

TCP/11/16(520) – 17/01804/IPL – Erection of a dwellinghouse (in principle) on land 150 metres North West of East Tulchan Steadings, Glenalmond

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TCP/11/16(520) – 17/01804/IPL – Erection of a dwellinghouse (in principle) on land 150 metres North West of East Tulchan Steadings, Glenalmond

**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 TULCHAN ESTATES LIMITED

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EDINBURGH

Postcode EH3 5AT

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

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C.B. PLANNING LIMITED

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CRIEFF, PERTSHIRE,

Postcode PH7 3EQ

Contact Telephone 1 07400 400815

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Fax No

E-mail* campbellblake@bt.com

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

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

Yes ☒ No ☐

Planning authority

PERTH AND KINROSS COUNCIL

Planning authority's application reference number

17/01804/1PL

Site address

150 METRES NORTH WEST OF EAST TULCHAN STEADINGS,
TULCHAN ESTATE, GLENALMOND, PH1 3SQ.

Description of proposed
development

ERECTION OF A FARM WORKERS / ESTATE MANAGERS
DWELLING HOUSE (IN PRINCIPLE)

Date of application

13/10/2017

Date of decision (if any)

8/12/2017

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:

SITE INSPECTION WOULD ALLOW THE MEMBERS OF THE LOCAL REVIEW BODY TO ASSESS THE FARM & BUILDINGS AND TAKE FURTHER PRESENTATIONS IF APPROPRIATE

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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

SITE EXTENDS TO 141 HECTARES OF UPLAND FARM, SO CAN UTILISE THE INTERIOR FARM ACCESS TRACK

Statement

Notice of Review

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

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

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

SEE ATTACHED SUPPLEMENTARY STATEMENT.

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.

N/A

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.

1. SUPPLEMENTARY STATEMENT
2. DECISION NOTICE ON APP REF: 17/01804/EPL
3. SUPPORTING LETTER FROM SAC CONSULTANCY DATED 18th SEPTEMBER 2017
4. REPORT OF HANDLING FOR APP REF: 17/01804/EPL
5. LOCATION PLAN - TULCRAH PLAN 41
6. APPLICATION SITE - PLAN 3

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



Date

26/03/2018

**Supplementary Statement to the
Perth and Kinross Local Review
Body by Tulchan Estate Limited:
Erection of a Farm Tenant/Estate
Manager Dwellinghouse at Glenalnr
Perthshire,PH1 3SG**

Planning Permission in Principle

Council ref: 17/01804/IPL

February 2018

1.0 Introduction

- 1.1 The planning application for the erection of a Farm Tenant/Estate Managers dwelling house (in principle) was refused, under delegated powers, on 8th December 2017. The council application reference is 17/01804/IPL (see attached Decision Notice).
- 1.2 This application was accompanied by a letter from SAC Consulting, dated 18th September 2017 (see attached SAC letter), which stated that “ the proposal to build a farmhouse...is highly desirable for animal welfare, farm and business security, and health and safety” and that the “ proposal to build a dedicated farm dwelling house to be let on a long-term basis in conjunction with all the farmland and associated existing farm infrastructure at East and West Tulchan will create a fully operational and practical farming unit.”
- 1.3 This is the second application submitted for the proposed development of the Farm Tenant/Estate Managers dwelling. The first application, council ref: 17/00817/FLL was refused under delegated powers on 26th July 2017. The first and second applications are almost identical though the main difference is that this second application was accompanied by the SAC Consulting letter referred to above.

2.0 Report of Handling

- 2.1 The Report of Handling (see attached) specified 5 reasons for refusal. Reasons 1 and 2 challenged the principle and economic need for the dwelling house, whilst reasons 3, 4 and 5 expressed concern about the proposed position of the dwelling adjacent to the road, route C 409.
- 2.2 The Report of Handling raised two specific concerns. Firstly, it states that “the essential need for a workers dwelling has been created artificially” through the disposal of the original farmhouse at East Tulchan in the 1990’s. Secondly there is a preference for the proposed dwelling to be located near the existing agricultural buildings, elsewhere on the estate, rather than adjacent to the road and the potential source of nuisance and complaint to the nearest residential properties should agricultural buildings be developed in conjunction with the proposed dwelling.

3.0 The Proposal

- 3.1 Tulchan is an upland farm comprising some 141 hectares (349 acres). The farm supports livestock production with some of the land having potential to grow crops. The income is split between farming and holiday lets (two existing properties are let). There are various agricultural buildings spread throughout the site.
- 3.2 The farm is currently let on a Short-Limited Duration Tenancy which will end in November 2019. The land owner does not farm or live on the land.

- 3.3 Tulchan Estate are seeking planning permission (in principle) for a farm worker/estate managers dwelling house as, currently, there is no farmhouse. The proposition is to, on expiry of the existing lease, offer a full farm tenancy to a new entrant farmer and the proposed dwelling would be required to accommodate the new entrant and his/her family.

4.0 Reasoned Justification

- 4.1 It is accepted that in terms of the New Houses in the Countryside policy applied by Perth and Kinross Council that there has to be a demonstrated need for a new dwelling. The planning application process is being commenced at this point to allow sufficient time for approval of an application in principle and a subsequent Matters Specified by Conditions application, should the Council be favourably disposed towards the principle of development. There is an identified need to live on site to manage the operations effectively, particularly in relation to the husbandry of the animal stock. There is no potential to utilise existing accommodation or for the renovation of other existing buildings as these units supplement the farm income.
- 4.2 In this instance the agricultural unit extends to 141 hectares. There are two existing dwellings: Tulchan Lodge, an 8- bedroom unit (sleeps 16) which was specifically built as a holiday let and the Hayloft which, because of its restricted size, is more suited to a holiday let. Tulchan Lodge and the Hayloft were constructed by the current owners (see attached Tulchan Plan 4).
- 4.3 The Report of Handling believes that the case for a new dwelling has been “created artificially” as the original farmhouse, called East Tulchan, was sold in the 1990’s. It should be pointed out, that East Tulchan farmhouse was sold by the previous owner and the current owner only acquired the land. The accusation that the need is “artificially created” is unfounded and disingenuous. East Tulchan farmhouse now forms part of a privately developed and extended steading development of 5 houses, which abuts the site of the proposed dwelling, and is no longer available for agricultural use. There is therefore a net loss of one agricultural dwelling.
- 4.4 The letting of Tulchan Lodge and the Hayloft generates some 60% of the farm income. The lettings cross subsidises the agricultural operation. Farmers are encouraged to diversify and identify additional sources of income. This owner has actively embraced this and now wishes to extend the diversification by philanthropically encouraging a new entrant into farming. This will require a new dwelling which meets the needs of a young, growing family. This is the rationale behind this planning application which is justified by the terms of the New Houses in the Countryside policy.
- 4.5 The site was specifically chosen as it is adjacent to route C409 (Methven to Buchanty road). This logical location was selected for reasons of security, proximity to services in the road and that the pattern of development, is generally, to position farm and private houses adjacent to the road (see attached Application Site-Plan 3).

