annual labour requirement for the farming operations is 1.11 labour units. This labour requirement does not include the other business enterprise, Robertson Fencing Ltd, for which there are already 14 full time employees.

It is considered highly desirable for sheep welfare, farm and business security, and health and safety that there is qualified, fit and able and dedicated personnel residing onsite at Donavourd.

The location of the proposed dwelling house is not prime agricultural land and does not pose any harmful threats or have a significant visual disturbance to the environment and surrounding landscape.

Logistical issues pose a threat to the business enterprises through complicated management and inefficiencies in resource use. The requirement for a house for Rab Robertson to reside at Donavourd is vital to allow him to develop and secure the overall future of the farming enterprises alongside his existing business.

Promoting opportunities for New Entrants into agriculture is highly desirable. The Scottish Government is highly supportive of New Entrants to farming. The proposed development as described in this report will result in the growth of the recently established farming enterprise and the sustainability of the business of Robertson Fencing Ltd. The proposed development will also encourage wider rural business development through activities associated with the construction of the farm house, its long-term maintenance and the continuing business operations managed by Rab Robertson.

BACKGROUND INFORMATION

Rab Robertson purchased land at East Haugh, and Donavoured Farm in 2016. This acquisition was part of the long term personal and business objectives of Rab Robertson to be directly involved in land based industries in the Pitlochry area. Rab Robertson is considered as a Young Farmer and a New Entrant to farming.

The farmed area is 81.10 hectares (200 acres). Arable crops, rotational grass, permanent pastures, rough grazings and woodlands are the main land uses. All the land is classified as LFA (Less Favoured Area). The land at East Haugh is best suited to arable crops and rotational grass due to its location and land capability.

The current farm enterprises consist of a flying flock of Blackface ewes and arable crops including spring barley and forage brassicas.

Sheep numbers are currently at 270 breeding ewes. The aim is to increase ewe numbers over time once the farm business develops and Rab Robertson gains more knowledge about the production potential of the land. All lambs will be sold off grass as ewe lambs for breeding replacements, or as store lambs. The sheep will utilise the grassland for grazing and a single crop of silage/hay will be made for winter feeding. The forage brassicas are grown for feeding sheep.

Spring barley will be grown for feed barley and straw baled and all sold locally.

East Haugh comprises one large field while Donavoured makes up the majority of the farmed area. There is no dwelling house. East Haugh and Donavoured land is actively farmed by Rab Robertson while also providing a base for Robertson Fencing Ltd.

Rab Robertson grew up with his family on a working croft in the Rannoch area. Following completion of and gaining a degree in Agriculture, Rab Robertson worked in the local Rannoch area focusing on fencing work and providing agricultural contract labour (e.g. shearing sheep, gathering sheep and general farm work). Building up knowledge and skills during this time, Rab Robertson commenced his own business of Robertson Fencing Ltd in 2007.

Roberston Fencing Ltd is a rural contracting business. With specialist skills in fencing and forestry mounding and specialist plant and machinery, the business is well placed to service the agricultural, forestry and civil engineering sectors throughout Scotland.

From 2010, the business had become very competitive and as more and more work was obtained, staff numbers increased annually. Currently there are 14 staff members working for Robertson Fencing Ltd. Rab Robertson is the Managing Director of Robertson Fencing Ltd.

The business was originally operated from Rab Robertson's family home in Rannoch with yard facilities rented within the Rannoch locality. The Rannoch site was ideal to allow the initiation of the business when it was focussed on local work and had fewer employees. Due to the nature of the roads, the 20 mile distance between Rannoch and the A9 is very time consuming, and despite the relatively short distance, can take up to 60 minutes to travel each way. As the business has expanded, the site location at Rannoch was a major business weakness and temporarily relocating to the yard adjacent to the Donavoured settlement has been essential to improve efficiencies in time, fuel use, machinery depreciation and overall business management. Other weaknesses of the business included detached business management (from living off site), health and safety and security. In 2017, Robertson Fencing Ltd temporarily relocated from Rannoch to Donavoured Farm, near Pitlochry.

All the business enterprises operated by Rab Robertson require skilled and dedicated personnel. Long hours are worked in all aspects of the business. These hours are dictated by enterprise, season, weather and site location, and as a result do not conform to the "normal" 9-5 Monday to Friday working hours. The lack of onsite accommodation is a limiting feature for the farming operation as well as Robertson Fencing Ltd.

Onsite accommodation is a significant requirement for the livestock enterprise. The sheep flock requires a dedicated approach with focus on animal health and welfare issues. Current offsite living arrangements with associated travelling back and forth is neither ideal nor desired in the long term. Personnel residing onsite are required. Onsite accommodation will also help to improve security and health and safety for all aspects of the business.

The site preferred for the dwelling house is located on Donavourd land. The proposed house site is not prime agricultural land with the land categorised as 3₂ or 4₁, according to the MLURI agricultural land classification scheme. Prime agricultural land is considered to be land categorised 1, 2 and 3₁. There would be no impact on the agricultural management of the overall farming unit if this area was taken out of agricultural use.

The land at the proposed site has no environmental significance (e.g. SSSI) and there are no listed buildings or scheduled monuments nearby. Therefore there would be no loss of any environmental or historic features and there will be limited visual impact on the surrounding area.

LABOUR REQUIREMENTS FOR ROBERTSON FENCING LTD

Using Standard Labour Data for Agricultural and Horticultural Activities, sourced from Defra UK Farm Classification Document (October 2014), and information on existing land areas and livestock numbers farmed by the business, the labour profile for the farming enterprises are shown below.

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.

Land	Area (ha)	Hours/Annum/Ha	Total
Cereals	13.82	18	248.76
Turnips for stockfeed	1.21	6	7.26
Grassland	35.83	3.1	111.07
Silage/hay	6.07	12	72.84
Rough grazing	24.35	1.5	36.53
<i>Sub total</i>			476.46
Livestock	Number	Hours/Annum/Number	Total
Ewes	270	3.7	999.00
Rams	7	3.1	21.70
Lambs (6 months)	390	1.55	604.50
<i>Sub total</i>			1,625.20
TOTAL			2,101.66
<i>Standard Labour Unit</i>			1,900.00
LABOUR REQUIREMENT (LU)			1.11

This calculation does not allow for administrative tasks required by farming businesses for regulation or accountancy purposes. In addition the figures do not include any off farm work associated with Robertson Fencing Ltd.

THE NEED FOR ON-SITE ACCOMMODATION

Labour

Rab Robertson is responsible for the day to day management of the farming enterprises operated at Donavoured, and Robertson Fencing Ltd. This means daily multiple journeys between his current residence, the farm and jobs being carried out Robertson Fencing Ltd.

The sheep are handled many times throughout the year for duties such as lambing, shearing, marking lambs, routine health care and drawing lambs for sale. There is a necessity that these sheep have 24 hr / day supervision to maximise animal health and welfare and in turn their productivity. For these reasons it is essential that Rab Robertson resides full time at this location.

Farming is driven by the seasons, thus during the spring and summer months, there is a great deal of work to be carried out. Lambing, shearing and routine handling of the sheep are all required to be carried out to ensure a high welfare, good quality, highly productive and profitable farm business is operated. It is also important that a farm worker is available at short notice, taking advantage of good weather, to carry out land related jobs such as spreading fertiliser and lime, mowing, turning and baling grass for hay and silage and harvesting grain and baling straw. Having qualified personnel living onsite at Donavoured improves utilisation of resources giving the best opportunity to work efficiently without compromising both animal and human welfare.

Agricultural businesses are finding it increasingly difficult to manage the balance between the physical work associated with livestock and land management, and the ever increasing administration. This balance becomes ever more complicated when there is additional travel time between the farm and the office/home.

On a similar theme, rural businesses find it difficult to attract qualified personnel. This is due to several factors but one that can be very influential is the commuting to and from the work place. Relocating Robertson Fencing Ltd to Donavoured improves working conditions for employees by being located close to Pitlochry and the A9.

The enterprises operated by Rab Robertson involve hard physical work. Currently there are no welfare or office facilities on site at Donavoured. These are essential facilities for business operations. The provision of suitable accommodation onsite for Rab Robertson will provide essential facilities that can be used for business purposes. In addition, the onsite accommodation will reduce negative and potentially harmful situations relating to travelling at unsocial hours under tiring conditions. It is essential that onsite accommodation is provided at Donavoured.

Animal Welfare and Management

The farm livestock operations are focused on sheep. Sheep require constant supervision by a suitably qualified individual. The sheep flock are present on the land all year round and require care to check for lambing and health issues such as lambing difficulties, abortion, lameness, fly strike and pneumonia as well as for impacts of vermin activity that will compromise sheep welfare. There is also the constant worry about dog worrying/attacks due to the close proximity to Pitlochry and surrounding residential areas, and the network of public paths close by.

The above points essentially means 24 hours per day, 7 days per week, 365 days per year care is required for the sheep farmed at Donavoured. This seems an extreme statement but is doubtlessly a requirement to ensure high welfare standards and thus good productivity (and inadvertently positive financial impact).

Currently Rab Robertson lives off site and travels to and from the unit a minimum of twice daily. To provide the level of care required for farmed livestock, a farmer needs to live onsite.

Efficiency

Having purchased land at East Haugh and Donavoured and commenced farming activities on the land, it is essential that Rab Robertson resides on the unit at Donavoured. He will be present to conduct aspects of running all the business enterprises e.g. taking delivery of supplies such as fencing materials, feeds and animal health materials, and the loading of livestock coming on and off the farm.

For Robertson Fencing Ltd, travelling back and forth several times per day by a number of employees to Rannoch is extremely time consuming and as a result compromises efficiency. The effects of fatigue due to travelling reduces work efficiency, increases short cuts taken, thus compromises staff and public welfare and health and safety. Deliveries of materials to Rannoch was also been identified as a weakness as well as a cost to the business. Robertson Fencing Ltd, having temporarily relocated to the yard adjacent to the Donavoured settlement has significantly improved vehicular connectivity to the A9 and thus reduced the travelling associated with business activities.

Operating Robertson Fencing Ltd in conjunction with the farm enterprises, improves business efficiencies. Having personnel associated with the business living onsite is highly desirable to ensure efficiency of working practices.

Security

Security is an important consideration.

Opportunist theft and vandalism (deliberate and accidental) are ever increasing incidents in the rural area and farms are most often subject to such activity. These incidents result in much aggravation and add to the daily operations on the business but are also a severe financial burden.

