

**LRB-2023-38**

**23/00636/FLL - Siting of 3 accommodation units and a laundry/storage unit for use as short-term letting or workers accommodation, and associated works (in retrospect), land 170 metres north east of Keepers Cottage, Amulree, Dunkeld**

## **FURTHER INFORMATION**

- Further information from the Applicant, as requested by the LRB Members on 18 December 2023
- Comments by the Planning Officer on the further information received



Refusal of Planning Permission for temporary workers' caravans and  
holiday let caravans' development (in retrospect)  
Culfargie Estates and Tay & Torridon Estates, Amulree  
January 2024



**LRB – 2023-38  
LDP 2 POLICY 8 – RURAL  
BUSINESS AND  
DIVERSIFICATION  
BUSINESS PLAN AND PROFIT  
& LOSS ACCOUNT**

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## 1.0 Introduction

The Local Review Body (LRB) considered the Notice of Review at its meeting held on 18 December 2023. The decision of the LRB was as follows:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, insufficient information was before the Local Review Body to determine the matter without further procedure.
- (ii) The applicant to produce a business plan as per the requirements of Policy 8: Rural Business and Diversification of the Perth and Kinross Local Development Plan 2 (2019), including a monthly breakdown detailing seasonal worker versus tourist use of the accommodation.
- (iii) Development Management to review and comment on the business plan provided. Following receipt of all information and responses, the application be brought back to a future meeting of the Local Review Body. I would be obliged, therefore, if you could provide me with the information requested by the Local Review Body as detailed in (ii) above by 1 February 2024. Should you find that you require an extension to the deadline please advise us as soon as possible so that this can be agreed.

## 2.0 Policy 8 : Rural Business and Diversification Perth & Kinross Local Development Plan 2 (2019)

As required by the LRB (see ii) in section 1.0 above and in accordance with Policy 8: Rural Business and Diversification, the appellant has prepared a business plan, including a monthly breakdown detailing seasonal worker versus tourist use of the existing accommodation. See Appendix 1.

Policy 8 confirms 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.

The policy notes that sites outwith settlements may be acceptable where they offer opportunities to diversify an existing business, or are related to an existing site-specific resource or opportunity. Full details are provided in the Business Plan at Appendix 1

Policy 8 confirms that proposals for new tourism-related developments will be supported where it can be demonstrated that they improve the quality of new or existing visitor facilities, allow a new market to be exploited, or extend the tourism season. Proposals for new tourism-related developments must be justified through a business plan.

The proposal does not specifically relate to the expansion of an existing tourism business but it would strengthen income for the estate business and resourcefully make use of existing accommodation when unoccupied.

Policy 8 includes assessment criteria that it expects all proposals to meet, as follows:

- (a) *The proposal will contribute to the local economy through the provision of permanent employment, visitor accommodation (see also Policy 9), additional tourism or recreational facilities, or the re-use of existing buildings.*

The proposals present the opportunity to temporarily re-use seasonal workers accommodation for visitor accommodation. This provides the opportunity for the estate to diversify and create local employment, as well as benefit the local economy. The estate currently employ a local resident to look after the caravans. If the caravans were not utilised for holiday lets the role of this individual would be harder to justify.

*(b) The proposal will not result in suburbanisation of the rural area or encourage unsustainable travel patterns.*

The proposed accommodation exists on site. It would not therefore result in suburbanisation. The small scale, temporary nature of the visitor accommodation would not give cause significant unsustainable travel patterns.

*(c) 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 use is fully compatible with the surrounding land uses. The units are used for seasonal workers therefore their continued use for tourist accommodation would be little different. To the best of the appellants knowledge there have been no complaints to PKC Planning or Environmental Services departments.

The units are adequately distant from the nearest residential property thus protecting its amenity. This is qualified in the Environmental Health officer's consultation response to planning application Ref: 23/00636/FLL (07 July 2023) attached at Appendix 2.

*"Given the location and distance to neighbouring residential properties out-with the ownership of the applicant I do not foresee the proposed units having a significant impact on the residential amenity of neighbouring properties. The applicant should be mindful of any plant equipment associated with the laundry/storage container and as such I would recommend the standard plant equipment noise condition be attached to any given consent."*

The continued use of the units would supplement the existing maintenance costs of the caravans and would ensure they do not fall into disrepair. Additionally, there would be income generated for the estate and it would encourage employment locally and should bring increased benefits to the local economy. It is expected that the caravans could be let for in the region of 120 nights per year (total for all 3).

