

<b>TCP/11/16(499) – 16/02152/FLL – Erection of a dwellinghouse, Nether Blelock Farm, Bankfoot</b>
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**TCP/11/16(499) – 16/02152/FLL – Erection of a  
dwellinghouse, Nether Blelock Farm, Bankfoot**

**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)

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E-mail\* keir@kivandco.co.uk

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

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

Yes ☒ No ☐

Planning authority

PERTH + KINKROSS COUNCIL

Planning authority's application reference number

16/02/152/FCC

Site address

NETHER BLELOCK FARM, BANKFOOT,  
PERTH PH3 4EE

Description of proposed  
development

ERECTION OF A DWELLHOUSE

Date of application 17 Jan 2017

Date of decision (if any) 21st JULY 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:

TO MORE FULLY GRASP/UNDERSTAND THE PROPOSAL.

**Site inspection**

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

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

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

THE APPLICATION SITE IS A WORKING FARM, THEREFORE AN ACCOMPANIED VISIT IS RECOMMENDED.

**Statement**

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

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

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

PLEASE REFER TO THE ENCLOSED DOCUMENT.

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.

THE LABOUR PROFILE + JUSTIFICATION REPORT HAS BEEN REVISED TO ACCOUNT FOR THE INCREASE IN SHEEP NUMBERS - SEE APPENDIX 9.



**List of documents and evidence**

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

1. PLANNING APPEAL DOCUMENT
- a) APPENDIX 1 - PLANNING DECISION NOTICE
- b) REPORT OF HANDLING (APPENDIX 2)
- c) SUPPORTING STATEMENT (APPENDIX 3)
- d) JUSTIFICATION AND LABOUR PROFILE REPORT (APPENDIX 4)
- e) BALANCE SHEET (APPENDIX 5). CONFIDENTIAL
- f) PROFIT AND LOSS ACCOUNTS (APPENDIX 6). CONFIDENTIAL
- g) LETTERS OF SUPPORT (APPENDIX 7)
- h) MR ENNION'S LETTER i) UPDATED JUSTIFICATION REPORT.

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:

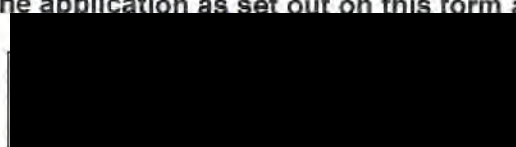
- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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

19.10.2017.

# Erection of a dwellinghouse at Nether Blelock Farm

## Planning Appeal

19<sup>th</sup> October 2017



**KEIR+CO**  
PLANNING

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## 1.0 Introduction

- 1.1 The applicants; Mr Thomas and Sandra Chalmers propose to build a house at their farm. A planning application (16/02152/FLL) was submitted in December 2016. The application was refused. This document, its attached appendices and the completed Notice of Review form, comprises the appeal correspondence.
- 1.2 When the applicants bought the farm land, it came with no sheds and buildings or a house – these had been sold off separately when building plots were at a premium.
- 1.3 Since buying the farm land, the applicants have changed their farming system to an Integrated Management System; breeding pedigree cattle, fattening sheep, growing cereal crops, silage and hay and renting out ground to potato and pea growers. To service the new farming enterprise and tend to the animals, the applicants have built a 30m x 15m steel portal frame shed and have spent the last three and a half years living in a lodge on the farm.

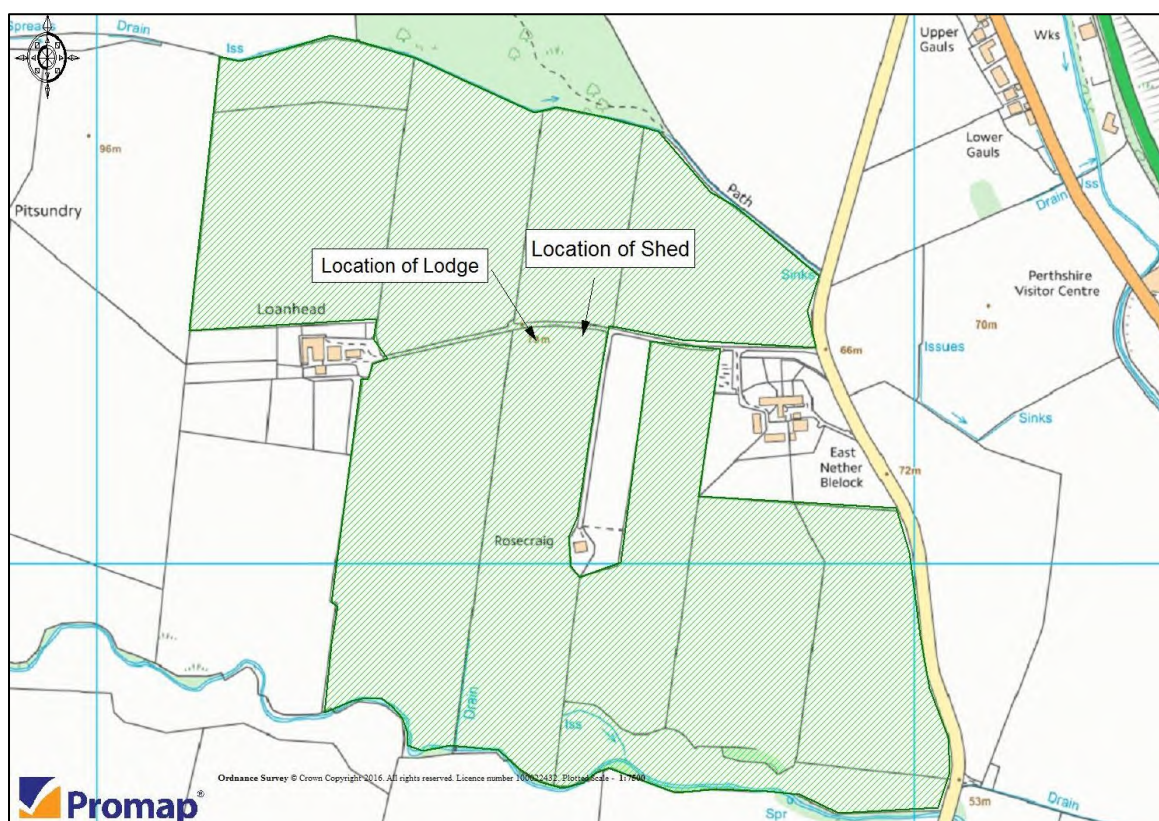
Photograph 1: Shed and lodge



- 1.4 In initial discussions with then Planning Officer; Gary Dimmock, regarding a proposal to build a house on the farm back in 2009, he acknowledged that there was a justification/requirement for an onsite residential presence, but felt that a permanent house was too premature as the new farm system had not been implemented. Accordingly, a planning application for a temporary house in the form of a lodge (which complied with the Mobile Homes Act) was submitted. Planning Consent was granted to allow the applicants an opportunity to develop and establish their new farm system, after which time (and assuming the business was successfully established), the council would be supportive of a permanent house on the farm.

- 1.5 Planning consent was originally granted for the siting of a Temporary Dwellinghouse in 2010 for a 3 year period – ending 18<sup>th</sup> January 2013 (Reference 09/00559/FLL). Three applications have been submitted to extend the temporary period and on all three occasions, consent has been granted.
- 1.6 Since 2009, the applicants have fully implemented the new farm system - having established a Simmental pedigree cattle herd, grew cereals, hay and silage, let out ground for potato and pea production, built a general purpose shed and worked out of their on-farm mobile home.
- 1.7 A permanent house on the farm is critical to the continued servicing and growth of the new farming system and most importantly, the welfare of the pedigree Simmental cattle. A house will also maintain a security presence to mitigate against the theft of stock and equipment and provide a purpose-built farmhouse with an office – to properly administer the farm from.

Map 1: Extent of land farmed at Nether Blelock and location of lodge & shed



- 1.7 The farmland in the Applicants ownership at Nether Blelock extends to 80 acres. They also rent the adjacent block of 40 acres of land on long term agreement. They rent a further 60 acres at Craighend Farm – 5.5 miles from Nether Blelock.