Livestock, and farming inputs such as fertiliser, fuel and medicines are valuable assets. The equipment required for the farming activities alongside the plant and machinery owned and operated by Robertson Fencing Ltd is not only valuable but dangerous.

All livestock, vehicles, equipment and fuel must be safe guarded. Personnel living on site creates a deterrent and will help improve security on the unit.

Health and Safety

With the increasing awareness by the public of their access rights under the Land Reform (Scotland) Act 2003 and the location of the East Haugh and Donavoured land to Pitlochry and local rural path networks, there is potential of safety problems on the farm resulting from people not fully understanding their responsibilities in the countryside.

The farming unit sits on a local road, between the settlement of East Haugh, Donavoured and Milton of Edradour, which leads from the A9 to the A924 Pitlochry to Kirkmichael road. There are many private residential units sitting on the boundaries of the land farmed by Rab Robertson. The rural area and associated woodland and agricultural land is very popular for outdoor pursuits for tourists and local residents. With this, and the business activities operated by Robertson Fencing Ltd in mind, a dwelling house on the farm is essential. Resident personnel linked to the land and associated business allows better control of any people considering entering the farmland and farm buildings without permission, or where they may compromise their safety or that of the livestock, e.g. coming near to where sheep are being worked, coming near to working sheep dogs and entering fields with sheep and lambs or with machinery operating.

With a network of paths and tourist attractions close by, this worry of field gates being left open and sheep worrying by domestic dogs is heightened. It is essential that there is constant supervision of the stock on the land by having qualified personnel living onsite.

A major concern with people coming into contact with animals is zoonoses. Zoonotic diseases are those which are transmissible from animals to humans, including Salmonella and Ecoli, as well as that associated with lambing sheep which could result in problems arising with pregnant women. All these issues are of high importance as livestock is a key enterprise on this unit and with sheep present all year round potential for public persons to come in contact with livestock is high and is a concern to be acknowledged. Having accommodation onsite will better help to manage these situations ensuring that risk has been appropriately managed at all times.

Alternative Accommodation

As a result of historical farm sales dividing the land and farm houses at East Haugh and Donavoured, there is no other dwelling house or building suitable for conversion located at either unit that could be utilised for accommodation for an essential worker.

Houses have not been considered anywhere else in the locality as the issue that needs to be resolved is lack of accommodation directly associated with the farm.

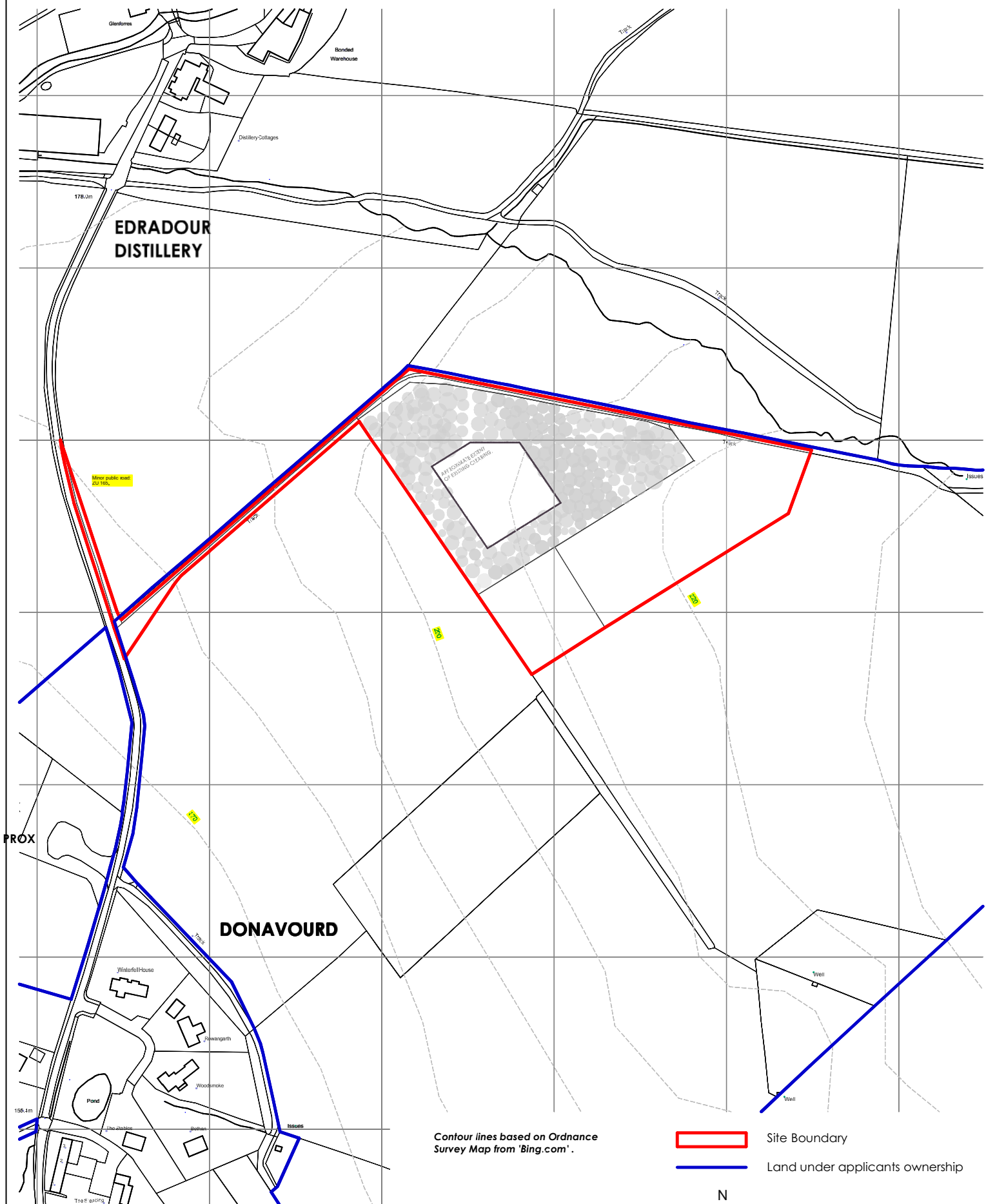
Farming Future and Sustainability

Rural businesses in Scotland and the rest of the UK are under ever increasing social and economic pressures. The opportunity for New Entrants into agriculture, particularly, is compromised due to limited tenancies and lack of available capital to buy land. Rab Robertson is a young, enthusiastic and dedicated New Entrant to farming who, through hard work, has created his own opportunity to buy land. This is an opportunity that many young people may never have and Rab Robertson should be encouraged to build on this.

The impressive work ethic and business driving force of Rab Robertson (and his business colleagues and employees in Robertson Fencing Ltd) has created great and sustainable opportunities, not only for the business, but for Rab Robertson as an individual. Having gone from being a “one man band” to being part of a successful company, Rab Robertson has seized an opportunity to purchase the land at East Haugh and Donavoured. The one limitation being, that there is no house associated with this land.

Rab Robertson, by reinvestment into the very heart of the scene in which he works, has now got the opportunity to go back to his agricultural roots and is operating his own farming business while creating a secure base to live and operate and grow his other business interests (without which he could not have achieved his desire to buy land).

The dedication of this young man to the rural area around Pitlochry and the part that Rab Robertson's business interests play in the supporting the rural economy through direct employment and utilisation of local businesses (trade and retail) should be much admired and supported through providing opportunity for him to reside at the land which he has work hard to purchase.



Existing Site Location Plan
SCALE 1:2000

Contour lines based on Ordnance Survey Map from 'Bing.com'.

Site Boundary
Land under applicants ownership



20 0 20 40 60 80 100m
SCALE 1:2000

McKenzie Strickland Associates
23 Bank Street, Aberfeldy PH15 2BB, T: 01887 829 228

e: info@mso-architects.com
159 Dunkeld Road, Perth, PH1 5AS, T: 01738 445 983

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21 Comrie Street, Crieff PH7 4AX, T: 01764 910 410

rev date description
A 06/10/17 Added road name and contour levels.



JOB TITLE:
AGRICULTURAL BUSINESS FACILITY WITH MANAGERS HOUSE AT DONAVOURD.