- 4.6 The proposed site extends to approximately an acre. The proposed site and the abutting East Tulchan steading development is separated by a 40- metre wide landscape strip and then some 70 metres of garden ground. The separation distance of 110 metres with mature landscaping is sufficient to maintain the amenity of the residential units at East Tulchan. The applicant, as an additional safeguard, is proposing that the permitted development rights be removed from this property so that no other building can be erected without the permission of the Council to ensure the continued amenity of East Tulchan steading.
- 4.7 The vision is for a 1.5 storey, 3 bed dwellinghouse designed to reflect the local architecture and the Design Guidelines sought by the Council. This is to be the family home for the farm. The existing farm buildings and letting units are dispersed throughout the unit and remote from the C409. Further agricultural building, should they be required, will be located elsewhere on the unit and will not compromise the setting of the proposed dwelling. The applicant has indicated his willingness to enter into a section 75 agreement, or other legal remedy to tie the proposed dwelling to the farm and farm worker.

5.0 Conclusion

- 5.1 Agriculture is an important industry in Scotland and Perthshire. Agriculture is a key component in the local economy. The importance of agriculture for the management of the countryside, production of food and for recreational activities is recognised at Scottish Government level with a range of supporting measures identified for the industry. Part of this support arises through the planning process where a degree of flexibility is applied to new developments supporting these rural enterprises. For example, as stated in a recent Scottish Government report:

“If it is to prosper into the future, farming needs to attract a steady flow of new entrants and young farmers with drive, innovation and entrepreneurial skills. The main incentive for new and young entrants is a profitable industry which has good opportunities. At present, however, farming does not offer sufficient returns or opportunities to attract the number of new entrants that the industry needs. The Scottish Government is therefore keen to offer support to new and young entrants so that they can make the most of their business and the opportunities that arise.”

- 5.2 The opportunity is available to support a new farm entrant in line with the above Scottish Government report, but a dwelling house is required to accommodate the family. The need for the FarmTenant/Estate Managers house has been shown in terms of the existing size of the agricultural unit and has not been created artificially.
- 5.3 The farm unit is some 141 hectares in extent and the two existing dwellings cross subsidise the farm income. The two existing units are also lend themselves to letting rather than permanent habitation.

- 5.4 The optimal position for the new dwelling is adjacent to the C409 for reasons of security and practicality of infrastructure servicing. The separation distance between the proposed unit and East Tulchan steadings is such that there is little likelihood of any detrimental effect on the amenity of these units. Removing the permitted development rights will provide further protection and comfort.
- 5.5 SAC Consulting has stated in their letter that the new dwelling house is highly desirable for animal welfare, farm and business security, health and safety and that this farm setup and potential enterprise will create an excellent full- time farming opportunity for a young, enthusiastic and dedicated new entrant. There is a proven and supported essential need.
- 5.6 As the proposal is in line with Council policy(Section 3,paragraph 3.3 of the New Houses in the Countryside policy applies), it is respectfully requested that members of the Local review Body apply the correct information weighting and approve this planning application in principle for a new dwelling and overturn the delegated decision.

PERTH AND KINROSS COUNCIL

Tulchan Estates Limited
c/o C B Planning Limited
Campbell Black
Woodlea
Perth Road
Crieff
PH7 3EQ

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 8th December 2017

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **17/01804/IPL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 13th October 2017 for permission for **Erection of a dwellinghouse (in principle) Land 150 Metres North West Of East Tulchan Steadings Glenalmond** 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 Adopted Local Development Plan 2014 in that the proposal is not sufficiently robust in demonstrating that there is an economic need for the dwelling at the farm holding. Furthermore it has not been adequately demonstrated that the proposed dwelling position within the farm holding would achieve a suitable landscape fit to protect and enhance the landscape interests of this area of Perth and Kinross.

2. The proposal is contrary to the Council's Housing in the Countryside Guide (SPG) 2014 as it does not comply with any of the categories of the policy guidance or criterion where a dwellinghouse or dwellinghouses would be acceptable in this location. In particular the proposal is not sufficiently robust in demonstrating that there is an economic need for the dwelling at the farm holding.
3. The proposal is contrary to Policy ER6 of the Perth and Kinross Local Development Plan 2014 as it erodes local distinctiveness, diversity and quality of Perth and Kinross's landscape character, visual, scenic qualities of the landscape and the quality of landscape experience through the siting of the development within this area of Perth and Kinross.
4. The proposal is contrary to Policy PM1A of the Perth and Kinross Local Development Plan 2014, as the proposed siting of the development does not respect the character and amenity of this area of Perth and Kinross.
5. The proposal is contrary to Policy PM1B, 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.

Justification

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

Notes

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

Plan Reference

17/01804/1

17/01804/2

17/01804/3

17/01804/4

17/01804/5



SAC

CONSULTING

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Tulchan Estates Ltd
16 Clarence St
EDINBURGH
EH3 5AF

Our Ref: /KC

18 September 2017

To Whom It May Concern

Supporting Letter for Construction of a Dwellinghouse for an Agricultural Worker at Tulchan Estate

SAC have been contacted by Sandy Mitchell, owner of Tulchan Estates Ltd, to provide support for a planning application to construct a new farm dwellinghouse on his land at East and West Tulchan, by Glenalmond, Perth.

East and West Tulchan is an upland farm comprising 141 hectares (349 acres) or thereby. The farm supports livestock production with some of the land having the potential to grow arable crops.

Mr Mitchell does not farm the land at East and West Tulchan. The farm land is currently let out on a Short Limited Duration Tenancy (SLDT) however this tenancy will terminate in 2019 as a result of the tenant retiring. The current tenant will cease farm operations within the next 24 months. With this in mind Tulchan Estates Ltd will create an opportunity for a new entrant to farming to get a start on the farming ladder. There is currently no farmhouse owned by Tulchan Estates Ltd on the land at East and West Tulchan. In order for Tulchan Estates Ltd to offer a full farm tenancy that includes land, associated farm infrastructure and accommodation for a tenant, a new farm dwellinghouse is required to be built.

Farming in Scotland is under ever increasing social and economic pressures. The demographic of farm occupiers in Scotland is significantly weighted towards the older generations with nearly 40% of farm occupiers over 65 years of age. In response to this trend, the Scottish Government is determined to encourage new and younger generations into agriculture. Attracting and encouraging new entrants will drive innovation and best practice, improve efficiencies, contribute towards the economic vitality of the agricultural sector and will also create a future for the industry.

There are many barriers that hinder and prevent new entrants commencing a farming business. These include a lack of capital to buy land, a lack of farm land on offer to purchase, a limited availability of farm tenancies and limited availability of affordable and fit for purpose rural housing.