- 1.8 The sole reason for the planning application being refused is due to the Planning Officers opinion that through this planning application, it has not been fully demonstrated that there is a proven need for a permanent house at Nether Blelock Farm linked to the existing farm business, therefore the proposal does not comply with Section 3.3 (Economic Activity) of Policy RD3 of the Perth & Kinross Council Adopted Local Development Plan 2014 or the same Policy in the Housing in the Countryside Policy. See Appendix 1.
- 1.9 Since the new farm system was implemented, year on year, the farm business has grown at an impressive rate and the balance sheet is healthy, with the Pedigree Simmental herd as of this November, will grow from 4 cows to 36 head – 11 cows, 1 bull, 13 stirks and 11 calves (due in November). Each year, additional cows are taken in for wintering – to fatten for the market. This winter, 10 extra cows will be wintered in the shed on a B&B basis. Accordingly, this winter there will be 46 cows in the shed.
- 1.10 As part of the Planning Application, an Agricultural Consultant (who specialises in cattle rearing enterprises) produced the Justification and Labour Profile Report – which objectively reported that there is justification and requirement for a permanent house on the farm.

Photograph 2: Simmental Cow and calf





## 2.0 Justification for a permanent house

- 2.1 The sole reason for the application being refused was the Planning Officers opinion that there is not a proven need for a permanent house. We disagree with his opinion, as there quite obviously is a proven need for a permanent house based on;
- The 'on the ground' requirement for a house to work from and care for cattle and sheep, maintain a security presence and administer the farm from
  - The Justification & Labour Profile Report findings
  - The development of the farm business
- 2.3 Whilst a temporary house does currently allow the Applicants to provide their cattle and sheep with round the clock care and also maintain a security presence on the farm, the very nature of the lodge means that the living conditions are very cramped as it was designed for holiday use not long-term occupation. There is also no space to create a farm office. As the applicants have had to keep extending the temporary consent, there is no sense of permanence and this has caused considerable distress and uncertainty.
- 2.4 Had it not been for the on-site temporary house, there are a number of occasions when either calves or cows would have remained in considerable distress for a prolonged period of time or would have died. There have also been a number of thefts in the area and the applicants themselves have scared off a couple of suspect individuals from their farm. Please refer to the Supporting Statement (Appendix 3) for examples of such occasions.

Photograph 3: Lodge/temporary dwellinghouse



- 2.5 A Justification & Labour Profile Report (Appendix 4) was produced by an Agricultural Consultant. The Report concluded that there was a justifiable requirement for a house at Nether Blelock and that there was 1.10 Labour Units at Nether Blelock. The Council's apparent threshold for a justifiable requirement for a house is 1 Labour Unit. This Report was based on 408 lambs being fattened on the farm (from November 2016). There was in fact 600 lambs which were fattened on the farm. This Report has been updated to reflect this, and has resulted in the Labour Units increasing to 1.21, thus 0.21 units over the threshold.
- 2.6 The Justification and Labour Profile Report reported that
- a) ***"The farm met all the standards as set out in the New Entrants to Agriculture regulation."***
  - b) Sandra & Thomas Chalmers have ***"developed a significant agriculture business"***
  - c) ***"Erection of the new farmhouse and its siting will improve security within the farmyard and reduce risk of losses to theft and arson. It will also allow efficient management of the health, welfare and safety of the cattle in the livestock enterprise."***
  - d) It would add to the ***"quality of life of this hard working husband and wife team"***
  - e) ***"No existing vernacular buildings on the owned or rented farmland which are suitable for conversion to farmhouse type accommodation"***
  - f) ***"The new build house has been designed and sited to reduce its impact on the environment and to be sympathetic to the"*** "Housing in the Countryside Policy 2012"
- 2.7 There is robust precedence of planning consent being granted for houses supported by a Justification and Labour Profile Reports, which objectively reports that there is a need for a house on the farm – as set out in the 'Precedent Section' of this document. In a number of the consented planning applications, the justification requirements are not as strong as the subject case.

## 3.0 Development of the Farm Business

3.1 Since implementing the new farming system, the applicants have gone on to achieve a number of commendable milestones/achievements, including;

- Successful registration of the farm with the Department of Agriculture (Scottish Government) for Single Farm Payment
- Successful registration of the cattle herd for the Scottish Suckler Support Scheme (which brings in 100 euro for any calves bred and born on the farm)
- Acquisition of a Pedigree Simmental Bull – see photograph below
- Joining the SQC (Scottish Quality Cereals)
- Securing of the long-term lease of the 60 acres of land at Craigend Farm
- Securing a contract with National seed house Alexander Harley Seeds Ltd to supply high grade cereal seed
- Securing a contract with Quaker/PepsiCo. to supply milling oats
- Securing a contract to a potato grower to lease land to in return for a lucrative rent
- Securing a contract to a pea grower to lease land to in return for a lucrative rent.

Photograph 4: Pedigree Simmental Bull: Broombrae GTi





- 3.2 Additionally, year on year, the farm business (which trades as 'Thistle Farm') has grown. Income increased 140% between 2013-2014 and 2014-2015 tax year. Income increased a further 211% between 2014-2015 and 2015-2016 tax year. Income grew a further 160% between 2015-2016 and 2016-2017 tax year. Interestingly, the increase in income over the last tax year has been slightly bettered by the increase in profit, which was 169%
- 3.3 The farm business is on a very strong footing with a healthy Balance Sheet. The Applicants have invested virtually all of their available equity into the farm; including the purchase of the lodge, building of the shed and purchasing livestock and machinery. This has meant that there is no debt or finance costs (often the largest overhead/expenditure) and subsequently the farm business will continue to prosper.
- 3.4 Not only is the business continuing to grow, the applicants have continued to re-invest in and expand the business. The business has a promising future ahead following a number of shrewd and well planned decisions.

Photograph 5: Thomas Chalmers cutting Barley at Nether Blelock (August 2017)



## 4.0 The Applicants

- 4.1 Thomas Chalmers has a considerable amount of farming and cattle rearing experience - having grown up on a farm and currently a partner in his family's farming business and undertaking work as a farming contractor. Sandra Chalmers is a qualified Accountant and was the co-founder of Equi Ads – a popular National Equestrian Magazine. Accordingly, with Thomas's farming knowledge and Sandra's commercial and business experience, the applicants form a natural partnership ideally suited for running and growing a farm business.
- 4.2 Sandra sold Equi Ads in 2014 to invest in the farming enterprise and focus all her time and energy towards establishing and growing the business. Since 2014, Sandra has been working on the farm on a full-time basis.
- 4.3 With the applicants having made such a considerable investment and commitment to the farm, there is no going back and they are not prepared to walk away, even in the face of an unjust planning decision.
- 4.4 Buying the farmland, establishing the mixed agricultural enterprise, growing the cattle herd, building the farm shed and bringing the lodge onto the site, has literally involved a significant amount of blood, sweat and tears and significant financial outlay.
- 4.5 Add to that, negotiating the planning system and an Objector who is determined to ensure the applicants do not build a house near his, the applicants have been pushed to their limits.
- 4.6 The applicants just want to get on and grow their farm business. Conversely, at present they are having to focus their time and resources towards appealing this planning decision.



## 5.0 Attributes of the Site

5.1 The application site has a considerable amount of planning attributes, including:

- It is surrounded by a robust, established and natural landscape framework – including the hedge which was planted around the lodge/temporary house and shed, which is now 2 – 2.5m high
- The trees and topography also partially screen and provide a natural backdrop for the proposed house
- The landscaping required for the lodge is already established
- There is already a public water and electricity supply to the site (which currently serves the lodge/temporary house)
- There is already a septic tank and soakaway which the new build house could plumb into.
- There is already an existing access road which currently connects the lodge and shed to the public road.