DRAWING TITLE:
Existing Site Location Plan

SCALE:
1:2000 @A3

DRAWING STATUS:
Planning

DRAWN BY:
CW & SR

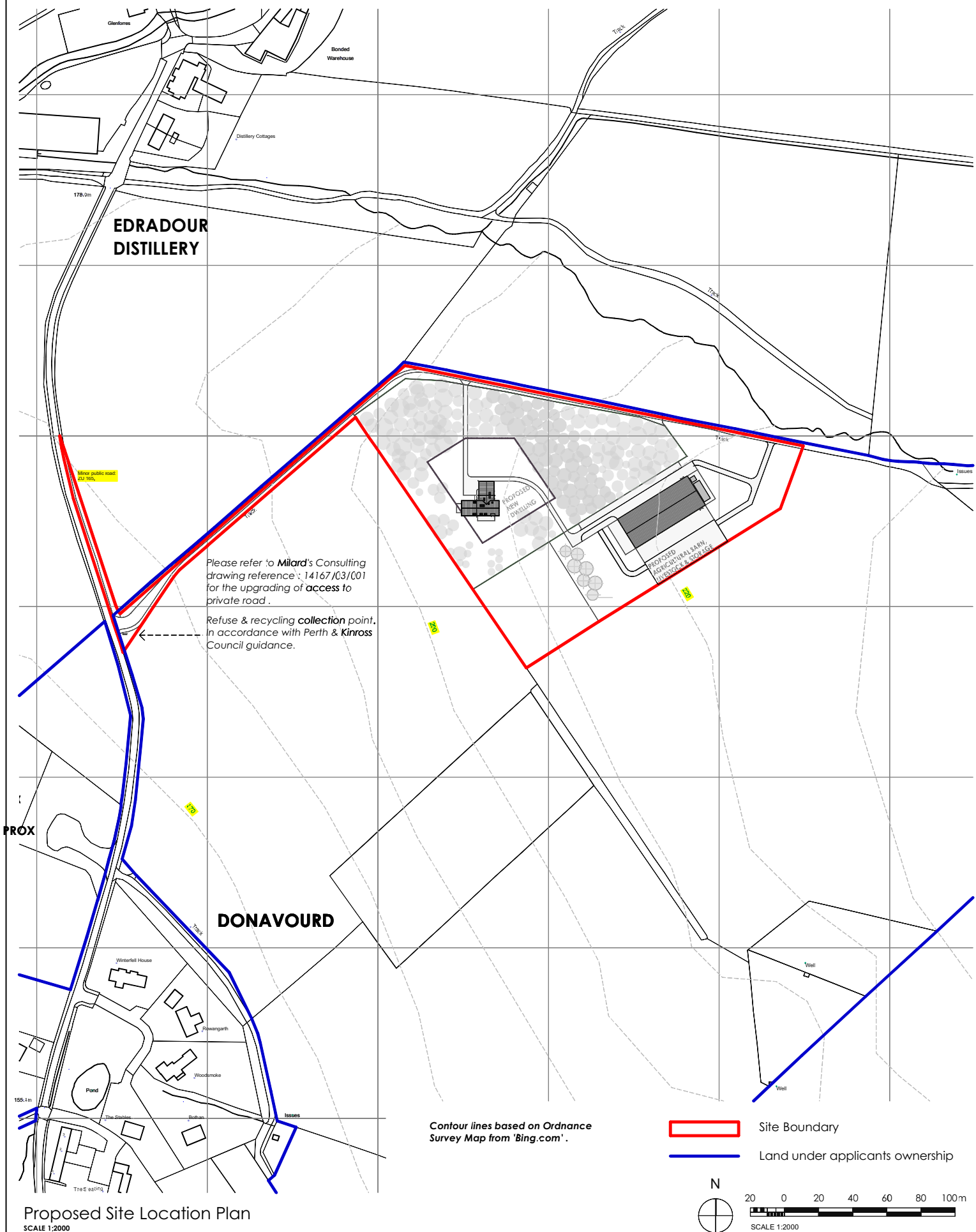
CHECKED BY:
JR

DRAWING NUMBER:
1079/PL/000

REVISION:
A

DATE:
September 2017

373



Proposed Site Location Plan
SCALE 1:2000

McKenzie Strickland Associates
23 Bank Street, Aberfeldy PH15 2BB, T: 01887 829 228

e: info@msa-architects.com
159 Dunkeld Road, Perth, PH1 5AS, T: 01738 445 983

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JOB TITLE:
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DRAWING TITLE:
Proposed Site Location Plan

SCALE:
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DRAWING STATUS:
Planning

DRAWN BY:
CW & SR

CHECKED BY:
JR

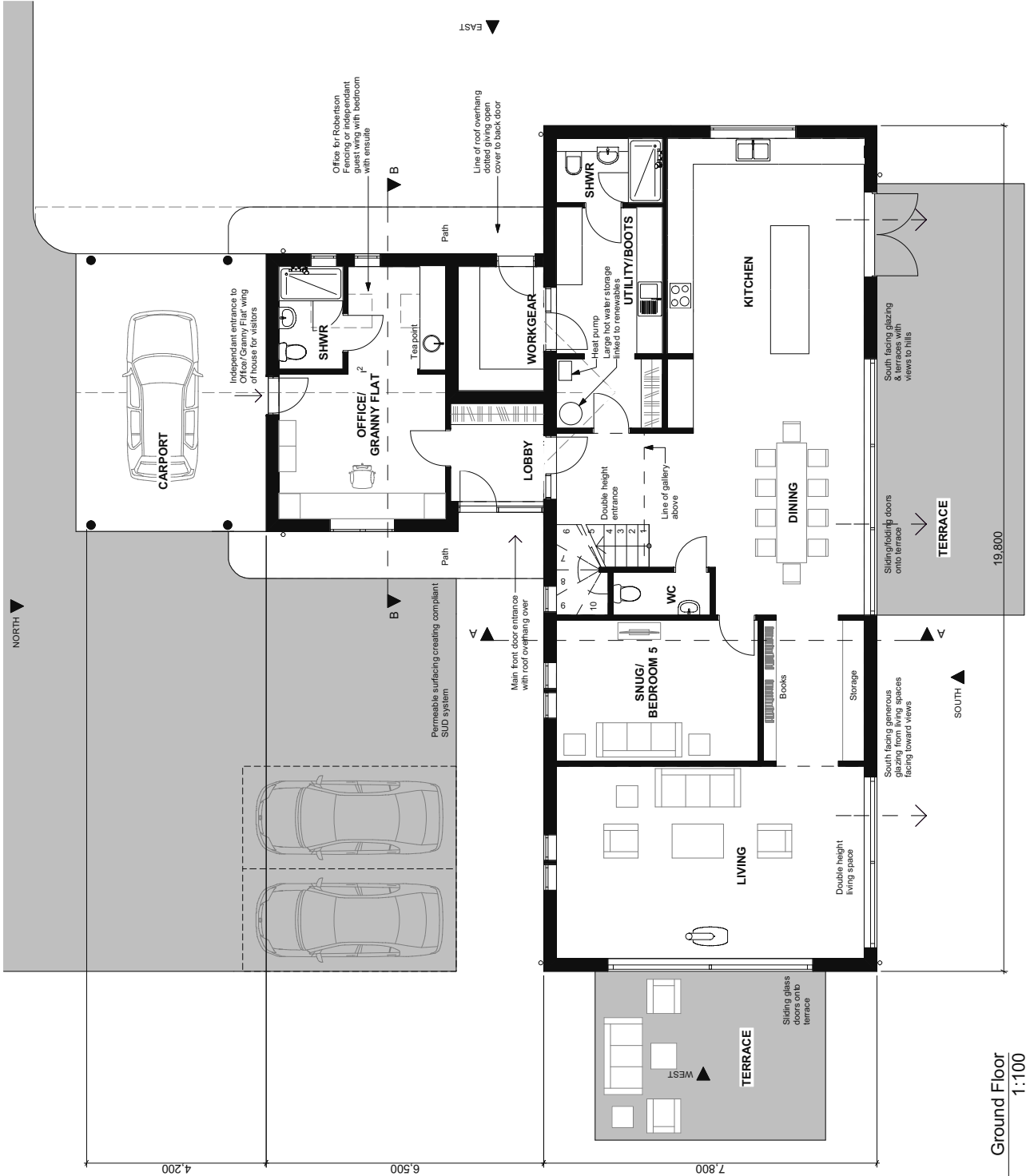
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REVISION:
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DATE:
September 2017

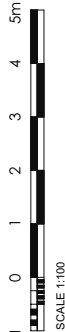
374





Ground Floor
1:100

TOTAL GROUND FLOOR AREA= 175.55m²



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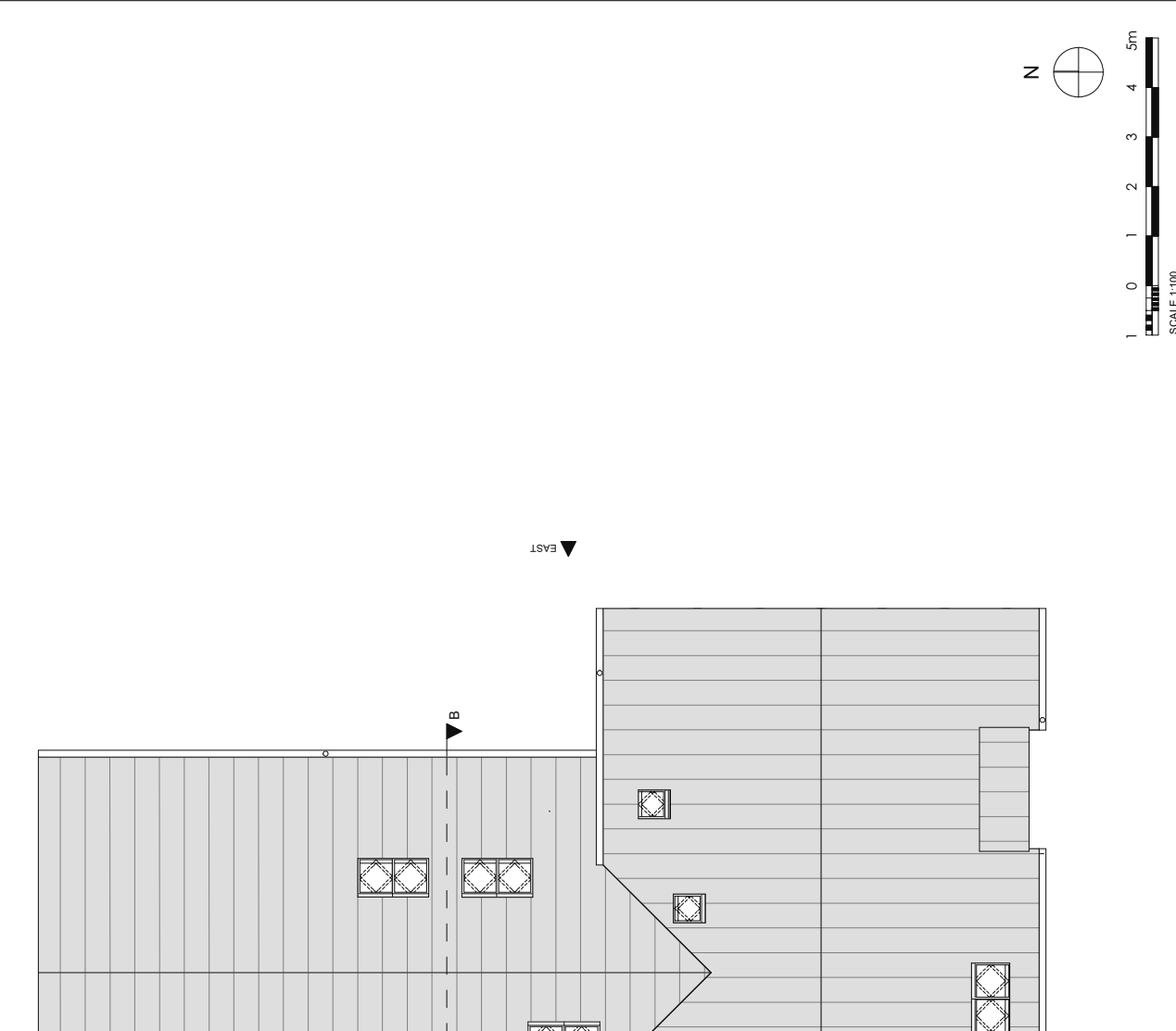
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JOB TITLE:
AGRICULTURAL BUSINESS FACILITY WITH MANAGERS HOUSE AT DONAVALOURD.