*(d) The proposal can be satisfactorily accommodated within the landscape and environmental capacity of the site.*

The proposed units already exist and their visibility within the landscape is limited therefore there would be little in the way of additional impact on the surrounding countryside. Nevertheless, the proposals include a landscape framework which will further mitigate the units setting within the wider landscape.

*(e) The proposal meets a specific need by virtue of its quality or location in relation to existing business or tourist facilities.*

The proposed temporary use of the units for tourism accommodation would contribute to addressing the accommodation needs of the Perthshire tourist industry as well as allow the estate's business to diversify without the need for any material change to the existing use.

*(f) 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.*

Non applicable to the proposals.

*(g) The local road network must be able to accommodate, or be capable of upgrading in order to accommodate, the nature and volume of the traffic generated by the proposed development in terms of road capacity, safety and environmental impact.*

The traffic generated by the proposal would be minimal and could easily be accommodated by the existing road network. This is confirmed in the consultation response received by the Transport officer. attached at Appendix 3.

*(h) Outwith settlement centres retailing will only be acceptable if it can be demonstrated that it is ancillary to the main use of the site and would not be deemed to prejudice the vitality of existing retail centres in adjacent settlements.*

Non applicable to the proposals.

*(i) Developments employing more than 25 people in rural locations will be required to implement a staff travel plan or provide on-site staff accommodation. N/A*

This policy is applicable for tourism developments of significant scale and should be used proportionately when assessing new tourism proposals.

## 3.0 Conclusions

As requested by the LRB and as per the requirements of Policy 8: Rural Business and Diversification of the Perth and Kinross Local Development Plan 2 (2019), this statement provides a business plan including a monthly breakdown detailing seasonal worker versus tourist use of the accommodation.

It is kindly requested that the LRB favourably consider this additional information provided and dismiss the planning officer's reasons to refuse planning application Ref: 23/00636/FLL | Siting of 3 accommodation units and a laundry/storage unit for use as short-term letting or workers accommodation, and associated works (in retrospect)

# APPENDIX 1

## BUSINESS PLAN AND PROFIT & LOSS ACCOUNT

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## BUSINESS PLAN

### **EXECUTIVE SUMMARY**

Cufargie Estates and Tay + Torridon Estates seeks to obtain planning permission to utilise 3 static caravans which are currently used as temporary worker accommodation as holiday lets when they are not required for workers. The business would supplement the existing maintenance costs of the caravans and would ensure they do not fall into disrepair. Additionally, there would be income generated for the estate and it would encourage employment locally and should bring increased benefits to the local economy. It is expected that the caravans could be let for in the region of 120 nights per year (total for all 3). As the buildings are already in situ there would be little in the way of additional impact on the surrounding countryside.

### **BUSINESS DETAILS**

Tay + Torridon Estates Limited  
Estate Office  
Tarrylaw Farm  
Balbeggie  
Perthshire  
PH2 6HL

### **BACKGROUND**

Three static caravans have been sited on land to the North of North Amulree Farm for the purposes of providing seasonal workers accommodation for estate activities. The estate operates farming, sporting and property business currently employing nine full time staff and 3 regular part time staff. In addition there is a requirement periodically to bring in additional staff, such as lambing staff, farm workers, beaters, labourers, chefs and cleaning staff. Staff are recruited locally where possible but due to the specialist nature of some of the work, often parties are recruited from further afield. Due to the remote nature of the estate with no public transport these staff are housed in these caravans during their employment.

### **AIM**

When the caravans are not being used as staff accommodation they are currently vacant and the burden of maintenance and servicing remains the same. The estate wishes to ensure the caravans are utilised as efficiently as possible. Thus operating holiday lets when they would otherwise be empty will ensure the caravans are being used and so less likely to fall into disrepair. Operating holiday lets would bring employment to the local area as well as benefits to local businesses and the local economy.

### **OCCUPANCY**

Occupancy by staff varies from year to year depending on the workload and availability of suitable staff. The key timings for staff use are as follows:

#### *April – May*

Lambing staff required to assist with farm work during the lambing period. Usually occupying one or two of the three caravans.

#### *July – November*

Estate staff to assist with management of the estate carrying out a range of works to ensure proper maintenance and improve the natural environment on the estate.

## BUSINESS PLAN

Staff to assist with the sporting department including individuals carrying out bird counting work and beaters employed during the grouse season. All three caravans can be full at this time.

### *Short stays 4-14 days throughout the year*

Additional cleaning and catering staff will be housed in the caravans sporadically throughout the year to assist with the requirements on the estate for those services. Usually occupying one caravan.