Image 1: An artist's impression of the house



5.2 In the Report of Handling, the Planning Officer notes that he has no objections to the proposed house site and that ***‘in terms of visual impact on the area, the proposal would have little impact and I have no concerns in respect of this’.***

## 6.0 Overview of the Decision to Refuse Consent

- 6.1.1 The decision to refuse the planning application, is entirely based on the Planning Officer's view that through this application, it has not been demonstrated to his satisfaction that there is a proven need for a permanent house at Nether Blelock Farm linked to the existing farm business, and therefore contrary to section 3.3 (economic activity) of Policy RD3 of Perth and Kinross Council's adopted Local Development Plan 2014 and the associated Housing in the Countryside Guide 2012
- 6.1.2 The Planning Officer is also of the view that the granting of planning consent for a permanent house at this point, would be premature of the development of the business.
- 6.1.3 In his Report of Handling (Appendix 2), the Planning Officer notes that he has no objections/concerns with regards to;
- Residential amenity
  - Visual amenity/design or layout of the proposed house
  - Road and access
  - Drainage and Flooding
- 6.1.4 It is evident in the Report of Handling, that this is not a clear-cut decision the Planning Officer has made. In the Report of Handling, some of the facts and assumptions are incorrectly stated. The Planning Officer also appears to have misinterpreted some of the information. This has possibly not been helped by a lengthy planning history and a very active objector who made a series of false, inaccurate and spurious claims during the planning application process. Had the Planning Officer had all the correct information and facts, the planning application may have had a different outcome.
- 6.1.5 It is also noted that in some instances, the Planning Officer has critically analysed key information/reports which we feel are outwith his area of expertise.
- 6.1.6 Based on the content of this appeal and supply of the correct facts and information, it will be up to the LRB to assess whether the applicant has indeed demonstrated to their satisfaction that there is a proven need for a permanent house at Nether Blelock Farm to support the farm business.
- 6.1.7. Dealing with some of the issues which the Planning Officer raised in the Report of Handling:

## **6.2. Validity of the Labour Profile and Justification Report**

- 6.2.1 Concerningly, the Planning Officer appears to doubt the validity of the Justification & Labour Profile Report. This is surprising and worrying. Firstly, the Council did not employ an Agricultural Consultant to provide a counter opinion, this was purely the Planning Officer's opinion, one which we feel was not backed up with the relevant expertise, knowledge or experience in agricultural consultancy or cattle rearing. Secondly, what is the point of getting a Justification & Labour Profile Report produced if the validity is going to be questioned by a Planning Officer.
- 6.2.2 A Justification & Labour Profile Report was required to be submitted as part of the Planning Application. This Report had to be produced by a qualified Agricultural Consultant with knowledge in the Economic Activity, in this case; mixed farming enterprise including cattle rearing. The Report also required to be objective and confirm if there is a justifiable requirement for a house on the farm and establish how many 'Labour Units' the farm business yielded.
- 6.2.3 The Justification & Labour Profile Report was produced by Mr Sinclair Simpson - an Agricultural Consultant with 37 years of experience working in offices throughout Scotland for the North of Scotland College of Agriculture which was later amalgamated into and became the Scottish Agriculture College North. Laterally in this role, Sinclair managed the consultancy services delivered by Perth, Forfar, Cupar and Stirling.
- 6.2.4 The Justification & Labour Profile Report objectively reported that the farm business is thriving, there is a robust justification for a permanent house and that there is a requirement for 1.10 Labour Units – 0.10 over the apparent 1 Labour Unit threshold.

## **6.3 Robust case purely in terms of the number of Labour Units**

- 6.3.1 The Planning Officer raised concerns as to whether or not there was a robust case, purely in terms of the number of labour units.
- 6.3.2 The Planning Officer is not an Agricultural Consultant, nor do we believe he has expert knowledge and experience of mixed farming or cattle rearing. The calculation of the Labour Units is calculated using a standard methodology. The calculations are based on facts and the results are objective and precise.
- 6.3.3 The farm business at the time of assessment, yielded 1.10 Labour Units, 0.10 in excess of the apparent threshold. The Justification & Labour Profile Report has however been revised, to take into account the increase in lambs which were fattened on the farm over the previous winter, and now yields 1.21 Labour units.

## **6.4 Pea/Potato land included in the applicant's Labour Units calculation**

- 6.4.1 In his Report of Handling, the Planning Officer states that he is unsure whether the pea/potato ground which is rented to a third party is included within the Labour Unit calculations. We can confirm that land rented for the potato rent was not included in the Labour Units. However, it should be noted that, some allowance should have been made for it, as the land needs to be ploughed by the applicants before it is sown in peas or potatoes, stones have to be gathered and remedial work done, when the potatoes are harvested.
- 6.4.2 This concern could easily have been addressed had the Planning Officer raised this question during the planning application process.

## **6.5 Majority of Farm rented**

- 6.5.1 The Planning Officer expressed concern that more than half of the land which the Justification and Labour Profile Report is based on, is rented land.
- 6.5.2 To confirm, the applicants own; 80 acres and have a long term lease over 40 acres of the adjacent block of farmland and rent an additional 60 acres of land at nearby Craigend Farm (5.5 miles away).
- 6.5.3 We are unsure of the relevance of this apparent issue, as the applicants are farming in a manner consistent with all the neighbouring farms in the area – which tend to also rent additional land. Additionally, the applicants are also new entrants into farming, therefore it is entirely unrealistic to expect them to be owner occupiers of all of the land which they farm. They also have long term leases over the two parcels of land which they lease and thus, long term security.
- 6.5.4 Furthermore, planning applications for houses with similar justifications have been granted planning consent whereby land is owned and leased. Take for example, West Park Farm, Braco (11/01091/FL), where planning consent was granted for the erection of a house on 6 acres of owned land and 140 acres of leased land. See Section 9 of this Appeal for details on this case and others.
- 6.5.5 The extent of the owned land at Nether Blelock (80 acres) cannot also be justification for not granting planning consent for a house. Take for example, the case at Wooden Farm as Moneydie (5.5 miles away), where a house was proposed and consented on 79 acres of bare land to support a sheep rearing enterprise (12/00065/IPL). This is 1 acre less than the owned land at Nether Blelock and sheep tend not to have the same level of welfare requirements as cattle.

## **6.6 Leased land at Craighead farm included in the Labour Units Calculation**

- 6.6.1 The Planning Officer questioned whether the leased land at Craighead farm was included in the figures in the Justification & Labour Profile Report and what the residential situation is at Craighead.
- 6.6.2 We can confirm that the leased land at Craigend farm is included in the Labour Units calculation and that there is no residential accommodation available at Craighead farm. The owners of this farm land live in the house at the farm, which they occupy as their private residency.
- 6.6.3 The cattle are only at Craigend Farm for a few months of the year during the summer months. The cattle are housed at Nether Blelock farm in the general purpose shed from October to May – where the onsite residential accommodation is required. Calving is timed to occur during these months so that cattle can be more easily monitored.
- 6.6.4 This concern could easily have been addressed had the Planning Officer raised this question during the planning application process.

## **6.7 Ownership of sheep**

- 6.7.1 In the Report of Handling, the Planning Officer expressed concern that the sheep are not owned by the applicants.
- 6.7.2 The applicant had intended to purchase the sheep, but later decided to offer a B&B service for sheep fattening. The applicant grows turnips on the farm on which to fatten sheep. The applicants fatten and care for the sheep on behalf of another farmer. The sheep arrive on the farm in November and are there until April, at which point they are taken off to the market to get slaughtered.
- 6.7.3 The Planning Officer did question this arrangement during the planning application process. The applicants forwarded a letter (Appendix 6) from the owner of the sheep confirming that he was happy with the care his sheep received and he would be happy to continue this arrangement with the Applicant. The Planning Officer also conversed with Sinclair Simpson (the applicants Agricultural Consultant) regarding this arrangement, and Sinclair confirmed that the situation was sensible and “common practice - both on a financial and agriculture basis.
- 6.7.4 Sinclair Simpson also emphasised that if the owner of the sheep chose not to keep his sheep at Nether Blelock (for whatever reason), other shepherds would.
- 6.7.5 We are disappointed that the owner of the sheep’s letter of comfort appears to have been not considered.