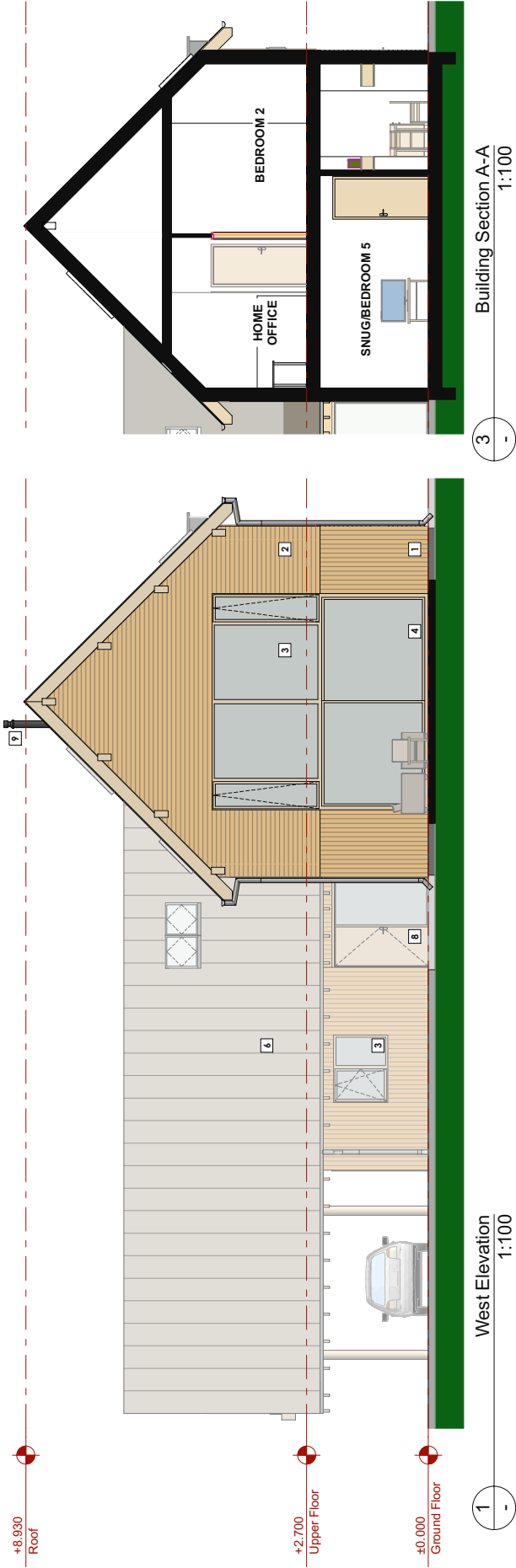
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DRAWING NUMBER: 1079(P)003	REVISION:	DATE: September 2017		

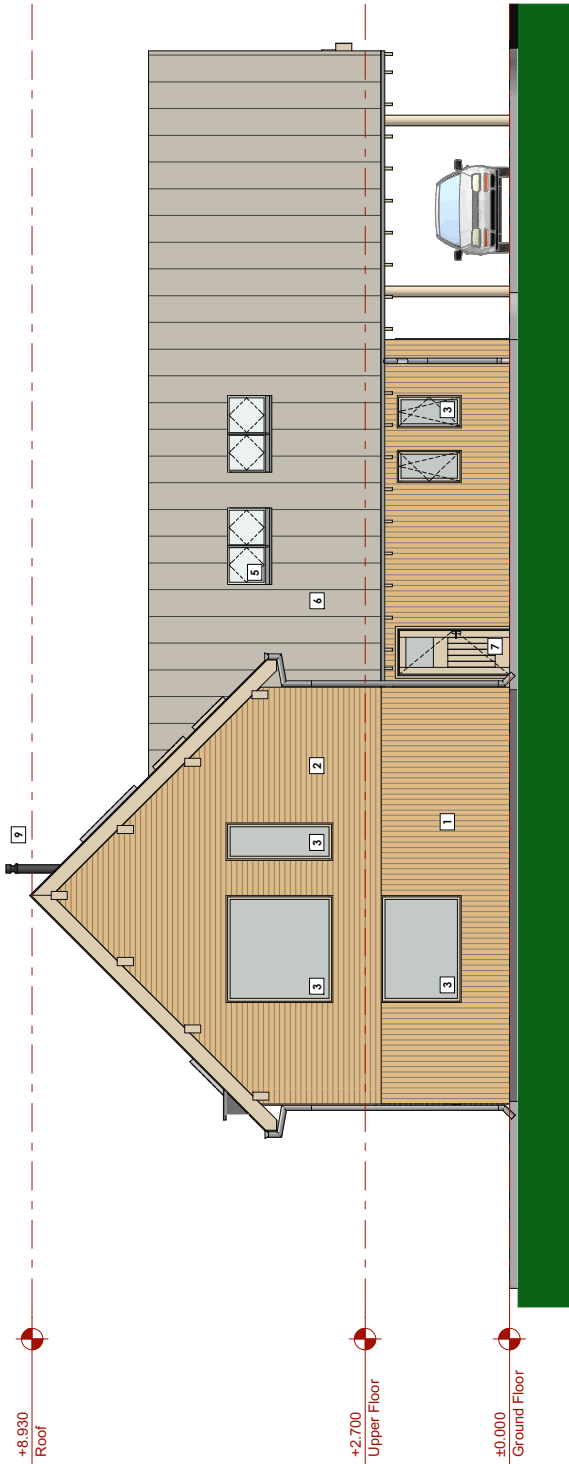




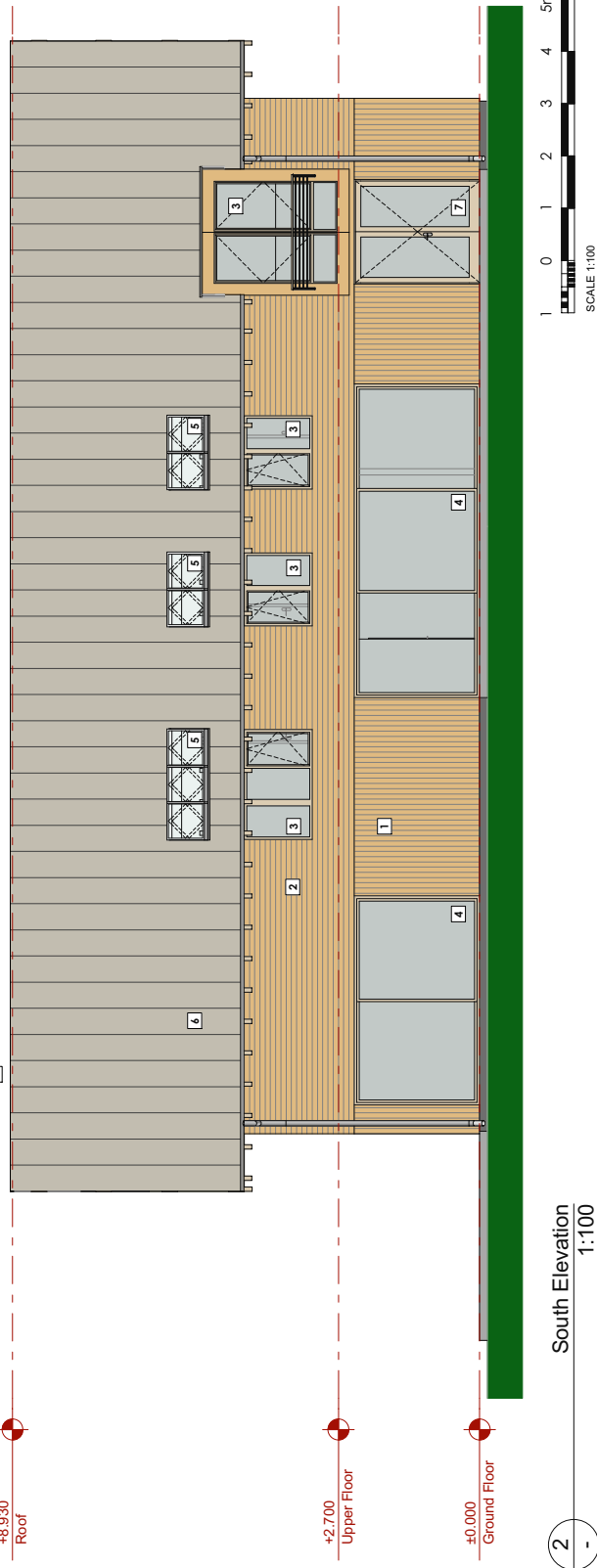
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	DRAWING TITLE: Roof Plan		SCALE: 1:100 @A3		DATE: September 2017	
DRAWING NUMBER: 1079(P)005						

McKenzie Strickland Associates
 23 Bank Street, Aberfeldy PH15 2BB. T: 01887 429 228
 e: info@msa-architects.com
 159 Dunkeld Road, Perth, PH1 5AS. T: 01738 445 983
 21 Comrie Street, Crieff PH7 4AX. T: 01764 910 410
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1
East Elevation
1:100



2
South Elevation
1:100

SPECIFICATIONS

1. Vertical Larch cladding
2. Horizontal Larch cladding
3. Timber double glazed window
4. Timber double glazed sliding/folding doors
5. Rooflights
6. Dark grey metal standing seam roofing
7. Timber floor with double glazed sidelight
8. Timber floor with double glazed sidelight
9. Stove flue powdercoated colour dark grey