Agricultural/

SAC Consulting is a division of SRUC

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

SRUC. A charitable company limited by guarantee, Scottish Charity Number: SC003712 Registered in Scotland, Company Number: SC103046 Registered Office: Peter Wilson Building, King's Buildings, West Mains Road, Edinburgh EH9 3JG
SAC Commercial Limited. An SRUC company. Registered in Scotland, Company Number: SC148684. Registered Office: Peter Wilson Building, King's Buildings, West Mains Road, Edinburgh EH9 3JG



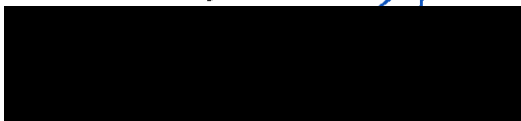
Agricultural land is mostly under long-term ownership or rented under long-term secure tenancy agreements and most often any changes in ownership or tenancy occurs within a family through succession. This is a barrier for those with a desire to farm but who are not fortunate enough to come from a farming family background as farm land and new tenancies rarely become available to those outside an existing farming family fold.

Another barrier to new entrants is the availability of rural housing. In order to commence farming activity, new entrants require housing in addition to a land base. Ideally this housing should be fit for purpose and located on the site of the land area being farmed. Rural housing is in high demand in Perthshire as a result of outsiders buying into the scenic rural areas and the high levels of rural tourism. This activity is undoubtedly economically beneficial to Perthshire by bringing new people to the area as well as creating diversification opportunities for farming and other rural businesses. Nevertheless, this has resulted in limited housing opportunities for farm workers and many farming units being split up. Prior to Sandy Mitchell buying the property, the farm dwellinghouse and the farm land at East and West Tulchan farm were split up.

The proposal to build a farm dwellinghouse on the land at East and West Tulchan is highly desirable for animal welfare, farm and business security, and health and safety. This onsite accommodation for a new tenant will also ensure efficient farming practices. In addition, the proposal will encourage rural business development through activities associated with the construction of the farm dwellinghouse and its long-term maintenance and ensure sustainable farming operations at East and West Tulchan which will benefit the overall rural environment in the Glenalmond area.

Mr Mitchell's proposal to build a dedicated farm dwellinghouse to be let out on a long-term tenancy in conjunction with all the farm land and associated existing farm infrastructure at East and West Tulchan will create a fully operational and practical farming unit. This farm set up and potential farming enterprises will create an excellent full time farming opportunity for a young, enthusiastic and dedicated new entrant.

Yours sincerely

A large black rectangular box redacting the signature of Kara Craig.

Kara Craig
Agricultural Consultant

REPORT OF HANDLING

DELEGATED REPORT

Ref No	17/01804/IPL	
Ward No	P9- Almond And Earn	
Due Determination Date	12.12.2017	
Case Officer	John Russell	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Erection of a dwellinghouse (in principle)

LOCATION: Land 150 Metres North West Of East Tulchan Steadings
Glenalmond

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: 25 October 2017

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

The proposal is to erect an essential workers dwelling house in a field which is to the west of East Tulcahn by Glenalmond. The proposed plot is remote from the existing farm buildings. It is located to the north of the farm holding in an open field next to the farm access track junction with the public road. The in-principle application delineates the site and the entrance to the site. As the application is in-principle there are no details at this stage indicating the building mass, elevational treatment or siting within the plot.

It should be noted that this application is a resubmission of application 17/00817/FLL that was refused. The agent confirms that more supporting information has now been submitted with this application to demonstrate that there is an “essential need”.

There is a considerable amount of history associated with the site as detailed below.

SITE HISTORY

98/01314/FUL Erection of shooting lodge, refused 18 December 1998.

04/00377/FUL Extension of shooting lodge caretakers accommodation and erection of garage/store/kennels, refused 26 April 2004.

04/01057/FUL Extension of shooting lodge caretakers accommodation and erection of garage/store/kennels, 19 July 2004.

05/01805/FUL Alterations and extension to garage/store to form dwellinghouse, approved 04 January 2006

06/01536/MOD Modification of existing consent 04/01057/FUL, for revised entrance porch design, approved 28 August 2006.

Change of use from self catering holiday accommodation to private residential accommodation, approved 15 April 2011.

15/00062/FLL Erection of timber hut, approved 09 March 2015

17/00817/IPL Erection of a dwellinghouse (in principle) 26 July 2017
Application Refused

PRE-APPLICATION CONSULTATION

Pre application Reference: 16/00793/PREAPP

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

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

Perth and Kinross Local Development Plan 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 PM4 - Settlement Boundaries

For settlements which are defined by a settlement boundary in the Plan, development will not be permitted, except within the defined settlement boundary.

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 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 EP3B - Water, Environment and Drainage

Foul drainage from all developments within and close to settlement envelopes that have public sewerage systems will require connection to the public sewer. A private system will only be considered as a temporary measure or where there is little or no public sewerage system and it does not have an adverse effect on the natural and built environment, surrounding uses and the amenity of the area.

Policy EP3C - Water, Environment and Drainage

All new developments will be required to employ Sustainable Urban Drainage Systems (SUDS) measures.

OTHER POLICIES

Development Contributions

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 Policy 2012 was adopted by the Council in October 2014. The policy 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 policy 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 policy 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.

CONSULTATION RESPONSES

Transport Planning – No objection.

Scottish Water – No objection.

Contributions Officer – No objection subject to conditional control.

Environmental Health – No objection subject to conditional control.

Community Waste Advisor - Environment Service – No response within consultation period.

REPRESENTATIONS

None

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	Not Required
Report on Impact or Potential Impact eg Flood Risk Assessment	Submitted

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

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 where they comply with criterion.

Having had the opportunity to undertake a site visit and assess the plans I consider the application does not relate to:-

- (a) Building groups.
- (b) Infill sites.
- (d) Renovation or replacement of houses.
- (e) Conversion or replacement of redundant non-domestic buildings.
- (f) Rural Brownfield.

The agent considers there to be an essential need for the dwelling, category (c) New houses in the open countryside.

I therefore turn to supplementary guidance, 'The Housing in the Countryside Policy' that was adopted by the Council in October 2014, which assists with the assessment of Policy RD3.

Essential Workers Dwelling Assessment:-

With regards to development of an essential worker dwelling the SPG highlights that:-

A house or group of houses is required either on site or in the locality for a local or key worker associated with either a consented or an established economic activity. The applicant must demonstrate to the satisfaction of the Council that there is a need for the house(s). Where the house is to be associated with a proposed economic activity, construction of the house will not be permitted in advance of the development of the business. Permission may be restricted by an occupancy condition to remain as essential worker housing in perpetuity, or convert to an agreed tenure of affordable housing when the employment use is no longer required.

In support of the application an updated planning statement has been provided by the agent. This confirms the Estate owns 349 acres, 210 are in agricultural use while the remaining 139 acres under woodland cover. The estate income is split between farming and holiday lets. The farm is currently let and the tenancy ends in November 2019.