## 6.8 Ownership of houses in the area

- 6.8.1 The Planning Officer made reference to the main Objectors claim that the applicants own other properties within the area and have also disposed of properties.
- 6.8.2 To confirm, the applicants between them own one house, which is located 4 miles from the farm. They have made no secret of the fact that they own this property. They had tried to sell it, but after an unsuccessful marketing campaign have since rented it out.
- 6.8.3 The applicants also applied for and successfully secured planning permission to convert the traditional outbuilding (adjacent to the house they own) into 3 houses (although this consent has now lapsed). The applicants also tried to sell the outbuilding (with the house), but had no success.
- 6.8.4 Regardless if the Applicants do own a house and outbuilding or not, we fail to see the relevance of this concern/reference. The house is 4 miles from the farm. The new farming system, including cattle rearing, requires an on-site permanent residential presence. Furthermore, as Section 9 of this appeal illustrates, there are a number of cases where planning consent has been granted for a permanent house on bare land despite the applicants owning a house in the area. For example, the applicant who secured planning consent for a house at his Balindean farm, yet he owns a farm with a house on it at his other farm at Errol – 5 miles away (09/01880/FLL).
- 6.8.5 The planning Officer stated in his Report of Handling;

**“To allow the Council to make a fuller assessment of the need for a permanent dwelling, I consider it necessary to have fuller details of all existing properties currently within the applicants control (collectively and individually) and details of those previously disposed of over a 5 year period.**

Again, this concern could have been addressed by the Planning Officer during the planning application process. As stated above, between them, the applicants have one house, which is located 4 miles from the farm. Again, we fail to see the relevance of this point.

- 6.8.6 Again, due to the significant pressure applied by the main Objector, there appears to have been an unfair amount of emphasis put on the fact that the Applicant owns a house.



## **6.9 Insufficient accounts and questionability of the business based on the accounts**

- 6.9.1 In the Report of Handling, the Planning Officer expresses his opinion, ***that the accounts submitted are not, comprehensive enough in terms of their auditing. (i.e. no reference to wages and salaries) and in his view do not indicate a full time operation is currently being delivered***
- 6.9.2 The accounts submitted (with the planning application) show a comprehensive Profit & Loss Accounts and Balance Sheet and were produced by the applicant - Sandra Chalmers, a Qualified Accountant.
- 6.9.3 The reason that there are no wages illustrated in the Profit & Loss Account, is that the Applicant does not employ anyone and no wages are currently drawn by the applicants to allow the profits to be reinvested in the business and the business to grow. Thomas Chalmers draws a salary from his father's business (and Mrs Chalmers relies on savings. Not drawing a salary from a business is quite common for agricultural businesses which are in their early stages.
- 6.9.4 The first cows were acquired in May 2014. It was from this time onwards that the farm enterprise really started to evolve and grow. The acquisition and continued breeding of the herd has led to an increase in the valuation of cattle herd; from £5500 (purchased 5/5/2014) to £27,300 (as at 5<sup>th</sup> April 2017).
- 6.9.5 Year on year, the farm business has grown. Income increased 140% between 2013-2014 and 2014-2015 tax year. Income increased a further 211% between 2014-2015 and 2015-2016 tax year. Income grew a further 160% between 2015-2016 and 2016-2017 tax year.
- 6.9.6 The farm business is on a very strong footing with a healthy Balance Sheet. The applicants have invested virtually all of their available equity into the farm; including the purchase of the lodge, building of the shed and purchasing livestock and machinery. This has meant that there is no debt or finance costs (often the largest overhead/expenditure) and subsequently the farm business will continue to prosper.
- 6.9.7 Again, if the Planning Officer had any concerns regarding the accounts, he should have raised this during the planning application process and allowed the Applicants to address them.

## 6.10 Retention of the lodge

- 6.10 In the Report of Handling, it is stated that '***The applicant has proposed to retain the existing temporary dwelling and use it for holiday accommodation to assist the farm business***'. This is incorrect. No such proposal has been made and there is no mention of it in the Supporting Statement or the Justification and Labour Profile Report.



## **7.0 Pre-Application Discussions**

- 7.1 Pre-application discussions were had with the Planning Officer. The Planning Officer advised that the Applicants wait until after the summer (of 2017) before submitting a planning application for a permanent house, in order to get another year of business.
- 7.2 The applicants could see no reason to do this, as there were to be no additions to the numbers of livestock on the farm until the end of the year. Therefore, there was unlikely to be an increase in Labour Units between when the permanent house planning application was submitted in December 2016 and the end of the summer 2017.
- 7.3 In addition, the applicants were fed-up of the stress and expense of having to continuously submit planning applications to extend the time limit of the temporary home planning consent. With the time limit only being extended by 18 months (despite the Applicants request for 2 years), the time limit is due to expire on the 31<sup>st</sup> December 2017. Hence, the reason for pushing on the permanent house application.

## 8.0 Planning Considerations

- 8.1 We are firmly of the opinion that this proposal; to erect a house to support the established and thriving farming enterprise, is in line with the Local and National Planning Policies.
- 8.2 The Council also appear to share the view that there is justification for a house on the farm, having granted consent in 2009 to put a mobile/temporary home on the farm to support the agricultural business and on three further occasions - granting consent to allow the mobile home to remain on the site for an extended period.
- 8.3 The proposed development is in line with the Council's 'Economic Activity' sub category for New house in country side in the **Housing in the Countryside Policy 2012** (as set out below), as; a) the applicant through the Justification and Labour Profile Report has demonstrated that there is a need for a house on site, b) the economic activity is consented, c) the economic activity is established, and d) the business is considerably advanced in its development.

### 3.3 Economic Activity

*a) 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.*

- 8.4 The Council's **Local Development Plan** is also supportive of proposals to expand/diversify existing rural business;

### **Policy ED3 Rural Business & Diversification:**

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

***supported where it can be demonstrated that it improves the quality of new or existing visitor facilities, allows a new market to be exploited or extends the tourism season’.***

- 8.5 The **TAYplan Strategic Development Plan** is also supportive of farming businesses which produce food (in the subject case; meat, grain, potatoes and peas); ***Supporting future food and resource security will require the protection of finite resources like minerals, forestry and prime agricultural land by management....***
- 8.6 **Scottish Planning Policy (SPP)** identifies that ***‘Planning Authorities need to adopt a flexible approach to ensure any changing circumstances are accommodated for new economic opportunities to be realised’.***
- 8.7 Other sections of SPP which are also relevant and supportive include:

***Promoting Rural Development***

***74. NPF3 sets out a vision for vibrant rural, coastal and island areas, with growing, sustainable communities supported by new opportunities for employment and education.***

***83. In remote rural areas, where new development can often help to sustain fragile communities, plans and decision-making should generally:***

- ***include provision for small-scale housing<sup>41</sup> and other development which supports sustainable economic growth in a range of locations, taking account of environmental protection policies and addressing issues of location, access, siting, design and environmental impact;***

- 8.8 **National Planning Framework** is also supportive of the proposed development; ***‘A sustainable, economically active rural area, which attracts investment and supports vibrant, growing communities, is essential to our vision’.***
- 8.9 The proposed development is also in line with one of the **Land Use Strategy For Scotland** key Objectives; ***‘For land based businesses working with nature to contribute more to Scotland’s prosperity’.***

## 9.0 Precedent

- 9.1 There is an overwhelming precedent of the Council granting planning consent for houses which support agricultural and rural businesses in rural Perthshire. As set out in the table below, five of these cases are within a 6-mile radius of Nether Blelock.

Table 1: Precedent within Perth & Kinross

Location:	Proposal:	Planning Reference:	Notes:
<b><u>Local Precedent</u></b>			
Nether Obney, Bankfoot	Erection of a house	04/02392/FUL	No information on the Planning Portal, although we understand that the new house was built for the parents to move into, whilst the Son stayed in the farmhouse.
Woodend, Glenschochie, Moneydie	Erection of a new farmhouse	12/00065/IPL	New house required to serve 79 acres of bare land and a shed used to winter sheep on (not cattle).
Cockerstone Farm, Bankfoot	Erection of a house	10/02068/FLL	Additional house required for son and daughter in law to assist with the cattle rearing enterprise.
Coldrockie Farm, Moneydie	Erection of a house and office	06/01977/OUT	New farmhouse required as original farmhouse and traditional steading developed into houses.
Moneydie Rodger Farm, Moneydie	Erection of a replacement farmhouse and conversion of the outbuilding into farm workers accommodation	09/01366/FLL	New house and an additional house required to serve pedigree cattle rearing enterprise.
<b><u>Perth &amp; Kinross Precedent (Agricultural Businesses)</u></b>			
Newbigging Farm, Fowlis Wester	Erection of a farmhouse	11/00119/FLL	Erection of a farmhouse on bare land. The original farmhouse and steading sold off for residential development. Sheep rearing unit. Planning approved on the basis of security and sheep welfare.