1 - 3D view facing south
1:222.22



4 - 3D view facing west
1:222.22

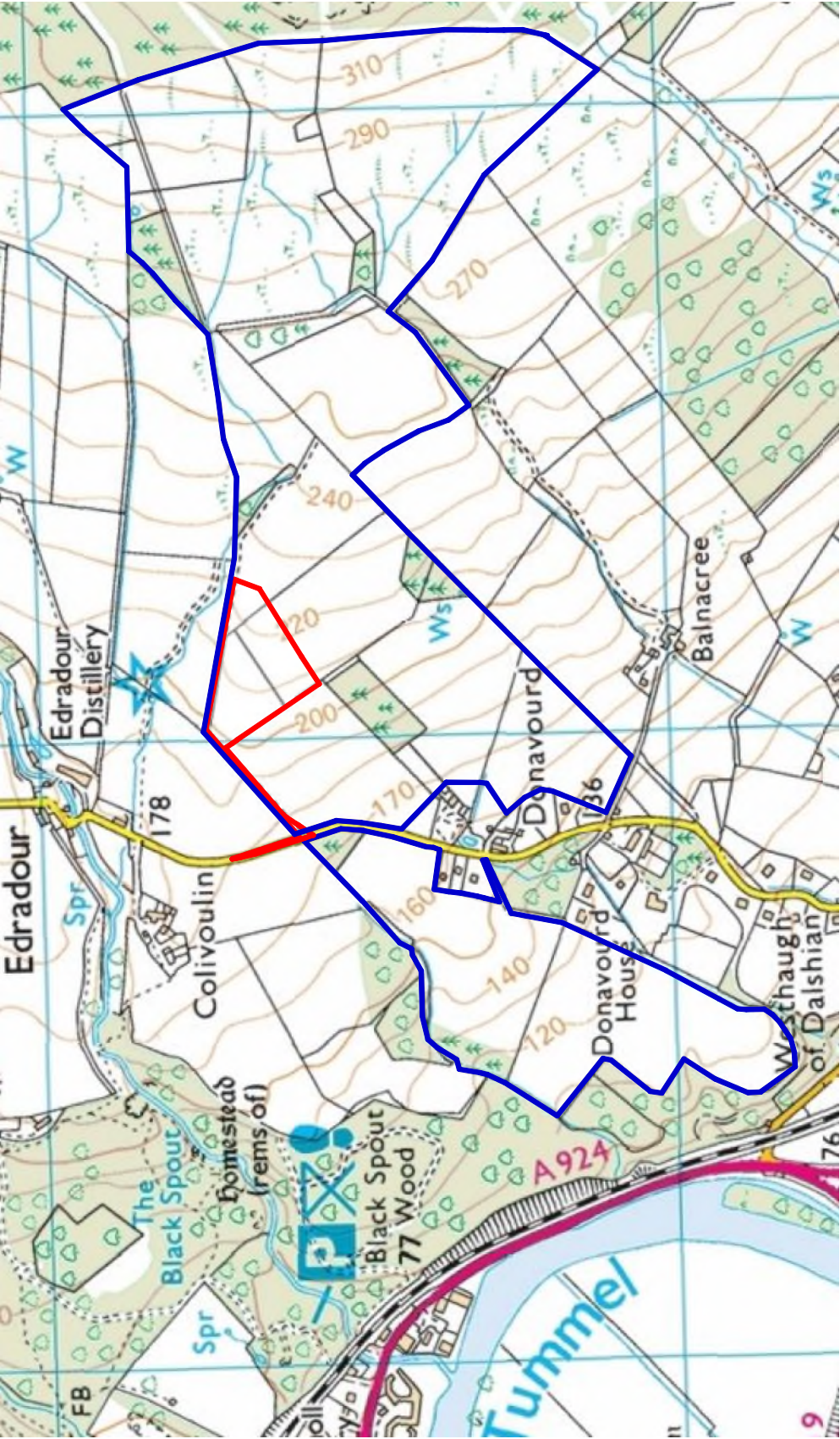


2 - 3D view facing north
1:222.22 @A3



3 - 3D view facing east
1:222.22 @A3





Site Boundary
Land under applicants ownership



0m 100 200 300 400 500 600 700 800 900 1000

Scale 1:10,000

McKenzie Strickland Associates
23 Bank Street, Aberfeldy PH15 2BB, T: 01887 829 228
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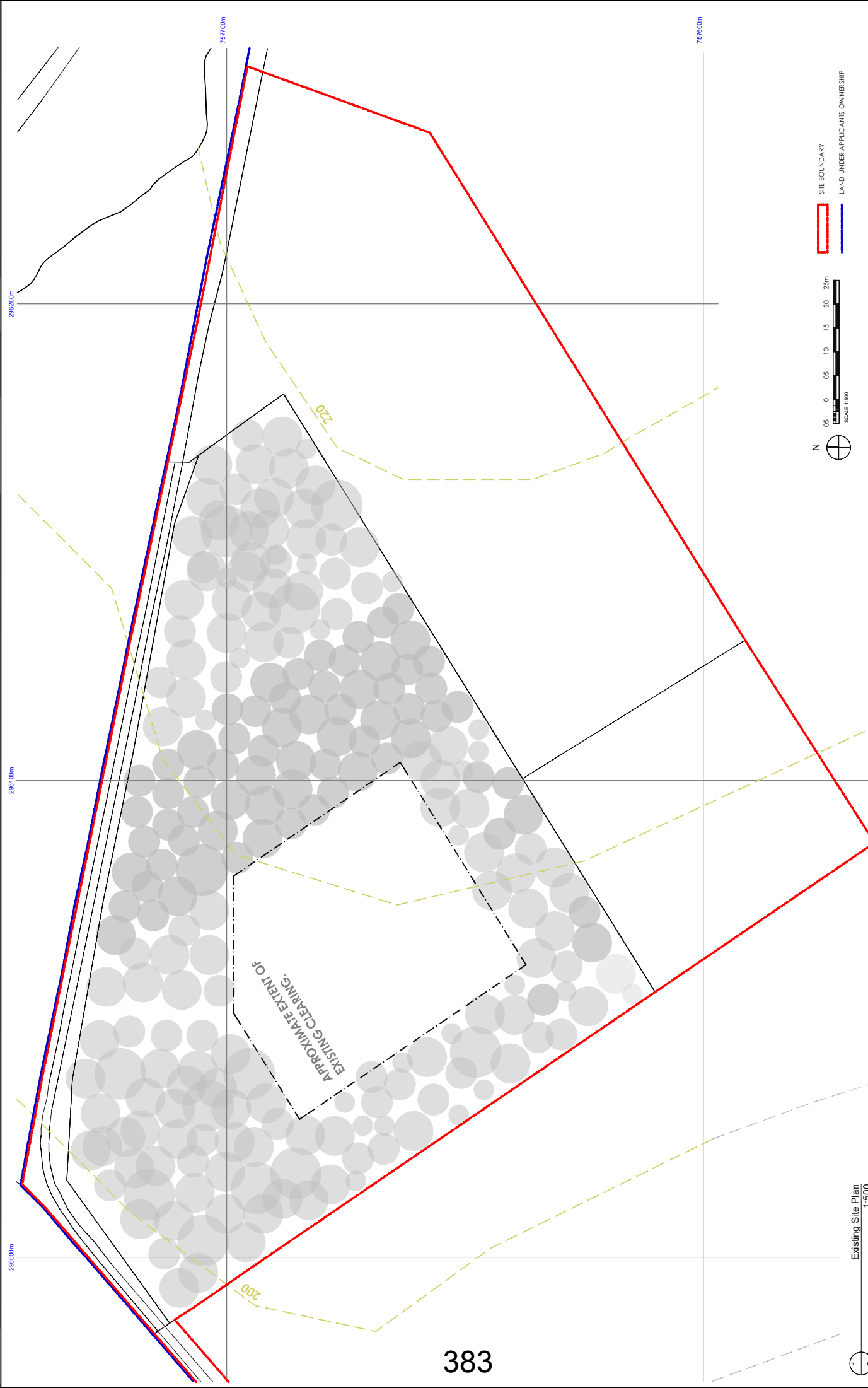
Extent Of Clients Land Ownership

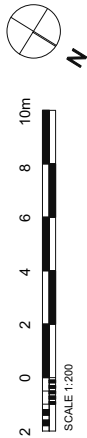
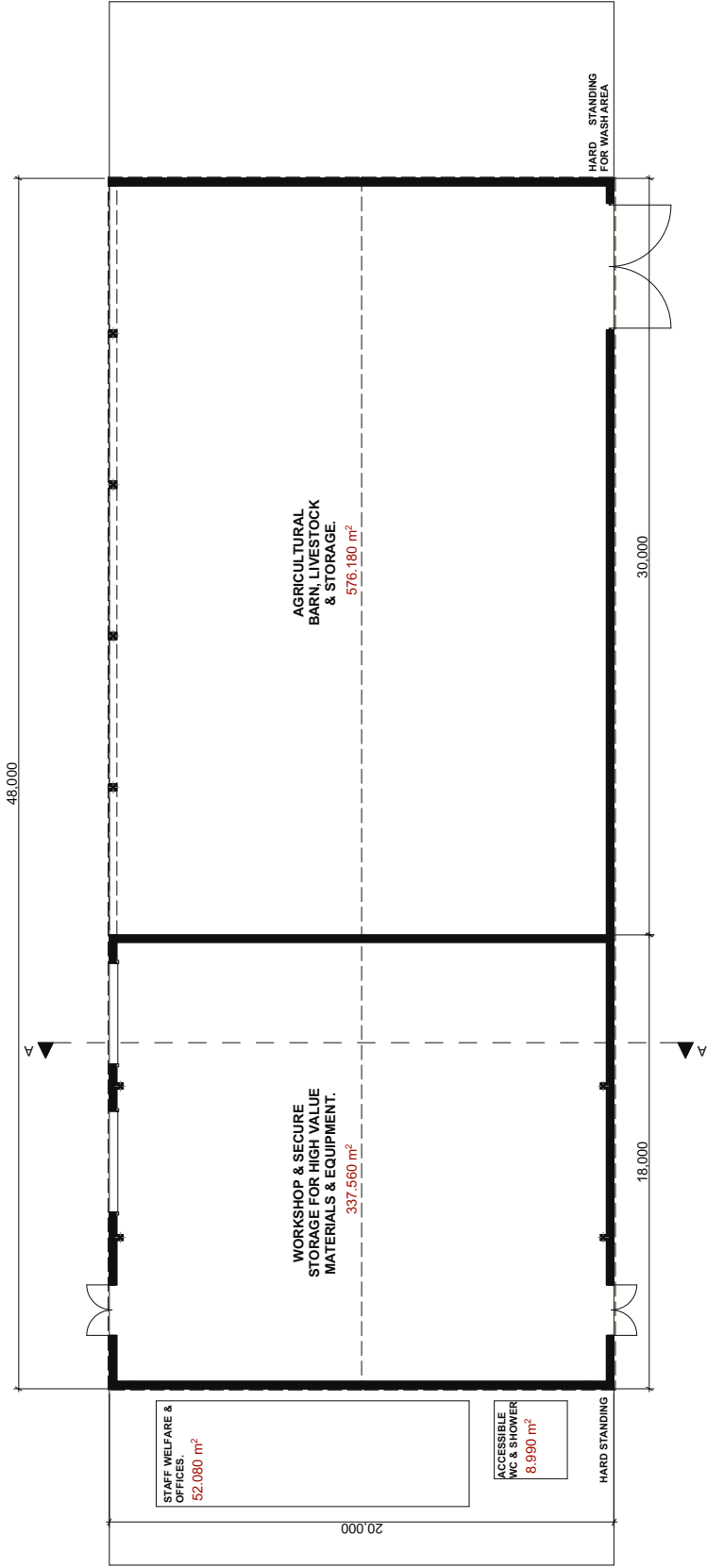
rev A
date 06/10/17
description Date of issue.