The main priority will be staff accommodation but on occasions when all three caravans are not required then the estate would like to release caravans otherwise not needed to be utilised as holiday lets. The availability of the caravans to be used as holiday lets will vary depending on the seasons, availability of staff and workload on the estate.

It is estimated that in the first year the occupancy by holiday let customers would be as follows;

April – June  
27 nights

July – August  
35 nights

September – October  
36 nights

Nov – March  
24 nights

### **MARKETING**

The caravans would initially be advertised on Air B+B which has proved successful for the estates holiday cottage. In addition the estates own website would be updated to reflect the offering and other sources would be tapped into where possible including word of mouth, local and national publications.

### **STAFF**

A local part time member of staff currently looks after the estates sole holiday cottage. Adding the caravans as a holiday let would secure the role for this individual on the estate. The increased workload would also lead to further staffing requirements to help with changeovers during peak periods. The staff member would be employed to manage bookings and changeovers. Overall management including bookkeeping would be undertaken through the estate office which currently employs two full-time staff, this additional work would again secure their roles within the business.

### **SUPPLIERS**

The increased use of the caravans would benefit local suppliers with welcome packs being sourced locally, laundry being sent to the laundry in Aberfeldy and local trades being required to keep the property maintained and up to standard.

### **FINANCE**

## BUSINESS PLAN

Appendix 1 shows an expected profit and loss forecast for the caravans over a 12 month period. Income will depend greatly on the availability of the caravans to be let for holiday use which will to a point be dictated by the seasons. Cost will remain largely the same with the main variable being staff as the greater the occupancy the more work servicing the caravans. It is hoped that in time the income can be increased once the business has had an opportunity to build up a reputation and an opportunity encourage repeat bookings.

### **CONCLUSION**

By allowing the caravans to be utilised as holiday lets it would ensure the properties are used as efficiently as possible. The infrastructure is in place and is well placed to be utilised for such a use. Additionally it would bring increased income to the local economy and provide increased job security for existing staff whilst providing opportunities for the estate to employ further local labour. The site is self contained within land owned by the business and the use of the properties as holiday lets will not have a detrimental impact on the surrounding properties or affect land use.

**PROFIT & LOSS FORECAST**

**Tay + Torridon Estates Caravans**

	Pre Start Income	April	May	June	July	August	September	October	November	December	January	February	March	TOTAL
Sales \ Income	0	1080	800	566	1930	1330	1295	650	1376	470	310	0	0	9807
<b>GROSS PROFIT</b>	0	1080	800	566	1930	1330	1295	650	1376	470	310	0	0	9807
<b>DEDUCT</b>														
	<b>Pre Start Expenses</b>													
Staff	0	363	256	216	568	372	285	230	233	140	172	0	0	2835
Gas & Electricity	0	0	0	720	0	200	805	225	225	0	181	0	272	2628
Insurances	0	20	20	20	20	20	20	20	20	20	20	20	20	240
Pest Control	0	495	0	0	0	0	0	0	0	0	0	0	0	495
Repairs & Maintenance	0	100	0	120	0	0	0	0	0	200	0	0	0	420
Laundry	0	50	130	50	140	65	195	150	50	60	45	0	82	1017
Internet	0	55	55	55	55	55	55	55	55	55	55	55	55	660
Office Costs	0	40	40	40	40	40	40	40	40	40	40	40	40	480
Advertising & Commision	0	33	24	0	58	40	39	20	42	14	10	0	0	280
Miscellaneous Expenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL EXPENSES £</b>	0	1156	525	1221	881	792	1439	740	665	529	523	115	469	9055
<b>Trading Profit (Loss)</b>	0	-76	275	-655	1049	538	-144	-90	711	-59	-213	-115	-469	752
Add : Miscellaneous Income	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Net Profit (Loss) Before Tax</b>	0	-76	275	-655	1049	538	-144	-90	711	-59	-213	-115	-469	752

NOTE : VAT IS EXCLUDED WHERE IT CAN BE RECLAIMED

## APPENDIX 2

# ENVIRONMENTAL HEALTH OFFICER'S CONSULTATION RESPONSE TO PLANNING APPLICATION REF: 23/00636/FLL

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# Memorandum

To Development Management & Building  
Standards Service Manager

From Regulatory Services Manager

Your ref 23/00636/FLL

Our ref DAT

Date 07 July 2023

Tel No 01738 476481

Communities

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

## Consultation on an Application for Planning Permission

**23/00636/FLL RE: Siting of 3 accommodation units and a laundry/storage unit for use as short-term letting or workers accommodation, and associated works (in retrospect) Land 170 Metres North East Of Keepers Cottage Amulree Dunkeld PH8 0EE**

I refer to your letter dated 28 June 2023 in connection with the above application and have the following comments to make.