Ross Farm, Madderty	Erection of a farmhouse	06/00169/FUL	Erection of farmhouse located adjacent to sheds used for housing cattle.
Chapelhill Farm, Trinity Gask, Auchterarder	Erection of a farmhouse	03/02122/FUL	Erection of a farmhouse.
Parks of Kellour, Methven	Erection of a replacement farmhouse	09/01976/FULL	Erection of a replacement farmhouse adjacent to the agricultural buildings.
West Park Farm, Braco	Erection of a house	11/01091/FLL	Erection of additional house for daughter to live and assist on the farm (which included cattle). 6 acres was owned and 140 acres were leased.
Lawers Farm, Comrie, Crieff	Erection of a farmhouse	06/01917/FUL	Erection of a farmhouse
Duncrive Farm, Duncrive, Glenfarg	Erection of a house	07/00600/FUL	Erection of a farmhouse next to a newly built farm shed on another part of the farm. Consent granted on security grounds.
Wood of Coldrain Farm, Kinross	Erection of a farmhouse and cattle shed	04/01648/FUL	Erection of a new farmhouse and a new cattle shed.
Wester Balgeddie, Kinross	Erection of a house	09/00696/FLL	Erection of a new farm house for an applicant who bought bare land. Also a cattle and sheep enterprise.
Clashloch Farm, Kinross	Erection of a replacement farmhouse and agricultural buildings	07/02098/FUL	Original farmhouse and steading sold off for development. Mixed farm unit including cattle.
Ballindean Farm, Inchute	Erection of a new farmhouse	09/01880/FLL	Erection of a new farmhouse on bare land. Note: Consent granted despite the farmer having a house on a farm 5 miles away.
Rawes Farm, Longforgan	Erection of a farmhouse		
Westbank Farm, Longforgan	Erection of a Farmhouse	07/02609/FUL	Erection of a farmhouse for a son to stay on the farm to help with the farm business – cereals, potatoes and horses. Application granted consent on basis of security and horse welfare.
Comrie Farm, Kelneyburn, Aberfeldy	Erection of a house	10/00184/FLL	Erection of an additional house for son and daughter in law to live in and support the diversified farm

			business. House built next to cattle shed.
Clunebeg Farm, Killiecrankie, Pitlochry	Erection of a farmhouse	07/01551/FUL	Erection of an additional house for an agricultural worker to assist with the cattle and sheep rearing enterprise.
Croftnamuick, Camserney	Erection of a house	07/01221/FUL	Erection of an additional house for an agricultural worker.
<b><u>Perth &amp; Kinross Precedent (Rural Businesses)</u></b>			
Preston Farm, Auchterarder	Erection of a new farmhouse	06/02690/FUL	Erection of a house to serve an equestrian business. Consent granted on the basis of horse welfare and security.
Causeway Cottage, Scotlandwell, Kinross	Erection of house	09/00936/FLL	Erection of house to support an existing equestrian and cattery business
Middleton, Fossoway, Kinross	Change of use to a house and office	09/01217/FLL	Change of use of a building to a house and office to support a race horse training centre.
Baltree Farm, Kinross	Erection of a house	11/00125/FLL	Erection of a house to support a Greyhound Rescue Centre.
Dollar Equestrian, Blairingone	Erection of a house and indoor riding school	11/01939/FLL	Erection of house and indoor riding school to support and grow equestrian business.

- 9.2 Based on the extensive precedent which has already been set (locally and within Perthshire) through granting consent for the abovementioned cases and particularly as some of their justification requirements are not as strong as the subject case, we cannot reasonably see how the subject application can be refused consent.
- 9.3 Additionally, very few of the applicants in the above listed cases, have had to purchase and live in a temporary house prior to securing planning consent.

## 10.0 Summary

- 10.1 The Applicants are hardworking, honest and passionate about farming. For three and a half years they have been living in a temporary house and have successfully grown their farm business. Now the farm business requires and merits a permanent house. This is further backed up by an objective Justification & Labour Profile Report which reports that there is Justification for a permanent house on the farm and there is 1.21 Labour Units, this being 0.21 over the Council's apparent threshold.
- 10.2 The applicants farm business is thriving with a healthy balance sheet, continued growth year on year and it is debt free. Additionally, the applicants and their business has also achieved an incredible amount in a relatively short period of time, including; the expansion of the pedigree Simmental herd from 4 cows to 36 (including a bull), the Joining of the Scottish Quality Cereals, securing of additional land on a long-term lease, securing of lucrative contracts to supply cereal seed and milling oats and leasing of land to potato and pea growers for a lucrative income.
- 10.3 The decision to refuse this application is at odds with the Councils and National Planning Policy, which supports the growth of small and rural businesses. Furthermore, the Council have granted consent for a large number of similar proposals, many of which have far less strong supporting businesses cases/justification.
- 10.4 Perth & Kinross Council claim to be pro business and supportive of rural enterprise and the farming industry. This decision, as it stands, contradicts this.
- 10.5 The applicants feel cheated and let down by the Council. Back in 2009, the then planning officer; Gary Dimmock, proposed the applicants purchase and site a lodge on the farm and build the business, after which point consent would be granted for a permanent house.
- 10.6 Following the three successful planning applications to extend the time limit of the original temporary house planning consent and the continued growth of the farm business, there is no doubting that there is a justifiable requirement for a residential presence on the farm.
- 10.7 Whilst we respect that everybody has a right to object, this objector has gone to extreme lengths to ensure that the application is refused and a house is not built nearby to his house. The main Objector has continuously bombarded the planning officer with slanderous and incorrect information and accusations about the applicants and the proposed development.

- 10.8 The Applicants have had a significant amount of support from local farmers, neighbours, associates, customers and Councillors. 12 letters of support are attached illustrating this – Appendix 5.
- 10.9 There is no doubt that the Council are taking a ‘harder line’ on proposals to build houses which are supported by apparent economic/essential need. This stance is justified and required as there has indeed been a small number of questionable businesses which have been proposed or established to assist in securing consent for a new build house in the country. However, it is quite apparent that the subject farm business is indeed well established and thriving and a on-farm permanent house is required to service this growing business and tend to the cattle and sheep.



**Appendix 1:** Planning Decision Notice

**Appendix 2:** Report of Handling

**Appendix 3:** Supporting Statement

**Appendix 4:** Justification and Labour Profile Report

**Appendix 5:** Letters of Support

**Appendix 6:** Letter from the owner of the sheep

**Appendix 7:** Updated Justification and Labour Profile Report



## PERTH AND KINROSS COUNCIL

Mr Thomas And Mrs Sandra Chalmers  
The Lodge  
East Nether Blelock  
Bankfoot  
Perth  
PH1 4EE

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date 21st July 2017

### TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **16/02152/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 17th January 2017 for permission for **Erection of a dwellinghouse Nether Blelock Farm Bankfoot** for the reasons undernoted.

Interim Head of Planning

#### Reasons for Refusal

1. It has not been demonstrated that there is sufficient justification for a permanent dwelling on this site for a key worker which is directly linked to the economic activity associated with the existing farm business of 'Thistle Farm'. To this end, the proposal is contrary to section 3.3 (economic activity) of Policy RD3 of Perth and Kinross Council's adopted Local Development Plan 2014 and the associated Housing in the Countryside Guide 2012, both of which state that a new house (or group of houses) which 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 will only be acceptable if it has been demonstrated fully that there is a proven need for the house(s).

#### Justification

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

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

**Plan Reference**

**16/02152/1**

**16/02152/2**

## REPORT OF HANDLING

### DELEGATED REPORT

Ref No	16/02152/FLL	
Ward No	N5- Strathtay	
Due Determination Date	16.03.2017	
Case Officer	Andy Baxter	
Report Issued by		Date
Countersigned by		Date

**PROPOSAL:** Erection of a dwellinghouse

**LOCATION:** Nether Blelock Farm, Bankfoot

#### **SUMMARY:**

This report recommends **refusal** of a detailed planning application for the erection of a farm workers dwelling at Nether Blelock, Bankfoot 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:** 11 April 2017

#### **BACKGROUND AND DESCRIPTION OF PROPOSAL**

This planning application seeks to obtain detailed planning permission for the erection of a new dwelling, and the continuation of the siting of an existing temporary building at Nether Blelock Farm, Bankfoot.