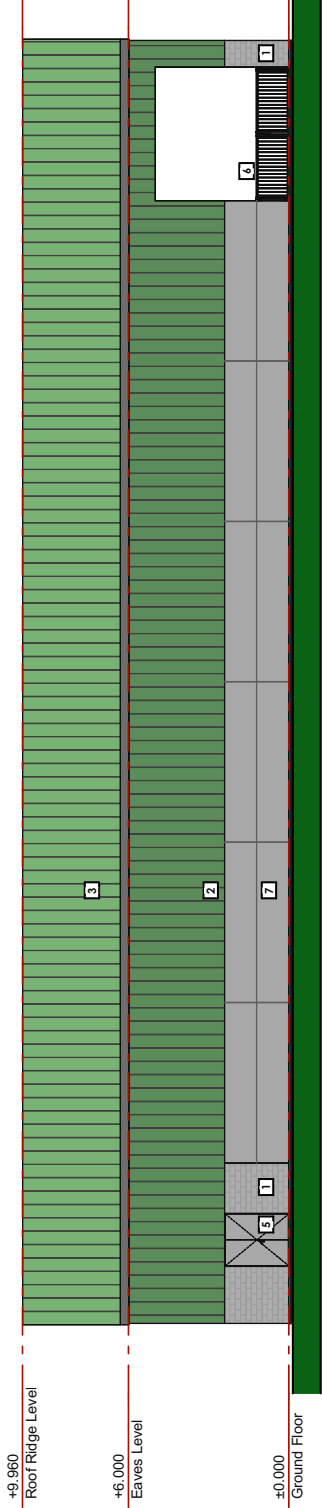


JOB TITLE:
AGRICULTURAL BUSINESS FACILITY WITH MANAGERS HOUSE AT DONAVOURD.

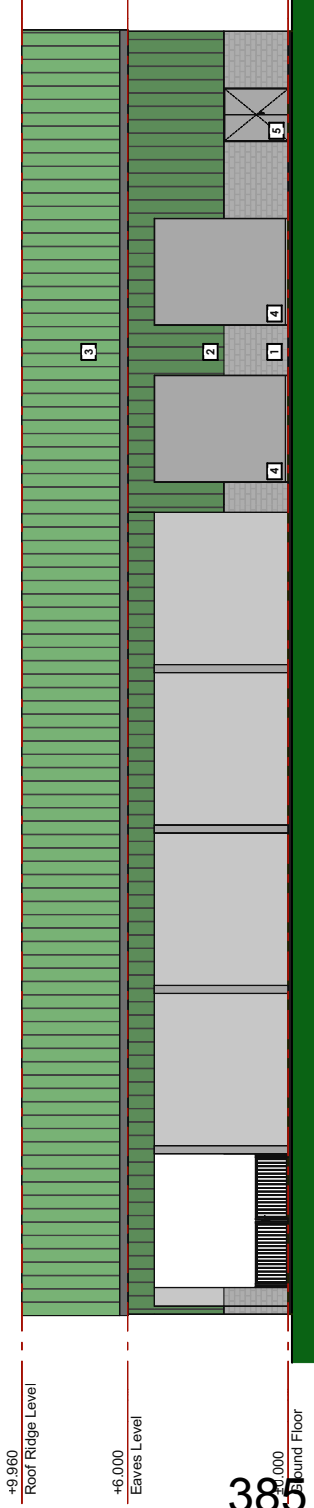
DRAWING TITLE: Clients Land Ownership Extent	SCALE: 1:10000 @A4	DRAWING STATUS: Planning
DRAWING NUMBER: 1079/PL/10	REVISION: A	DRAWN BY: CW & SR
		CHECKED BY: JR
		DATE: 06/10/2017



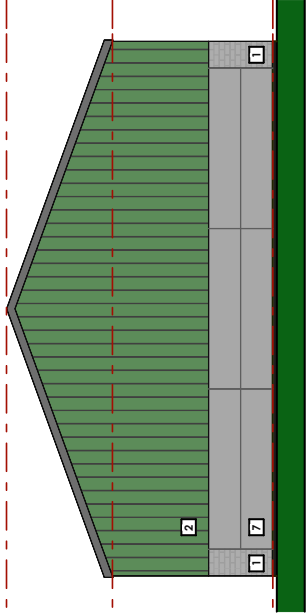




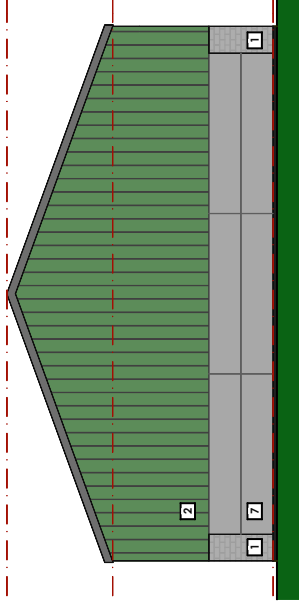
1
North West Elevation
1:200



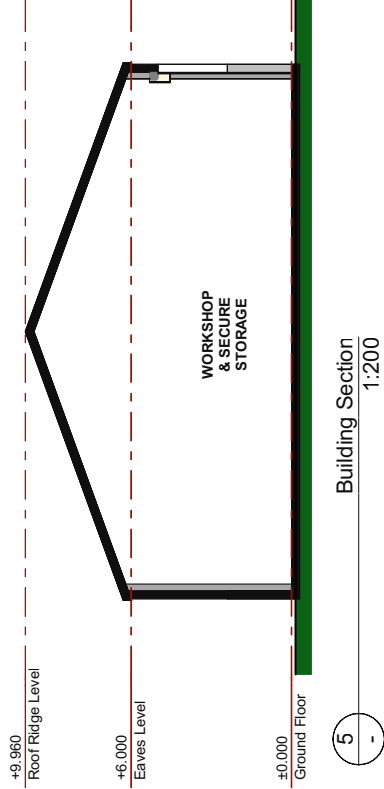
3
South East Elevation
1:200



2
North East Elevation
1:200



4
South West Elevation
1:200



5
Building Section
1:200

SPECIFICATIONS

1. Fair faced concrete blockwork
2. Dark green metal wall cladding
3. Dark green metal standing seam roofing
4. Metal roller door
5. Metal door and frame
6. Metal access gate
7. 1200mm wide concrete panels installed horizontally

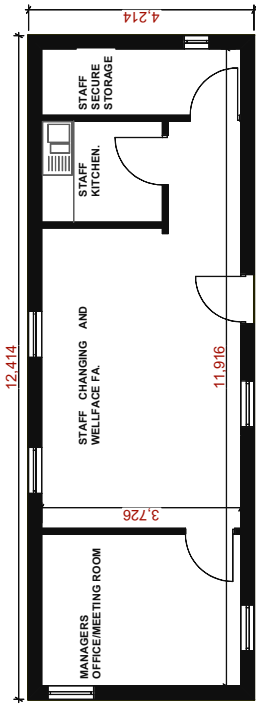
rev	date	description
A	06/10/17	Altered elevation names



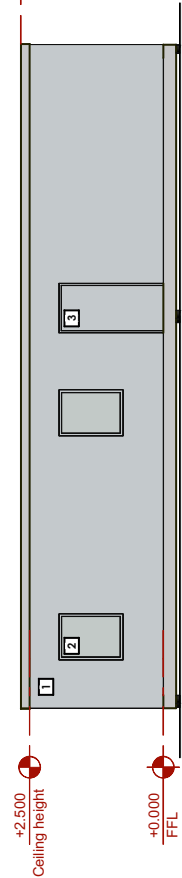
McKenzie Strickland Associates 23 Bank Street, Aberfeldy PH15 2BB. T: 01887 829 228 e: info@msa-architects.com			All Contents Copyright All Rights Reserved 21 Cornrie Street, Crieff PH7 4AX. T: 01764 910 410		
JOB TITLE: AGRICULTURAL BUSINESS FACILITY WITH MANAGERS HOUSE AT DONAVALOUR.			DRAWING STATUS: Planning		
DRAWING TITLE: Proposed Elevations			DRAWN BY: CW & SR		
DRAWING NUMBER: 1079(P)102			CHECKED BY: JR		
			DATE: September 2017		

PORTAKABIN-1: TITAN IM124 TWIN OFFICE.

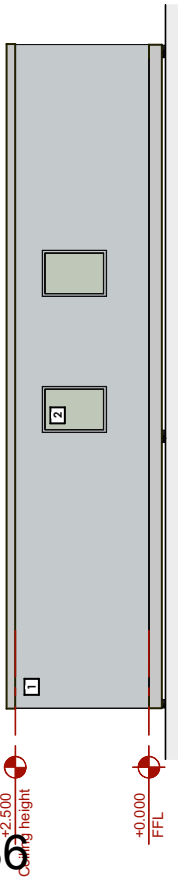
Internal area = 44.32m²



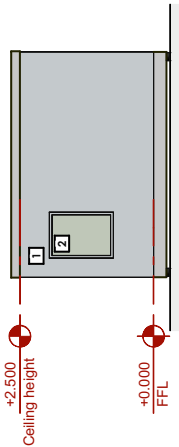
1 - Portakabin-1 Ground Floor Layout Plan 1:100



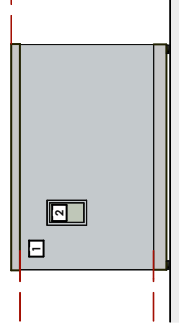
2 - South West Elevation 1:100



3 - North East Elevation 1:100



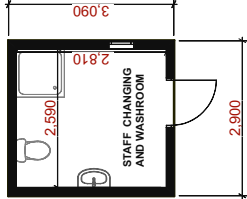
4 - North West Elevation 1:100



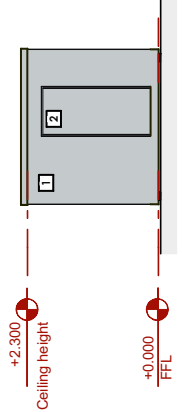
5 - South East Elevation 1:100

PORTAKABIN-2: EVENTS TYPE AS.

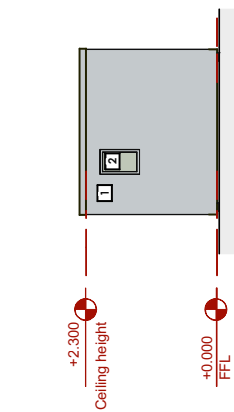
Internal area = 8.96m²



6 - Portakabin-2 Ground Floor Layout Plan 1:100



7 - North East Elevation 1:100



9 - North West Elevation 1:100

10 - South East Elevation 1:100

- SPECIFICATIONS
1. Galvanised steel cladding (one-piece construction).
 2. UPVC windows and steel faced doors.