### Environmental Health Recommendation

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

### Comments

This application is for the siting of 3 accommodation units (caravans) and a storage/laundry unit, on land 170m NE of Keepers Cottage, Almuree, Dunkeld. It is noted that the caravans are already sited on the land and have been utilised for seasonal workers accommodation and for occasional holiday-let use.

### Noise

Given the location and distance to neighbouring residential properties out-with the ownership of the applicant I do not foresee the proposed units having a significant impact on the residential amenity of neighbouring properties. The applicant should be mindful of any plant equipment associated with the laundry/storage container and as such I would recommend the standard plant equipment noise condition be attached to any given consent.

### Site Licence

Whilst there is no requirement for a caravan site licence if used solely for the purpose of housing seasonal workers employed by the estate, as it is the applicant's intention to let out on a short-term holiday let basis, I would advise the applicant that a site licence will be required.

Therefore, whilst I have no objections to the application, I would recommend the following condition and informative be attached to any given consent.

## Condition

**EH11** All plant or equipment shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 20 between 2300 and 0700 hours daily, within any neighbouring residential property, with all windows slightly open, when measured and/ or calculated and plotted on a rating curve chart.

## Informative

### **CARAV**

Part of the approved development includes 'caravans'. The developer is advised that caravans require to be licensed under the terms of Section 1 of the Caravan Sites and Control of Development Act 1960 and therefore a licence application should be made to Environmental Health. Application forms are available at <https://www.pkc.gov.uk/article/15600/Licence-caravan-site>

A handwritten signature or set of initials, appearing to be 'OS', is enclosed within a rectangular box. The signature is written in dark ink on a white background.

## APPENDIX 3

# TRANSPORTATION CONSULTATION RESPONSE TO PLANNING APPLICATION REF: 23/00636/FLL

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## Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	23/00636/FLL	<b>Comments provided by</b>	Lachlan MacLean Project Officer – Transport Planning
<b>Service/Section</b>	Transport Planning	<b>Contact Details</b>	TransportPlanning@pkc.gov.uk
<b>Description of Proposal</b>	Siting of 3 accommodation units and a laundry/storage unit for use as short-term letting or workers accommodation, and associated works (in retrospect)		
<b>Address of site</b>	Land 170 Metres North East Of Keepers Cottage, Amulree, Dunkeld PH8 0EE		
<b>Comments on the proposal</b>	<p>The applicant is proposing to change the use of the site to regularise the continued use of the caravans.</p> <p>The vehicle access to the public road network for the site will be via the existing private track which is taken directly off the A822.</p> <p>No changes are proposed for the existing vehicle access to the property. No changes are proposed for the number of parking spaces for the property.</p> <p>Insofar as the Roads matters are concerned, I have no objections to this proposal.</p>		
<b>Recommended planning condition(s)</b>			
<b>Recommended informative(s) for applicant</b>			
<b>Date comments returned</b>	15 July 2023		



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## CDS Planning Local Review Body

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**From:** Paul Williamson  
**Sent:** 05 March 2024 21:26  
**To:** CDS Planning Local Review Body; Jessica Guild  
**Subject:** RE: LRB-2023-38

**Importance:** High

Good evening

Further to the additional information, submitted by the agent, I can confirm that I have now had the opportunity to digest and review their submission.

While it is appreciated that the LRB have requested that Development Management review and comment upon the Business Plan now prepared, at the time of the assessment of the planning application, such information was absent from the submission which is always disappointing when it is a clear policy requirement

That being said, it is considered that while the occupancy by staff is highlighted as being April to May (Lambing time accepted), and July to November (very vague definition of work requiring essential accommodation), other aspects about the need for during 'bird counting' season as somewhat dubious, as it is not anticipated that such work would necessitate overnight stays. Furthermore, while it anticipates that holiday occupation for 122 nights, it could be significantly greater than that.

Notwithstanding, while the general principle was a concern from an over-arching policy perspective, the Planning Authority were concerned from a general placemaking and landscape perspective, a stance which remains. While located slightly off the beaten track, and in a partially isolated position, the siting of the units does not relate well to the landscape setting, and its considered that there may be more appropriate location beside the farm/hub, as opposed at the foothills of 'Craig Hulich'. As such, while the review has sought to address Reason 2 of the decision notice, the view of the Development Management Team remains as per the 3 reasons listed on the decision notice.

Yours sincerely

Paul Williamson

Paul Williamson  
Team Leader  
Local Developments  
Development Management  
Economy, Development and  
Planning  
Perth & Kinross Council  
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