The site has had a long planning history, which can be summarised by the Council granting planning consent for a new farm shed in 2009 which was then followed by various temporary planning permissions for a temporary dwelling house on the basis of operational need thereafter. The shed was initially built in 2009, but the temporary house was not sited on the site until early 2014.

This planning application seeks to obtain detailed planning consent for the erection of a new permanent farmhouse. The proposed dwelling would offer living accommodation over two full levels, with a small part of the upper level of accommodation being contained within the roofspace. In addition to the main living space, the dwelling also includes an integral 'granny flat' annex.

As part of this application, it is proposed to retain the existing temporary building on a permanent basis, and to then use it for holiday accommodation.

## **SITE HISTORY**

The site has a long planning history which dates back to 2009.

In 2010, a detailed planning application for the erection of a new steel portal framed shed was approved (09/00558/FLL), and that shed was subsequently built and is now in full-time use.

Also in 2010, a detailed planning application for the erection of a temporary dwellinghouse (09/00559/FLL) was approved for a temporary period of 3 years. That consent did not commence within the prescribed timescales and a further planning application (12/01864/FLL) which sought the modification of the 2009 consent (to extend the permission) was submitted, and subsequently approved.

That consent eventually commenced (ie the temporary dwelling sited) in January 2014.

In 2015 a further planning application (14/02130/FLL) was submitted for a further extension of time for the siting of the temporary dwelling, and that application was approved with a revised timeline of removal by 31 August 2016.

In 2015, a planning application for a permanent dwelling (15/02205/FLL) was submitted by the applicant, but was withdrawn prior to its determination following advice by the Council.

In 2016 a further planning application (16/01331/FLL) was submitted for a further extension of time for the siting of the temporary dwelling, and that application was approved with a revised timeline for removal by the 31 December 2017.

## **PRE-APPLICATION CONSULTATION**

General discussions took place with the applicant and their agents about what would be required to be submitted with a planning application for a permanent dwelling, and the need for a robust business/justification case to be put forward to justify the case of a permanent dwelling. It was also the case that during the assessment of 16/01331/FLL, it was the case officers view that it would be beneficial for a full assessment of the need for a permanent dwelling (based on economic/essential need) should take place after this summer, which would tie into the timescales afforded to the last temporary permission.

## **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.

Of relevance to this planning application is,

### **The Scottish Planning Policy 2014**

The Scottish Planning Policy (SPP) was published in June 2014 and it sets out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to:

- the preparation of development plans;
- the design of development, from initial concept through to delivery; and
- the determination of planning applications and appeals.

Of relevance to this planning application are Paragraphs 74 - 83, which relates to Promoting Rural Development and Paragraphs 109 -134, which relates to Enabling Delivery of New Homes.

### **DEVELOPMENT PLAN**

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

#### **TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012**

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

#### **Perth and Kinross Local Development Plan 2014 – Adopted February 2014**

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

The site lies within the landward area within the Local Development Plan, where the following policies are applicable,

### **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 PM3 - Infrastructure Contributions**

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

### **Policy RD3 - Housing in the Countryside**

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

## **OTHER COUNCIL POLICIES**

### **Housing in the Countryside Guide 2012**

This is the most recent expression of Council policy towards new housing in the open countryside.

### **Developer Contributions and Affordable Housing (2016)**

This policy outlines the Council's position in relation to developer contributions in relation to primary education, transport infrastructure and A9 junction improvements, as well as our Affordable Housing provision requirements.

## **EXTERNAL CONSULTATION RESPONSES**

**National Grid Plant Protection Team** were consulted on the proposal but have made no specific comment. The site is on the outer edge of the outer consultation zone approx. 350m away from the pipeline, so this proposal is not likely to adversely affect the integrity of the pipeline.

**HSE** have been consulted and have raised no objection to the proposal in terms of the impact on (or from) the adjacent pipeline.

**Scottish Water** have commented on the proposal and raised no objections.



## INTERNAL COUNCIL COMMENTS

**Environmental Health** have commented on the proposal in terms of contaminated land issues and have raised no concerns.

**Transport Planning** have commented on the proposal in terms of the access arrangements and parking provision and have raised no objections.

**Contributions Officer** has commented on the proposal and indicated that in the event of an approval being forthcoming, a Transport Infrastructure contribution would be required.

**Community Waste Advisor** was consulted on the planning application but has chosen not to make any specific comment.

## REPRESENTATIONS

Two letters of representations have been received from local residents, both of which are objecting to the proposal. The main issues raised within the letters of representations are,

- Proposal contrary to Development Plan
- Proposal contrary to HITCG 2012
- Concerns over the access and its surface
- No justification for an essential workers dwelling based on various reasons

These issues are addressed in the main section of the appraisal.

## ADDITIONAL STATEMENTS RECEIVED

Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact eg Flood Risk Assessment	Labour profile report submitted Planning Statement Statement
Weekly List Comments	14/02130/FLL & 16/01331/FLL Variation condition 1 to allow further 2 yrs for temp house AMB

## **APPRAISAL**

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan for the area comprises the approved TAYplan 2012 and the adopted Perth and Kinross Local Development Plan 2014.

In terms of other material considerations, this involves the consideration of the Council's Housing in the Countryside Policy 2012, the Developer Contributions and Affordable Housing 2016 document and the sites recent planning history.

### **Policy Appraisal**

The principal Development Plan land use policies directly relevant to this proposal are largely contained in the adopted Local Development Plan 2014 (LDP). Within that plan the site is located within the landward area where *Policies RD3* and *PM1A* are directly applicable to new residential proposals.

*Policy RD3* refers to the Housing in the Countryside Policy and is directly linked to the supplementary Housing in the Countryside Guide 2012 (HITCG 2012), whilst *Policy PM1A* seeks to ensure that all new developments within the landward area do not have an adverse impact on the character or amenity of the area concerned.

For reasons stated below, and after much consideration, I consider the proposal to be contrary to the Council's Housing in the Countryside Policies, as it has not been demonstrated fully that there is a proven need for a permanent dwelling linked to the existing farm business.

### **Land Use**

It is the case that the only section of both the HITCG 2012 and Policy RD3 of the LDP that this proposal could reasonably be assessed against is section 3.3 - which relates to new housing associated within an economic activity.

This section states that the Council will offer support for a new house(s) (either on site or in the locality) for a local or key worker associated with either a consented or an established economic activity providing that certain criteria are met. Both policies state that for successful applications, the applicant(s) must demonstrate to the satisfaction of the Council that there is a proven need for the house(s), and where the house is to be associated with a proposed economic activity, that the construction of the house will not be permitted in advance of the development of the business. Both policies also state that any forthcoming planning permission may be restricted by an occupancy condition which requires the dwelling to remain as an essential worker housing in

perpetuity, or to convert to an agreed tenure of affordable housing when the employment use is no longer required.

In terms of the justification material, since 2009, there has been a number of planning applications and a number of labour justification reports submitted to the Council for consideration. For ease of reference, 1900hrs of labour time is considered to be the industry standard for the equivalent of 1 full time worker.

When the existing temporary dwelling was approved in 2010 (09/00559/FLL), the initial labour justification report stated that the business required 0.73 labour units (1385hrs) for it to operate. Approx.  $\frac{1}{2}$  of these labour units were associated with farming crops (744hrs), with the other  $\frac{1}{2}$  (641hrs) associated with caring and rearing livestock (cattle). The livestock at this time was stated as being a herd of 79 cattle – 40 suckling cows, 1 bull and 38 beef cattle.

When further planning applications were lodged in 2012 and 2014 to extend the timescales for the siting of the temporary dwelling, these were not accompanied with any updated labour justification reports.

In 2015, an updated labour justification was submitted with planning application 15/02205/FLL which stated that the current labour units was now 0.63 (1197hrs) with the potential for this to increase to 0.88 units (+469hrs) - subject to additional land being rented from a neighbouring farmer.