INTERNAL LAYOUTS & OPENING OPTIONS ARE REPRESENTATIONAL ONLY - TO BE DESIGNED BY 'PORTAKABIN' AT LATER STAGE.



McKenzie Strickland Associates 23 Bank Street, Aberfeldy PH15 2BB. T: 01887 829 228		e: info@msa-architects.com 159 Dunkeld Road, Perth, PH1 5AS. T: 01738 445 983	
JOB TITLE: AGRICULTURAL BUSINESS FACILITY WITH MANAGERS HOUSE AT DONAVALOUR.		All Contents Copyright All Rights Reserved 21 Cornrie Street, Crieff PH7 4AX. T: 01764 910 410	
DRAWING TITLE: Proposed Portakabin Layouts	SCALE: 1:100 @A3	DRAWING STATUS: Planning	CHECKED BY: JR
DRAWING NUMBER: 1079(P)103	REVISION: A	DATE: September 2017	

TCP/11/16(512) – 17/01662/FLL – Erection of a dwellinghouse, agricultural building, fencing business store including formation of yard and siting of associated portable buildings, formation of vehicular accesses and associated works, land 300 metres south east of Distillery Cottages, Milton of Edradour

PLANNING DECISION NOTICE

REPORT OF HANDLING *(included in applicant's submission, see pages 281-294)*

REFERENCE DOCUMENTS *(included in applicant's submission, see pages 295-373 and 376-384)*

PERTH AND KINROSS COUNCIL

Mr Rab Robertson
c/o McKenzie Strickland Associates
Jamie Russell
159 Dunkeld Road
Perth
PH1 5AU

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 23rd November 2017

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **17/01662/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 12th October 2017 for permission for **Erection of a dwellinghouse, agricultural building, fencing business store including formation of yard and siting of associated portable buildings, formation of vehicular accesses and associated works Land 300 Metres South East Of Distillery Cottages Milton Of Edradour** for the reasons undernoted.

Interim Development Quality Manager

Reasons for Refusal

1. The proposal is contrary to Policy RD3 - Housing in the Countryside, of the Perth and Kinross Local Development Plan 2014, in addition to the Council's Housing in the Countryside Guide 2014, as it does not comply with any of the categories of the policy guidance where a dwellinghouse or dwellinghouses would be acceptable in principle at this location.
2. The proposal is contrary to Policy ED3 - Rural Business and Diversification, of the Perth and Kinross Local Development Plan 2014, as the farming business is not considered to be established and there is no site specific justification which would allow for the site to be acceptable.
3. The proposal is contrary to Policy ER6 - Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Areas Landscapes, of the Perth and Kinross Local Development Plan 2014, as the siting and scale of the proposed development is highly intrusive to the existing landscape framework

and does not conserve or enhance the surrounding landscape as required by the Policy.

4. The proposal is contrary to Policy PM1B - Placemaking criterion (a) and (b), of the Perth and Kinross Local Development Plan 2014, as the proposal fails to create a sense of identity and erodes the character of the countryside, whilst the removal of certain trees and the overall location of the proposed development would additionally erode and dilute the areas landscape character.
5. The proposal is contrary to Policy TA1B - Transport Standards and Accessibility Requirements, of the Perth & Kinross Local Development Plan 2014, as the level of traffic to be generated by the proposal is considered to be significant for the existing road network and provisions have not been demonstrated on how the development will be served by other modes of transport (in particular walking, cycling and public transport). This is in addition to the proposed development only providing 2 staff parking spaces where it is highlighted that approximately 14 members of staff are employed by the business.
6. The proposal is contrary to the Scottish Government's Policy on Woodland Removal, the Scottish Forest Strategy, the National Planning Framework as well as Policy NE2B of the Perth and Kinross Local Development Plan 2014, as there are no clear public benefits associated with the removal of the certain trees within the woodland to provide selected views for the proposed dwellinghouse.

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

17/01662/1	17/01662/11
17/01662/2	17/01662/12
17/01662/3	17/01662/13
17/01662/4	17/01662/14
17/01662/5	17/01662/15
17/01662/6	17/01662/16
17/01662/7	17/01662/17
17/01662/8	17/01662/18
17/01662/9	17/01662/19
17/01662/10	17/01662/20

TCP/11/16(512) – 17/01662/FLL – Erection of a dwellinghouse, agricultural building, fencing business store including formation of yard and siting of associated portable buildings, formation of vehicular accesses and associated works, land 300 metres south east of Distillery Cottages, Milton of Edradour

REPRESENTATIONS

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	17/01662/FLL	Comments provided by	Euan McLaughlin
Service/Section	Strategy & Policy	Contact Details	Development Negotiations Officer: Euan McLaughlin 
Description of Proposal	Erection of a dwellinghouse, agricultural building, fencing business store including formation of yard and siting of associated portable buildings, formation of vehicular accesses and associated works		
Address of site	Land 300 Metres South East Of Distillery Cottages, Milton Of Edradour		
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, <u>MAY</u> FORM THE BASIS OF A SECTION 75 PLANNING AGREEMENT WHICH MUST BE AGREED AND SIGNED PRIOR TO THE COUNCIL ISSUING A PLANNING CONSENT NOTICE. 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 Pitlochry Primary School. Education & Children's Services have no capacity concerns in this catchment area at this time.		
Recommended planning condition(s)	Summary of Requirements Education: £0 <u>Total:</u> £0		
Recommended informative(s) for applicant			
Date comments returned	19 October 2017		

Comments for Planning Application 17/01662/FLL

Application Summary

Application Number: 17/01662/FLL

Address: Land 300 Metres South East Of Distillery Cottages Milton Of Edradour

Proposal: Erection of a dwellinghouse, agricultural building, fencing business store including formation of yard and siting of associated portable buildings, formation of vehicular accesses and associated works

Case Officer: Sean Panton

Customer Details

Name: Mr ANDREW HOLMES

Address: Strathtummel 17 Lower Oakfield, Pitlochry, Perth And Kinross PH16 5DS

Comment Details

Commenter Type: community council

Stance: Customer objects to the Planning Application

Comment Reasons:

- Adverse Affect on Visual Amenity
- Contrary to Development Plan Policy
- Excessive Height
- Inappropriate Land Use
- Out of Character with the Area
- Road Safety Concerns
- Traffic Congestion

Comment: We object on the following grounds;

The development is a large industrial building in the countryside on agricultural land with no overriding reason for the location other than an opportunistic purchase of agricultural land.

The associated house is of a scale that can not be sustained by the size of the associated agricultural land and is clearly intended as a residence for the owner of the fencing business' The proposed visibility improvements are on land outwith the application area.

The addition of heavy traffic to the existing narrow rural road , irrespective of direction is detrimental to road safety and will cause congestion when other vehicles are encountered. The road is extensively used by pedestrians accessing Edradour Distillery as visitors.

The proposed bellmouth is easily capable of future alteration or over-run to allow more direct access to the A1.

Industrial land is available adjacent to the A9 if a Pitlochry location is essential.

If this application is approved then there are no longer any rules !

Y

Comments for Planning Application 17/01662/FLL

Application Summary

Application Number: 17/01662/FLL

Address: Land 300 Metres South East Of Distillery Cottages Milton Of Edradour

Proposal: Erection of a dwellinghouse, agricultural building, fencing business store including formation of yard and siting of associated portable buildings, formation of vehicular accesses and associated works

Case Officer: Sean Panton

Customer Details

Name: Mr brian simpson

Address: 2 Croftcroy, Croftinloan, Pitlochry PH16 5TG

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Inappropriate Land Use
- Road Safety Concerns

Comment: Planning Application 17/01662/FLL

Comments

I object to the planning application 17/01662/FLL for the following reasons:

1. The fencing business planned for the site is an industrial business and should be in a location designated for industry and not on agricultural land.
2. The locating of any such fencing business will increase the traffic on what is already a poor quality and dangerous road and only make things worse:
 - a. The road is high risk to pedestrians as there is no pavement, is more or less single track and has many bends with poor sight lines.
 - b. The road is high risk to cyclists for similar reasons.
 - c. The road, particularly the small roundabout at Croftinloan, is tricky for traffic to negotiate and there are probably already many near misses with vehicles using the road
3. I note the comments in the application about accessing the site via the A924 Kirkmichael road. In the real world, for drivers approaching from the A9, they will approach the site from General Wades Road just off the A9. It is a significantly shorter route, quicker and uses less fuel. This logic will apply to delivery drivers, staff and customers and it will not be possible to police this. Sat navs will also reinforce this use by use of the fastest or shortest route.

In summary I request that the application be rejected for the above reasons.

Brian Simpson

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	17/01662/FLL	Comments provided by	David Williamson
Service/Section	Strategy and Policy	Contact Details	██████████ ████████████████████
Description of Proposal	Erection of a dwellinghouse, agricultural building, fencing business store including formation of yard and siting of associated portable buildings, formation of vehicular accesses and associated works		
Address of site	Land 300 Metres South East Of Distillery Cottages, Milton Of Edradour		
Comments on the proposal	Part 214 of the Scottish Planning Policy states: The presence (or potential presence) of a legally protected species is an important consideration in decisions on planning applications. If there is evidence to suggest that a protected species is present on site or may be affected by a proposed development, steps must be taken to establish their presence. The level of protection afforded by legislation must be factored into the planning and design of the development and any impacts must be fully considered prior to the determination of the application. Certain activities – for example those involving European Protected Species as specified in the Conservation (Natural Habitats, &c.) Regulations 1994 and wild birds, protected animals and plants under the Wildlife and Countryside Act 1981 – may only be undertaken under licence. Following the introduction of the Wildlife and Natural Environment (Scotland) Act 2011, Scottish Natural Heritage is now responsible for the majority of wildlife licensing in Scotland. The RTPI GOOD PRACTICE GUIDE - PLANNING FOR BIODIVERSITY provides the following guidance: The presence of a protected species is a material consideration in planning decisions. It is important to bear in mind that the granting of planning permission can provide a legal justification for Undertaking operations that would harm a protected species. In dealing with cases that may involve protected species it is important to ensure that an expert survey is undertaken and specialist advice is obtained, either from the applicant (through consultants) or from the statutory agencies or local nature conservation organisations, many of which have valuable local knowledge and experience of the species. In most cases harm could be overcome by modifications to the proposals or by the use of conditions or agreements related to any permission granted. However, it should be born in mind that mobile species frequently range beyond designated sites or sites		

where they are known to breed, roost, rest or hibernate. They may be equally dependent upon more extensive foraging, hunting or feeding areas (for example, barn owls and bats).