It also sets out background associated with the landholding and details of units within the holding that were currently utilised for holiday letting purposes. There is also reference to the current farm tenant and their accommodation. A supporting letter has also been prepared by SAC consulting noting general pressures experienced in farming and noting that there will be benefits associated with having a dwelling on the site.

From my review of the now updated supporting statement it still appears that the need for an agricultural dwelling is a result of the disposal of the existing farmhouse and land to the tenant farm in the 1990's to generate funds. The expiry of the lease that the current tenant farmer has on land to the south has now brought this matter to the fore. From my review of the information submitted to date I am still of the view that the 'essential need' for a worker's dwelling has been created artificially.

While a supporting letter from SAC consulting has now been submitted there is no detailed report breaking down the actual needs of the farm holding, in terms of labour units.

Furthermore, if a case for an agricultural dwelling was made then it would appear that this could be adequately satisfied by one of the holiday letting properties (Tulchan Lodge or the Hayloft) on the existing holding which are also closer to the existing farm building.

In addition I am still not convinced that the proposed site which is remote from the existing farm building and in an open field is the most suitable location. In the majority of cases essential worker dwelling applications have a clear link with the supervision of the farm buildings to improve security and reduce the risk of theft.

Based on the submitted information and my assessment above the proposal is contrary to the requirements of this category in the Housing in the Countryside SPG, thus fails to comply with category (c) of Policy RD3.

Design and Layout

No detailed design or layout has been submitted. If this application was approved conditional control would be required to reserve assessment of these matters.

Landscape

Policy ER6 of the local plan seeks to ensure that local distinctiveness, diversity and quality of the landscape character area, the historic and cultural dimension of the area's landscapes, visual and scenic qualities of the landscape, or the quality of the landscape experience is not eroded.

As noted above in my assessment of the essential workers house location on the farm unit I am not convinced, at this point in time, that the proposed site will achieve the best landscape fit.

Residential Amenity

I do not consider that residential amenity will be affected by the proposed house however this would be assessed further through matters specified by condition if the application is approved.

I do however have concern that if this application was approved then agricultural buildings may be sought next to the agricultural dwelling which may give rise to issues with neighbouring dwellings to the East of the site.

Taking this into account locating the essential workers dwelling next to the agricultural building to provide supervision may be more desirable should a case be made to support an essential workers dwelling unit on the landholding.

Roads and Access

There are no objections to the proposed dwellinghouses on roads or access grounds from Transport Planning. The proposal would comply with Policy TA1B if conditional control is applied to secure appropriate car parking and turning facilities.

Drainage and Flooding

Drainage

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 as well as ensuring the private water supply or septic drainage systems of neighbours of the development remain accessible for future maintenance conditional control is recommended by Environmental Health.

Surface water and the implementation of SUDS can also be dealt with by conditional control to ensure adherence to the requirements of Policy EP3C.

Flooding

The site is not in an area subject to river or surface water flooding.

Developer Contributions

The Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be

operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity. This proposal is within the catchment of Methven Primary School and conditional control is required due to the outline nature of the application.

Economic Impact

The economic impact of the proposal is likely to be minimal and limited to the construction phase of the development.

Conclusion

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

APPLICATION PROCESSING TIME

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

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application

Conditions and Reasons for Recommendation

- 1 The proposal is contrary to Policy RD3 - Housing in the Countryside of the Adopted Local Development Plan 2014 in that the proposal is not sufficiently robust in demonstrating that there is an economic need for the dwelling at the farm holding. Furthermore it has not been adequately demonstrated that the proposed dwelling position within the farm holding would achieve a suitable landscape fit to protect and enhance the landscape interests of this area of Perth and Kinross.
- 2 The proposal is contrary to the Council's Housing in the Countryside Guide (SPG) 2014 as it does not comply with any of the categories of the policy guidance or criterion where a dwellinghouse or

dwellinghouses would be acceptable in this location. In particular the proposal is not sufficiently robust in demonstrating that there is an economic need for the dwelling at the farm holding.

- 3 The proposal is contrary to Policy ER6 of the Perth and Kinross Local Development Plan 2014 as it erodes local distinctiveness, diversity and quality of Perth and Kinross's landscape character, visual, scenic qualities of the landscape and the quality of landscape experience through the siting of the development within this area of Perth and Kinross.
- 4 The proposal is contrary to Policy PM1A of the Perth and Kinross Local Development Plan 2014, as the proposed siting of the development does not respect the character and amenity of this area of Perth and Kinross.
- 5 The proposal is contrary to Policy PM1B, 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.

Justification

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

Informatives

None.