In 2015 the herd of cows was stated to be 28 cattle (8 suckling cows and 20 wintering cattle) with 276hrs of labour accredited directly to the livestock. The report did however predict that with more land due to be rented from a neighbouring farmer, the cattle herd was expected to increase to 40 cattle, with 15 suckling cows and 25 wintering cattle, and this in turn would require approx. 405hrs of labour, and with the crops would require approx. 1666hrs to operate.

In June 2016, a further labour report was produced for 16/01331/FLL which attached 1.08 labour units (2055hrs) to the operation of the farm. The herd of cattle remained at 40, and 393hrs was accredited to this. In addition to this, 375 sheep had been added to the farm which contributed a further 412hrs of labour time, with the rest of the 2055hrs being attributed to the crops.

Lastly, in November 2016 as part of the current planning application 16/02152/FLL, a further labour report was prepared which indicated that the farm business now had a labour requirement of 1.10 labour units (2092hrs). The herd of cattle was stated as remaining at 40, but the flock of sheep had increased to 408 and this in turn contributed to approx. 448hrs of labour.

After discussions with the applicant, the Council has been advised that the flock of sheep which are currently on the land being managed by the applicants (owned and rented) was in excess of 600. These sheep are owned by a neighbouring farmer, but are looked after by the applicants. The owner of the sheep has contacted the Council to indicate that the applicants are the only party who are responsible for the feeding, maintenance and healthcare of

their flock and that he is happy with the service offered, and will be prepared to continue the arrangement with the applicants in 2018.

Since 2009, it would therefore appear that there has been a change of farm practice with an initial focus on cattle shifting to a mix of cattle and lambs, and cropping.

After visiting the site, and viewing the cattle in the shed I'm not questioning the numbers nor the numbers of sheep / lambs on the land.

However, there are a number of issues which I do have some reservations on.

The first is that a large majority of the land is rented. As far as I can see, no details have been provided in relation to the terms of the lease. Based on the data contained in the November 2016 report, more than half of the land which makes up the labour justification (40.4ha of 72.8ha) is not owned by the applicants. Whilst there doesn't appear to be a detailed breakdown of the labour units on the rented and owned land, by purely taking in account the circa 32ha/40ha split the labour associated with the land owned by the applicants would not (on face value) contribute to 1 full time labour unit or 1900hr of time.

It is noted that mention is made within the supporting statement of land at Craighead Farm which is being managed and worked, which is somewhat divorced from Nether Blelock and located west of Luncarty. It's not clear within the submission whether this land (24ha) has been included in the figures or not and what level of residential accommodation is available on that farm unit.

It also needs to be taken into account that in addition to the issue of rented land, there are also animals (sheep) which aren't within the ownership of the applicants either – some of which may also be on rented land, and which contributes significantly to the number of labour units tabled.

Whilst it's not uncommon for farmers to extend their acreage, and indeed to take on animals on a '*bed and breakfast*' basis, it cannot be guaranteed that such an arrangement will continue. The only constant would be the land which is within the control of the applicant and the applicant's ability to continue to work with the assets (land and stock) that they have a control over.

Reference has also been made to the fact that the applicants rent land (presumably the land which they own) to third parties for 'lucrative' rent to peas/potato growers, but it has not been explicitly audited in the labour statement as to whether labour accredited to this element is included in the figures provided – or not.

Overall, I therefore do have some concerns as to whether or not there is a robust case, purely in terms of the number of labour units, for an operational need dwelling – based on the information that has been lodged and the business model of the farm itself.

Within one of the letters of representation it has been suggested that the applicants own other properties within the area and have also disposed of properties, however there has been no firm evidence brought forward to demonstrate this from the objector. Conversely, whilst it has been mentioned in the supporting statements that the applicants may have in the past owned properties in the area; it has not been expanded upon in their submissions, or what they currently own (collectively or individually).

It is also the case that the reasons for disposing of other existing and /or potential properties - such as the steading conversion at Logiebride, which was granted planning permission for 3 dwellings in 2014 – has not been detailed. It is expected that explicit reasoning for disposing of such assets in in what is fairly close proximity to the application site should have been forthcoming, particularly when permanent accommodation at Nether Blelock is yet to be secured, but this hasn't been provided.

Nevertheless, what is clear is that on the land associated with the farm unit at Nether Blelock, there isn't any permanent dwelling and the only accommodation is that of the temporary dwelling. However, to allow the Council to make a fuller assessment of the need for a permanent dwelling, I consider it necessary to have fuller details of all existing properties currently within the applicant's control (collectively and individually), and details of those previously disposed of over a 5 year period. Having this information would create a clear picture of what options the applicant has (and had), and the reasons why any existing properties have been discounted as being unsuitable.

In terms of the financial justification, a confidential report has been submitted with the planning application. Whilst it would be inappropriate to comment on the financial figures in specific detail in this Report of Handing due to their sensitive nature and the fact this report will be public following the final decision, the accounts submitted are not in my opinion comprehensive enough in terms of their auditing (i.e. no reference to wages or salaries) and do not in my view indicate a full time operation is currently being delivered. It may be the case that business income is being generated elsewhere by other income streams; however what is being considered here is whether or not the operations on the site alone justify a permanent dwelling, and I do not think this has been achieved or demonstrated.

When reporting on the most recent planning application to extend the permission on the temporary dwelling, I did suggest that it would be appropriate to assess the successfulness of the business and the need for a permanent dwelling after a full summer of activity, with detailed accounts and labour requirements based on fact and not predictions. Whilst I cannot offer any guarantees that my aforementioned concerns will be addressed, I still consider this to be best course of action at the present time.

However, ultimately I'm unable to support this application as it's been submitted.

## **Residential Amenity**

In terms of being able to offer a suitable level of residential amenity for future occupiers of the dwelling, the dwelling has been positioned fairly close to an existing farm shed which currently houses a number of cattle. However, as this dwelling is to be for a worker associated with farming activities, this arrangement is acceptable. The level of private amenity space available for future occupiers is acceptable.

In terms of the impact on other residential amenity, whilst I note that two letters of objections have been received I do not consider this proposal to cause any issues in terms of a direct impact on existing residential amenity.

## **Visual Amenity, Design and Layout**

In terms of the visual impact on the area, the proposal would have little impact and I have no concerns in respect of this.

Likewise, I have no objection to the proposed house type or its layout / position on the site. The principal issue for this planning application is whether or not the principle of a house on the site is acceptable (or not) as opposed to issues over its design or layout.

## **Roads and Access**

In terms of roads related matters I have no concerns, and this view is shared by my colleagues in Transport Planning. I note the road and access concerns which have been raised within the letters of representation; however I do not consider these to be justified in terms of this planning application.

## **Drainage and Flooding**

The proposal raises no issues in terms of drainage matters. The site is located outwith any sewered area, and to this end any proposed drainage would be via a private system which would need to comply with the relevant building standards requirements. Likewise, the disposal of surface water will have to be undertaken in a control manner and in line with current regulations.

In terms of flooding matters, whilst there is an ongoing flooding issue within the Bankfoot area, this proposal is not affected by those ongoing issues which are centred on issues with the public sewerage system.

## **Retention of the existing temporary dwelling**

The applicant has proposed to retain the exiting temporary dwelling, and use it for holiday accommodation to assist the farm business. As far as I can see,

whilst it has been suggested that this will provide a sustainable and regular income for the applicant, no details of revenues have been included. I appreciate that the applicant has invested in this element by putting in drainage and other matters; the suitability of the permanent siting of the lodge for holiday use has never been fully assessed. In light of this, as this planning application is for the erection of a dwelling only, I consider it appropriate to consider the permanent siting of the existing temporary building under a separate proposal – in the event that this proposal is supported. In the event that a refusal (which is recommended) remains, then the extant permission for the temporary siting of the building would remain until such time as it lapses.

## **Developer Contributions**

### Affordable Housing

As the development is only for a single dwelling there is no requirement for any Affordable Housing requirement.

### Primary Education

In the event of an approval being forthcoming, there would not be any requirement for any Primary Education contribution.