The Association of Local Government Ecologists Guidance on Validation of Planning Applications provides the following guidance:

The planning authority has a duty to consider the conservation of biodiversity when determining a planning application; this includes having regard to the safeguard of species protected under the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats etc) Regulations 1994 or the Badgers Act 1992. Where a proposed development is likely to affect protected species, the applicant must submit a **Protected Species Survey and Assessment**. If the application involves any of the development proposals shown in **Table 1** (Column 1), a protected species survey and assessment must be submitted with the application. Exceptions to when a survey and assessment may not be required are also explained in this table. The **Survey** should be undertaken and prepared by competent persons with suitable qualifications and experience and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines/methods where available*. The survey may be informed by the results of a search for ecological data from a local environmental records centre. The survey must be to an appropriate level of scope and detail and must:

- Record which species are present and identify their numbers (may be approximate);
- Map their distribution and use of the area, site, structure or feature (e.g. for feeding, shelter, breeding).

The **Assessment** must identify and describe potential development impacts likely to harm the protected species and/or their habitats identified by the survey (these should include both direct and indirect effects both during construction and afterwards). Where harm is likely, evidence must be submitted to show:

- How alternative designs or locations have been considered;
- How adverse effects will be avoided wherever possible;
- How unavoidable impacts will be mitigated or reduced;
- How impacts that cannot be avoided or mitigated will be compensated.

In addition, proposals are to be encouraged that will enhance, restore or add to features or habitats used by protected species. The Assessment should also give an indication of how species numbers are likely to change, if at all, after development e.g. whether there will be a net loss or gain.

The information provided in response to the above requirements are consistent with those required for an application to Scottish Natural Heritage for a European Protected Species Licence. A protected species survey and assessment may form part of a wider Ecological Assessment and/or part of an Environmental Impact Assessment.

Biodiversity Officers Comments

The proposals show a number of trees to be removed yet no tree survey has

	been provided with the application. The applicant will be required to provide a tree survey and extended phase 1 survey of the site. Any trees to be removed will require to be assessed for bat roost potential, and if found to have high bat roost potential will require to be fully assessed and surveyed for bats.
Recommended planning condition(s)	If you are minded to approve the application then I recommend the following conditions be included in any approval: It is not possible to recommend conditions without a tree survey and extended phase 1 ecological survey of the site.
Recommended informative(s) for applicant	• The applicant is reminded that, should any protected species be present a licence may be required from Scottish Natural Heritage to disturb a protected species. Failure to obtain a licence may constitute a criminal act under the Habitats Regulations and penalties are severe for non compliance. • The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage or destroy the nest of any wild birds while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.
Date comments returned	26 October 2017

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	17/01662/FLL	Comments provided by	Dean Salman Development Engineer
Service/Section	Transport Planning	Contact Details	[REDACTED]
Description of Proposal	Erection of a dwellinghouse, agricultural building, fencing business store including formation of yard and siting of associated portable buildings, formation of vehicular accesses and associated works		
Address of site	Land 300 Metres South East Of Distillery Cottages, Milton Of Edradour		
Comments on the proposal	Insofar as the Roads matters are concerned I have no objections to this proposal on the following condition.		
Recommended planning condition(s)	AR01 Prior to the development hereby approved being completed or brought into use, the vehicular access shall be formed in accordance with Perth & Kinross Council's Road Development Guide Type A Figure 5.5 access detail, of Type B Road construction detail. Prior to the development hereby approved being completed or brought into use, the construction of 1 no. additional passing place to be constructed in accordance with the National roads development guide, provide minimum road width of 5.5 metres, 20 metres in length. As per drawing 14167/03/001, road construction detail to be agreed with the Roads Maintenance Partnership. Reason - In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary. Prior to the commencement of works on the development, the applicant shall submit for the written approval of the Planning Authority a Construction Traffic Management Scheme (TMS) which shall include the following: a) restriction of construction traffic to approved routes and the measures to be put in place to avoid other routes being used; b) timing of construction traffic to minimise impact on local communities particularly at school start and finishing times, on days when refuse collection is undertaken, on Sundays and during local events; c) arrangements for liaison with the Roads Authority regarding winter maintenance; d) emergency arrangements detailing communication and contingency arrangements in the event of vehicle breakdown; e) arrangements for the cleaning of wheels and chassis of vehicles to prevent material from construction sites associated with the development being deposited on the road; f) arrangements for cleaning of roads affected by material deposited from construction sites associated with the development;		

	g) arrangements for signage at site accesses and crossovers and on roads to be used by construction traffic in order to provide safe access for pedestrians, cyclists and equestrians; h) details of information signs to inform other road users of construction traffic; i) arrangements to ensure that access for emergency service vehicles are not impeded; j) monitoring, reporting and implementation arrangements; and k) arrangements for dealing with non-compliance. The TMS as approved shall be strictly adhered to during the entire site construction programme all to the satisfaction of the Council as Planning Authority. Reason - In the interests of pedestrian and traffic safety and in the interests of free traffic flow.
Recommended informative(s) for applicant	The applicant should be advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Road drainage may be in the vicinity of the new access and require remedial works. Contact Perth & Kinross Council Road Maintenance Department for further details.
Date comments returned	27 October 2017

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	17/01662/FLL	Comments provided by	Diane Barbary
Service/Section	Conservation	Contact Details	[REDACTED]
Description of Proposal	Erection of a dwellinghouse, agricultural building, fencing business store including formation of yard and siting of associated portable buildings, formation of vehicular accesses and associated works		
Address of site	Land 300m SE of Distillery Cottages, Milton of Edradour		
Comments on the proposal	The proposed development site is located to the south east of the category B listed Edradour Distillery complex (LB 47625). I have no comments or concerns regarding the impact of the proposed development on the setting of the listed buildings.		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	31/10/17		

Comments for Planning Application 17/01662/FLL

Application Summary

Application Number: 17/01662/FLL

Address: Land 300 Metres South East Of Distillery Cottages Milton Of Edradour

Proposal: Erection of a dwellinghouse, agricultural building, fencing business store including formation of yard and siting of associated portable buildings, formation of vehicular accesses and associated works

Case Officer: Sean Panton

Customer Details

Name: Mr Michael Sharp

Address: 2 Walled Garden, Donavoured, Pitlochry PH16 5JS

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Inappropriate Land Use
- Road Safety Concerns
- Traffic Congestion

Comment:- The location may be ideal for a residence, but is not so for a business requiring frequent access by vehicles of considerable weight and size.

- Whether from north or south, the road is narrow, with bends and poor sight lines.
- Although the road from Pitlochry has been somewhat improved to facilitate heavy vehicle access to the Edradour Distillery (but still with the narrow double bend and hill) the almost universal use of SatNav will direct most vehicles from the south along General Wade's Road, up the narrow 'Squirrel Crossing' hill and into the lower end of Donavoured.
- The road through Donavoured is hilly, twisty, narrow, with poor sight lines, and in several places the surface is friable and damaged. Unlike the road to the north of the distillery, it has not been improved to allow for frequent heavy traffic.
- The necessary access for heavy traffic to residences in the lower part of Donavoured (deliveries, refuse collection, etc) places quite sufficient pressure on this locality in terms of road safety and noise. It should not be added-to by business traffic.
- I have no objection to a residence at the proposed location. I object strongly to a vehicle-intensive business there.

Memorandum

To Development Quality Manager

From Regulatory Service Manager

Your ref 17/01662/FLL

Our ref MA

Date 7 November 2017

Tel No [REDACTED]

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

RE: Erection of a dwellinghouse, erection of an agricultural building, erection of fencing business store, formation of yard and siting of associated portable buildings, formation of vehicular accesses and associated works Land 300 Metres South East Of Distillery Cottages Milton Of Edradour for Mr Rab Robertson

I refer to your letter dated 13 October 2017 in connection with the above application and have the following comments to make.

Water (assessment date – 7/11/ 17)

Recommendation

I have no objections to the application but recommend the undernoted condition and informatives be included in any given consent.

Comments

The development is for a dwelling house and agricultural development in a rural area with private water supplies (including Edradour distillery Supply) believed to serve properties in the vicinity. To ensure the new development has an adequate and consistently wholesome supply of water and to maintain water quality and supply in the interests of residential amenity and ensure the private water supply or septic drainage systems of neighbours of the development remain accessible for future maintenance please note the following condition and informatives. It should be noted that once the development is operational this Service may have statutory duties detailed in the Private Water Supplies (Scotland) Regulations 2006 to monitor the water quality. No public objections relating to the water supply were noted at the date above.

WS00 Condition

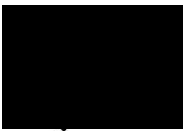
Prior to the commencement of the development hereby approved, details of the location and measures proposed for the safeguarding and continued operation, or replacement, of any septic tanks and soakaways, private water sources, private water supply storage facilities and/or private water supply pipes serving properties in the vicinity, sited within and running through the application site, shall be submitted to and approved in writing by the Council as Planning Authority. The subsequently agreed protective or replacement measures shall be put in place prior to the development being brought into use and shall thereafter be so maintained insofar as it relates to the development hereby approved.

WAYL - Informative 1

The applicant should ensure that any existing wayleaves for maintenance or repair to existing private water supply or septic drainage infrastructure in the development area are honoured throughout and after completion of the development.

PWS - Informative 2

The applicant shall ensure the private water supply for the house/ development complies with the Water Scotland Act 1980 (Section 63) and the Private Water Supplies (Scotland) Regulations 2006. Detailed information regarding the private water supply, including the nature, location and adequacy of the source, any storage tanks/ pipework and the filtration and disinfection treatment proposed to ensure provision of an adequate and consistently wholesome water supply shall be submitted to Perth and Kinross Council Environmental Health in line with the above act and regulations.



Memorandum

To Development Quality Manager From Regulatory Service Manager

Your ref PK17/01662/FLL

Our ref LJA

Date 14 November 2017

Tel No ([REDACTED]

The Environment Service

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

Consultation on an Application for Planning Permission

PK17/01662/FLL RE: Erection of dwellinghouse, erection of agricultural building, erection of fencing business store, formation of yard and siting of associated portable buildings, formation of vehicular accesses and associated works Land 300m south east of Distillery cottages Milton or Edradour for Mr Rab Robertson

I refer to your letter dated 13 October 2017 in connection with the above application and have the following comments to make.

Contaminated Land (assessment date – 14/11/2017)

Recommendation

A search of the historic records did not raise any concerns regarding ground contamination and therefore I have no adverse comments to make on the application.