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

17/01804/1

17/01804/2

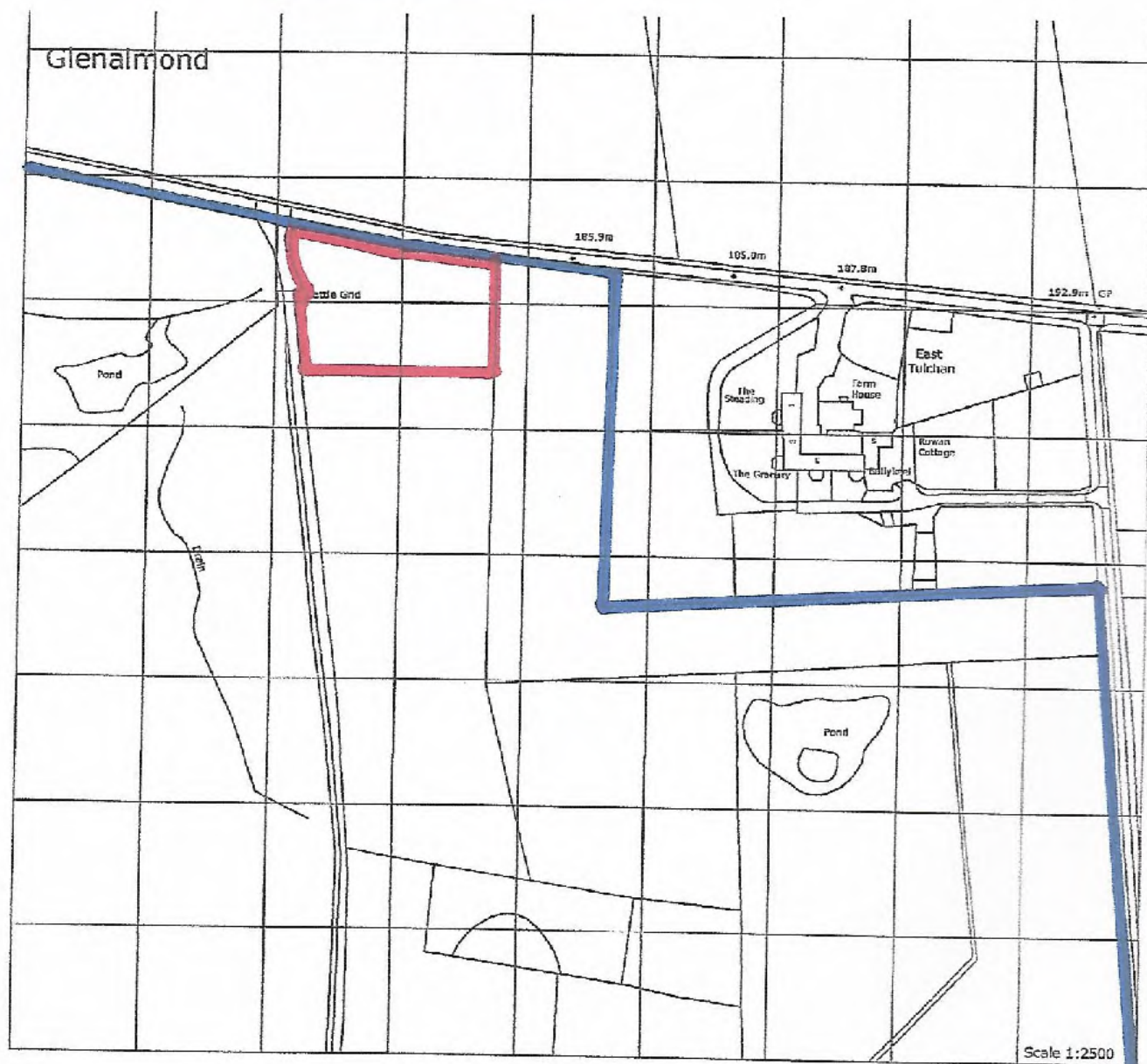
17/01804/3

17/01804/4

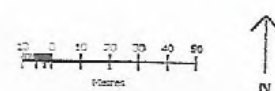
17/01804/5

Date of Report 07.12.2017

Planning Application in Principle for the erection of a Farm Tenant/Estate Managers Dwellinghouse at Tulchan Estate, Glenalmond, Perthshire, PH1 3SG



Produced on 07 March 2017 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date.
This map shows the area bounded by 295354, 727854 295356, 726131 295354, 723311 295343, 727854.
Reproduction in whole or in part is prohibited without the prior permission of Ordnance Survey.
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Data updated for 1 year, ending 07 March 2016. Unique plan reference: 42204546400/000007

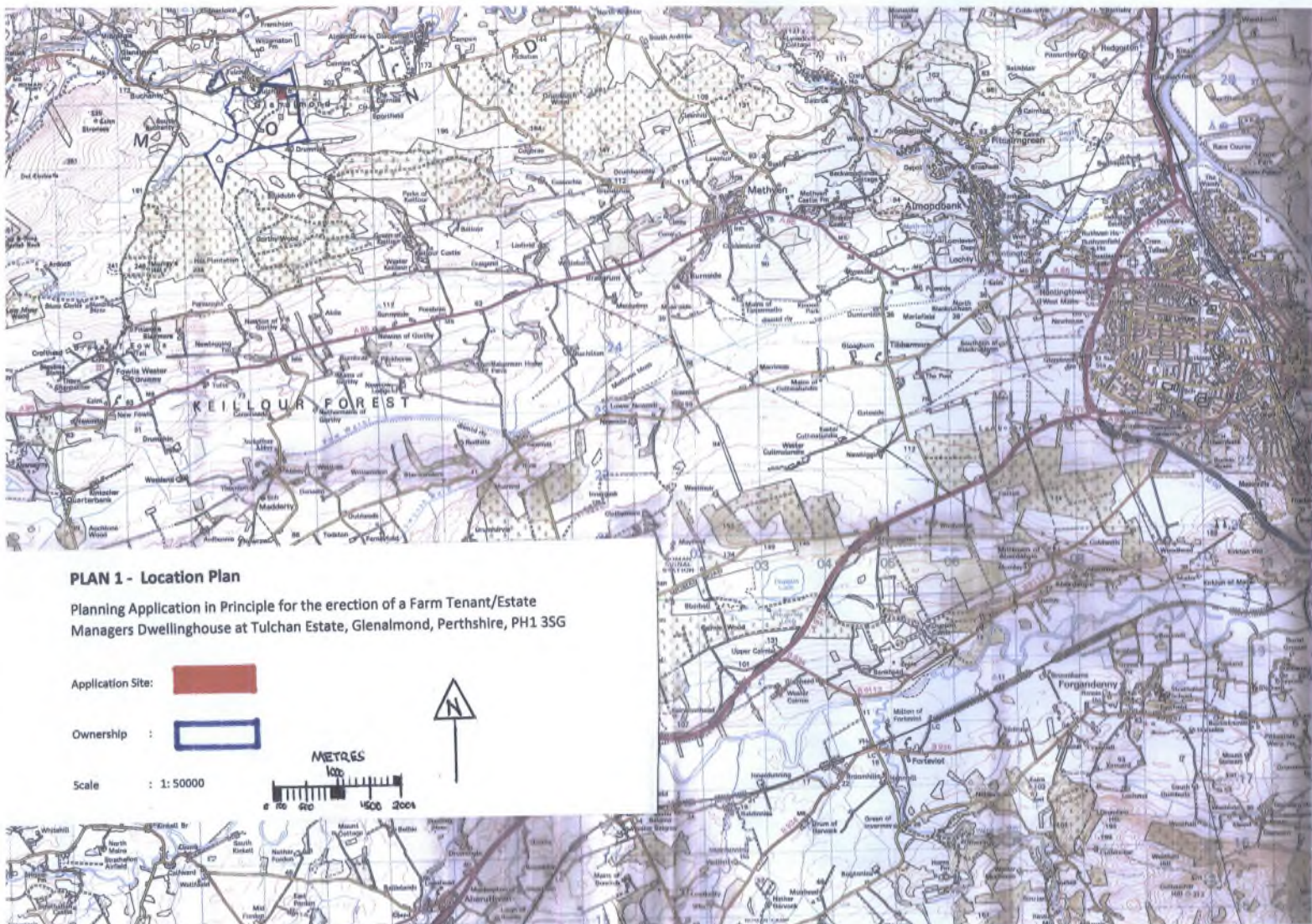


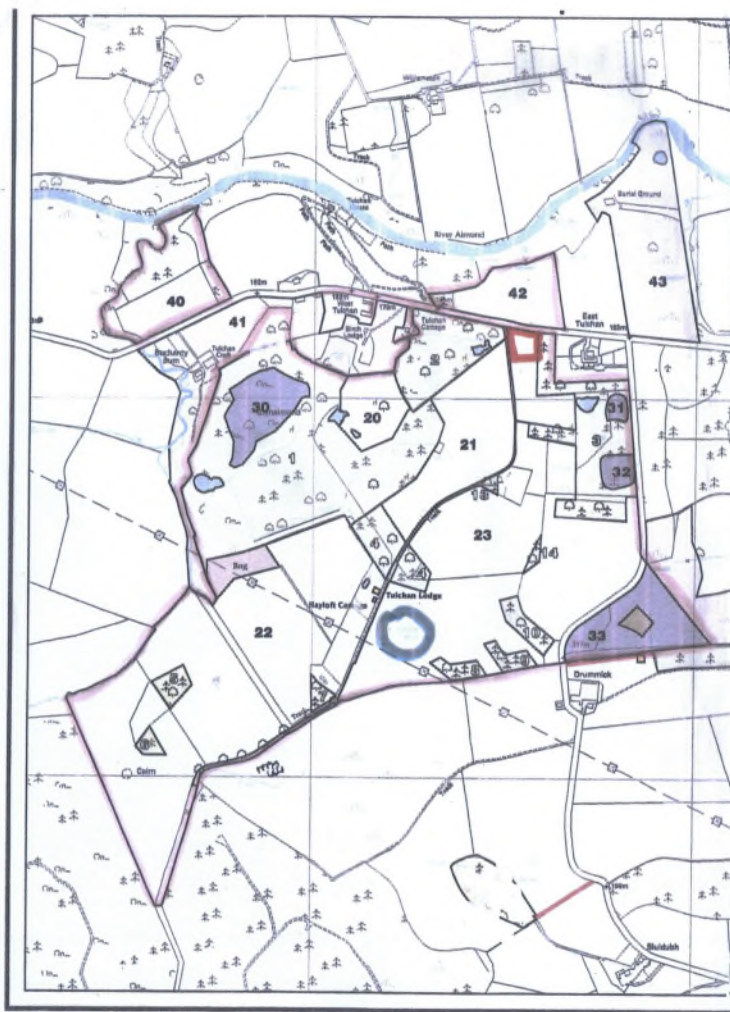
TCP/11/16(520) – 17/01804/IPL – Erection of a dwellinghouse (in principle) on land 150 metres North West of East Tulchan Steadings, Glenalmond

PLANNING DECISION NOTICE *(included in applicant's submission, see pages 211-212)*

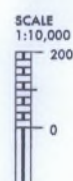
REPORT OF HANDLING *(included in applicant's submission, see pages 215-224)*

REFERENCE DOCUMENTS *(part included in applicant's submission, see pages 225-226)*



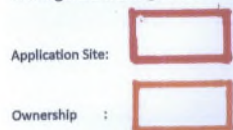


right of access



PLAN 2 - Ownership Plan

Planning Application in Principle for the erection of a Farm Tenant/Estate Managers Dwellinghouse at Tulchan Estate, Glenalmond, Perthshire, PH1 3SG



Existing Lodge: 1

Outbuilding: 2



Scale : Scale only for planning purposes

**Tulchan Estate Limited, for the
Erection of a Farm Tenant/Estate
Manager Dwellinghouse at
Glenalmond, Perthshire, PH1 3SG**

Planning Permission in Principle

Supporting Planning Statement

October 2017 (Revised)

1.0 Introduction and Preamble

- 1.1 C.B.Planning Limited has been appointed by Tulchan Estates Limited to prepare and submit a Planning Application in Principle for the Erection of a Farm Tenant/Estate Managers Dwellinghouse on land within the Tulchan Estate, Glenalmond, Perthshire, PH1 3SG. This is the second planning application following the refusal issued on 26th July 2017(Ref: 17/00817/IPL). This is same description of development on the exact same red line boundary but with some further supporting information provided to demonstrate that there is an “essential need”.
- 1.2 The earlier application was refused on 5 grounds which essentially were based on a lack justification for the additional unit and the positioning of the said new unit adjacent to the access road with the possible potential for future agricultural operations to impact on the amenity of the adjoining residential uses and character of the area.
- 1.3 The Report of Handling makes specific reference to the absence of a statement from SAC which breaks down the actual needs of the farm holding. The Report postulates that the need is “created artificially” as there are already two units on site, which will be noted below are used exclusively for holiday lets to support the estate finances.
- 1.4 Since the issuing of the refusal my client has engaged with SAC and obtained a Supporting Letter which will be discussed latter in this document (see Appendix 1).
- 1.5 This Supporting Planning Statement will now provide information on the location, background on the Estate, a review of the Development Plan, a justification for the proposed dwellinghouse with the letter of support from SAC, a rebuttal of the previous reasons for refusal and a conclusion.

2.0 Location

- 2.1 Tulchan Estate lies about 3 miles north west of Methven, on the south side of route C 409, Methven to Buchanty Road, 1 mile west of Glenalmond College and some 10 miles north west of Perth City Centre (see Plan 1).
- 2.2 This is an agricultural area. It should be noted from Plan 1 that the majority of the farm units tend to be located adjacent to route C 409.

3.0 The Estate

- 3.1 Tulchan Estate Ltd owns some 349 acres of which 210 are in agriculture and 139 acres in woodland (see Plan 2 which delineates the boundary). The estate income is split between farming and holiday lets.
- 3.2 The farm is currently let and the tenancy ends in November 2019 when it is anticipated that the tenant farmer will retire. The existing lodge and outbuildings are used for letting to supplement the estate income (see Plan 2 where the position of these buildings is highlighted). When the land was acquired, following the near liquidation of the previous owner, there were no buildings. The current tenant bought a field and on obtaining

planning permission built his farmhouse and sheds. The Estate has since built a cow shed and general shed as well as the holiday let units. The only agricultural buildings owned by the Estate are a cowshed and a general shed which are located in the centre of the owned land. The land is classified under Class 3.2 in The Macaulay system Land Capability for Agriculture in Scotland; that is land suitable for mixed farming comprising improved grassland, potatoes and cereals. It is the quality of the land which necessitates cross funding to supplement the agricultural practices. The agricultural land is mainly used for grazing of sheep and cattle.

- 3.3 For the planning application(17/00817/IPL) supplementary information was sought in relation to the existing buildings and cowshed. This was provided in Plan 4 which highlights the position of the cowshed and the two existing holiday lets known as Tulchan Lodge and Hayloft; these two units are utilised exclusively as holiday lets to help support, subsidise and extend the estates revenue stream.
- 3.4 The estate was acquired in 1989 which then comprised both east and West Tulchan Farms. At that time my client did not acquire the derelict West Tulchan farmhouse as this unit was sold separately to another party. The land was farmed by a tenant. In order to generate funds, during the recession in the 1990's, some land and the farmhouse were sold to the tenant. In essence all the land on the south side of Buchanty Road was retained but with no farmhouse.
- 3.5 Tulchan Lodge was built in the early 2000's as derived from the delegated planning approval ref:11/00396/FLL. Also, application reference 05/01805/FLL for the alteration and extension to garage/store to form a dwelling house was approved and this seems to be the Hayloft unit. There have also been a number of other planning applications submitted for agricultural related buildings and sheds.
- 3.6 The cowshed is remote from the road and the absolute end of the unsurfaced access track. This building stands on its own. There is no farm steading as all buildings tend to be dispersed.

4.0 The Proposal

- 4.1 Planning Permission in Principle is sought for the provision of a Farm Tenant/Estate Manager house. My clients anticipate offering a new tenancy to a new farm entrant or employing an estate manager. Accommodation will be required in either eventuality for the ongoing proper management of the Estate. As stated above, the existing tenancy expires in November 2019. The new tenant will replace the existing tenant. The planning application process is being commenced at this point to allow sufficient time for approval of an application in principle and a subsequent Matters Specified by Conditions application, should the Council be favourably disposed towards the principle of development. There is an identified need to live on site to manage the operations effectively, particularly in relation to the husbandry of the animal stock. There is no potential to utilise existing accommodation or for the renovation of other existing buildings as these units supplement the farm income.

- 4.2 The chosen site is adjacent to route C 409 on the eastern side of the access road which serves the Estate, in the field up to the landscape strip at East Tulchan steading (see Plan 3). The proposed plot extends to some 0.404 hectares (1 acre) and measures 74 x 54 metres. This location is adjacent to existing services and will provide a measure of security and control over those entering and leaving the estate to deter theft. There have been a number of thefts reported to the police but nothing major in recent years. In addition to the full-time farm manager the estate activities provide employment for a part-time housekeeper, gardener, handyman/gamekeeper and beaters. Therefore, it is sound to position the proposed dwelling at the road as this allows for security and better adheres to the pattern of development where housing is normally positioned along the road.
- 4.3 The application site and the estate are not covered by any landscape, ecological or nature designations. The application site is an open field with no trees contained therein. The site is some 16 metres above the level of the River Almond and as such there has been no instances of flooding. The site is not within any Green Belt designation.
- 4.4 It is contended that the size and nature of the farming enterprise on this unit justifies the construction of a new dwellinghouse. The Estate are willing to enter into an agreement in terms of section 75 of the Town and Country Planning(Scotland)Acts to tie the occupancy of the unit to a person employed on the Estate. Scottish Government Circular 3/2012 advises that restrictions are rarely appropriate and should generally be avoided. Tulchan Estates would be willing to enter an agreement should Perth and Kinross Council deemed such to be appropriate and additionally be favourably disposed to the insertion of appropriate conditions to further control the occupancy and tie the unit to a new farm entrant. The applicant is also proposing that the permitted development rights are withdrawn for the new dwellinghouse so as maintain the amenity of the adjoining residential units.

5.0 Planning Policy Context

- 5.1 Agriculture is an important industry in Scotland and Perthshire. Agriculture is a key component in the local economy. The importance of agriculture for the management of the countryside, production of food and for recreational activities is recognised at Scottish Government level with a range of supporting measures identified for the industry. Part of this support arises through the planning process where a degree of flexibility is applied to new developments supporting these rural enterprises. For example, as stated in a recent Scottish Government report:

"If it is to prosper into the future, farming needs to attract a steady flow of new entrants and young farmers with drive, innovation and entrepreneurial skills. The main incentive for new and young entrants is a profitable industry which has good opportunities. At present, however, farming does not offer sufficient returns or opportunities to attract the number of new entrants that the industry needs. The Scottish Government is therefore keen to offer support to new and young entrants so that they can make the most of their business and the opportunities that arise."

- 5.2 The Scottish Planning Policy (2014) (SPP) promotes the use of the plan-led system to provide a practical framework for decision making on planning applications with plans being up-to-date and relevant, thus reinforcing the provisions of Section 25 of the Act. The SPP also seeks to promote successful sustainable places with a focus on low carbon; a natural, resilient place; and, a more connected place. The development plan comprises the TAYPlan Strategic Development Plan 2012 and the adopted Perth and Kinross Council Local Development Plan 2014(LDP). The LDP is supported by Supplementary Planning Guidance and the Housing in the Countryside Guide - November 2012(HCG) is pertinent. The TAYPlan policies within are strategic in nature and there are none which specifically relates to the proposals in this application. However, a key objective within TAYPlan includes that development should "Protect and enhance the quality of the TAYPlan area's built and water environments, landscape, biodiversity and natural resources". The Proposed replacement TAYPlan (2015) has been the subject to a public consultation process and has recently (June 2016) been submitted to Scottish Ministers. Whilst the policies retain their strategic nature, Policy 2 requires development proposals to be "Place-led 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, natural processes, the multiple roles of infrastructure and networks, and local design context". The adopted LDP is being reviewed but is not sufficiently advanced to be a material consideration.
- 5.3 The applicable policies in the LDP are PM1A and B, PM2, PM3,RD3, TA 1B,NE 2B,NE3,ER6, EP2, EP3B and EP3C. These policies cover Placemaking, Design Statements, Infrastructure Contributions, Housing in the Countryside, Transport Standards for New Development proposals, Forestry, Woodland and Trees ,Biodiversity, Managing Future Landscape Change, New Development and flooding, foul drainage and surface water discharge respectively.
- 5.4 As this is a Planning Application in Principle then policies are PM 1A and 1B, ER6 and EP1 are normally appropriate, when and if the Council approve this application, and at the Matters Specified by Conditions application stage. Policies PM2, PM4, TA1B, NE 2B, NE3 and EP2 are not relevant. In terms of policy EP 3B and EP 3C it is proposed that the foul drainage is to be connected to a septic tank and the surface water drainage will be dealt with via a SUDS pond or soak-away system all to the specifications of SEPA/Scottish Water.
- 5.5 The most relevant Policy is RD3: Housing in the Countryside which states the following:
- " 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 Sites.*
 - (c) New houses in the open countryside on defined categories as set out in section 3 of the Supplementary Guidance.*
 - (d) Renovation or replacement houses.*
 - (e) Conversion or replacement of redundant non-domestic buildings.*
 - (f) Development on rural brownfield land*

This policy does not apply to the Green Belt and its application is limited within the Lunan Valley Catchment Area to economic need, conversion or replacement buildings.

Development proposals should not result in adverse effects, either individually or in combination, on the integrity of the Firth of Tay and Eden Estuary, Loch Leven, South Tayside Goose Roosts and the Forest of Clunie SPA's and Dunkeld-Blairgowrie Loch and River Tay SACs."

- 5.6 The wording of the above policy is reiterated in the Housing in the Countryside policy which provides additional guidance for the criteria specified from (a) to (f) above. Looking particularly at the most relevant parameter in relation to this application then under Section 3. New Houses in the open Countryside at paragraph 3.3 Economic Activity it states:

".. A house or group of houses is required either on site or in the locality for a local worker associated with either a consented or an established economic activity. The applicant must demonstrate to the satisfaction of the Council that there is a need for the house(s)..... Permission may be restricted by an occupancy condition to remain as an essential worker housing in perpetuity, or convert to an agreed tenure of affordable housing when the employment use is no longer required."

- 5.7 This proposal is policy compliant in that it is required by the scale and nature of the agricultural operation and the chosen site is not within a policy designation that would inhibit a consent. The established economic activity of the existing mixed -use operation of the Estate justifies an additional dwelling house for a new worker.
- 5.8 This is reinforced by a supporting letter provided by SAC Consulting, see Appendix 1. SAC has assessed the situation and reviewed the background information on the estate and highlighted the challenging social and economic pressures faced by farming in Scotland. They point out that nearly 40% of farm occupiers are beyond the age of 65 and in response to this trend the Scottish government is determined to encourage new and younger generations into agriculture. SAC also strongly emphasise that there are many barriers to new entrants due to the lack of capital, a lack of farm land to purchase with availability of affordable housing. Taking all of the above into account SAC conclude that " The proposal to build a farm dwellinghouse is highly desirable for animal welfare, farm and business security, and health and safety. This onsite accommodation for a new tenant will also ensure efficient farming practice". The "proposal to build a dedicated farm dwellinghouse to be let on a long- term tenancy in conjunction with all the farm land and associated existing farm infrastructure will create a fully operational and practical farming unit. This farm set up and potential farming enterprise will create an excellent full- time farming opportunity for a young, enthusiastic and dedicated new entrant".

6.0 Conclusion

- 6.1 This proposal meets the terms of the Development Plan, National Guidance and the relevant Perth and Kinross council Policy Guidelines. As demonstrated above, a justification for the erection of a dwellinghouse in the countryside has been established. The dwelling will be occupied by a new entrant farm tenant or estate manager and the chosen site at the entrance best fits the pattern of development on other farm units within the immediate area. There is an identified need to live on site to manage the farm operations effectively, particularly in relation to the husbandry of the animal stock and is supported in principle by SAC Consulting.
- 6.2 The proposed position of the new dwelling at the road entrance better adheres to the pattern of development in this area where housing units tend to be located adjacent to the road. The existing buildings on the estate are dispersed rather than concentrated so there is no natural steading alternative. Therefore, it is disingenuous to suggest that the proposed position of the new dwelling is contrary to policies ER6, PM1A and PM1B, criterion (a) and (b).
- 6.3 The proposed development will provide a unique opportunity for a new farm entrant to work, manage and live on a viable farming unit. The applicant is willing to sign an appropriate legal agreement tying the new unit to a farming entrant and/or the application of conditions to ensure this. The applicant is additionally agreeable to the removal of all permitted development rights to ensure that the amenity of the adjoining residential units are not impacted by, for example, the erection and storage of agricultural buildings and operations.
- 6.4 There is now a proven and supported essential need.

TCP/11/16(520) – 17/01804/IPL – Erection of a dwellinghouse (in principle) on land 150 metres North West of East Tulchan Steadings, Glenalmond

REPRESENTATIONS

19th October 2017



Perth & Kinross Council
Pullar House
35 Kinnoull Street
Perth
PH1 5GD

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

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

Dear Sir/Madam

SITE: PH1 Glenalmond East Tulchan Steadings 150M NW Of
PLANNING REF: 17/01804/IPL
OUR REF: 752397
PROPOSAL: Erection of a dwellinghouse (in principle)

Please quote our reference in all future correspondence

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Water

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

Foul

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

Surface Water

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

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

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

General notes:

- **Scottish Water asset plans can be obtained from our appointed asset plan providers:**

Site Investigation Services (UK) Ltd

Tel: 0333 123 1223

Email: sw@sisplan.co.uk

www.sisplan.co.uk

- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.
- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
- **Please find all of our application forms on our website at the following link <https://www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms>**

Next Steps:

- **Single Property/Less than 10 dwellings**
For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some

instances we will require a Pre-Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

- **10 or more domestic dwellings:**

For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

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

- **Non Domestic/Commercial Property:**

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

- **Trade Effluent Discharge from Non Dom Property:**

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.

If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found using the following link <https://www.scottishwater.co.uk/business/our-services/compliance/trade-effluent/trade-effluent-documents/trade-effluent-notice-form-h>

Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.

For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for

separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

If the applicant requires any further assistance or information, please contact our Development Operations Central Support Team on 0800 389 0379 or at planningconsultations@scottishwater.co.uk.

Yours sincerely

Lisa Lennox

Development Operations Analyst

Lisa.lennox2@scottishwater.co.uk

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	17/01804/IPL	Comments provided by	Euan McLaughlin
Service/Section	Strategy & Policy	Contact Details	Development Negotiations Officer: Euan McLaughlin [REDACTED]
Description of Proposal	Erection of a dwellinghouse (in principle)		
Address of site	Land 150 Metres North West Of East Tulchan Steadings, Glenalmond		
Comments on the proposal	<p>Primary Education</p> <p>With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.</p> <p>This proposal is within the catchment of Methven Primary School.</p>		
Recommended planning condition(s)	<p>Primary Education</p> <p>CO01 The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2016 in line with Policy PM3: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2014 with particular regard to primary education infrastructure, unless otherwise agreed in writing with the Council as Planning Authority.</p> <p>RCO00 Reason – To ensure the development is in accordance with the terms of the Perth and Kinross Council Local Development Plan 2014 and to comply with the Council's policy on Developer Contributions and Affordable Housing Supplementary Guidance 2016.</p>		
Recommended informative(s) for applicant	N/A		
Date comments returned	23 October 2017		

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	17/01804/IPL	Comments provided by	Dean Salman
Service/Section	Transport Planning	Contact Details	██████████
Description of Proposal	Erection of a dwellinghouse (in principle)		
Address of site	Land 150 Metres North West Of East Tulchan Steadings, Glenalmond		
Comments on the proposal	Insofar as roads matters are concerned I do not object to the proposed development provided the conditions below are applied to any consent.		
Recommended planning condition(s)	<ul style="list-style-type: none"> Prior to the occupation and use of the approved development all matters regarding access, car parking, design and specification (including the disposal of surface water) shall be in accordance with the standards required by the Council as Roads Authority (as detailed in the National Roads Development Guide) and to the satisfaction of the Planning Authority. 		
Recommended informative(s) for applicant			
Date comments returned	01 Novemberl 2017		

Memorandum

To Development Quality Manager

From Regulatory Service Manager

Your ref 17/01804/IPL

Our ref ALS

Date 17/11/2017

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 (in principle) Land 150 Metres North West Of East Tulchan Steadings Glenalmond for Tulchan Estates Limited

I refer to your letter dated 17/10/2017 in connection with the above application and have the following comments to make.

Water (assessment date –17/11/2017)

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 in a rural area with private water supplies believed to serve properties in the vicinity. The applicant has indicated that they will connect to the Public Mains water supply but should this prove to be impractical cognisance must be taken of Informative 2 below. 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. 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 commencement of 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.