### Transport Infrastructure

In the event of an approval being forthcoming, there would be a requirement for a Transport Infrastructure related contribution.

### A9 Junction Improvement

The site is located outwith the catchment area for A9 Junction improvements.

## **Economic Impact**

In the event of an approval, the proposal could have a positive impact on the local economy but the degree of impact is unquantified.

## **Conclusion**

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, I've weighed up all the information before me and also considered the comments made from third parties, and ultimately I consider there to be insufficient justification for a permanent dwelling on this site on the basis of operational/economic need.

To this end, I consider the proposal to be contrary to the adopted Local Development Plan 2014, and do not consider there to be any material considerations 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 not been made within the statutory determination period. The reason for the delay was to allow for a full assessment of the merits of this application, bearing in mind the site's history and interest from neighbours.

### **LEGAL AGREEMENTS**

None required.

### **DIRECTION BY SCOTTISH MINISTERS**

None applicable to this proposal.

### **RECOMMENDATION**

#### **Refuse the planning application because of the following reason,**

It has not been demonstrated that there is sufficient justification for a permanent dwelling on this site for a key worker which is directly linked to the economic activity associated with the existing farm business of 'Thistle Farm'. To this end, the proposal is contrary to section 3.3 (economic activity) of Policy RD3 of Perth and Kinross Council's adopted Local Development Plan 2014 and the associated Housing in the Countryside Guide 2012, both of which state that a new house (or group of houses) which 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 will only be acceptable if it has been demonstrated fully that there is a proven need for the house(s).

#### **Justification**

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

#### **Informatives**

None



**Procedural Notes**

Not Applicable.

**PLANS AND DOCUMENTS RELATING TO THIS DECISION**

16/02152/1

16/02152/2

**Date of Report** - 19 July 2017



# Supporting Statement

Proposed erection of a farmhouse at  
East Nether Blelock Farm, Bankfoot



## Contents:

1. Proposed Development
2. Site History
3. Farm Business Overview
4. Design & Access
5. Permanent Residential Presence
6. Planning Considerations
7. Summary

## Proposed Development

It is proposed that a house be built at East Nether Blelock Farm to service and facilitate the applicants; Mr Thomas & Mrs Sandra Chalmers agricultural enterprise.

When the applicants purchased the land, it came with no sheds and buildings or a house – these had been sold off separately when building plots were at a premium. It is fundamental for any farm enterprise to have a steading/shed to house stock/crops to keep feedstock/crop inputs dry, safe and in good condition. For security and welfare reasons it is also necessary to have a residential presence on the farm.

At present, the applicants reside in a mobile home on the farm, which is subject to a temporary planning consent. It is proposed that a house be erected on the mobile home site and the mobile home removed.

As is detailed in the Labour Profile and Justification Report, it is absolutely vital that a residential presence is maintained on the farm. The Report also reiterates the pressing requirement for a permanent and larger house.

Over the last 3 years, the applicants have built a 30m x 15m steel portal frame shed and successfully implemented a new farm system (including; the breeding of pedigree cattle, growing of cereals, growing of silage & hay and renting ground out to potato & pea growers).

**Photograph 1:** Temporary house and shed





## Site History

Planning consent was originally granted for the siting of a Temporary Dwellinghouse in 2010 for a 3 year period – ending 18<sup>th</sup> January 2013 (Reference 09/00559/FLL).



**Photograph 2:** The chalet/mobile home

In 2009, planning consent was also granted for the erection of a general purpose shed to house the applicant's cattle, farm machinery and equipment (Reference: 09/00558/FLL).

**Photograph 3:** General Purpose Shed



A consecutive planning application was submitted to vary condition 2 of the original temporary house consent (Reference 09/00559/FLL), to extend the temporary period. Consent was granted to extend the temporary period for another 2 years – ending 31<sup>st</sup> January 2015 (Reference: 12/01864/FLL).

In 2014, a further planning application was submitted to extend the temporary house time limit again. Planning consent was again granted to extend the temporary period to the 31st August 2016 (Reference: 14/02130/FLL).

In 2016, a follow up planning application was submitted to extend the temporary house time limit again for 2 years, consent was again granted to extend the temporary period but only for a further 18 months to December 2017.

(Reference: 16/01331/FLL).

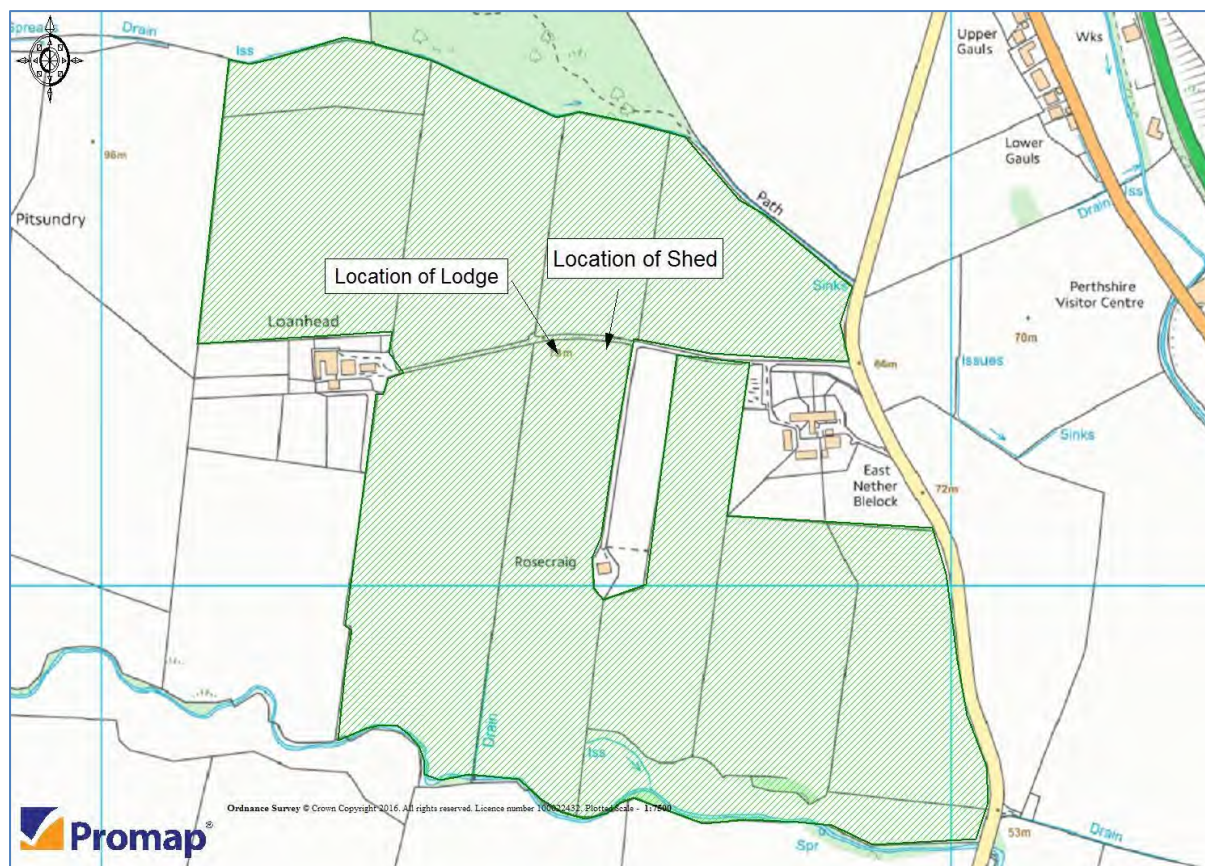
This was very welcome as on-site accommodation is vital to the day to day running of the farm, particularly following the growth of the cattle herd and farm business.

**Photograph 4:** Tractor in door of Shed





Map 1: Extent of land farmed at Nether Blelock



## Farm Business Overview

The farm business (trading as Thistle Farm), has grown at an impressive rate since the new farming system was implemented in 2014. This is down to the dedication, hard work and commitment of both Tommy and Sandra Chalmers.

In 2014, the farm system changed to an Integrated Management System, which was based around the establishment of a pedigree cattle herd (comprising Simmentals, Limousine crosses and Simmental crosses), growing of malting barley along with other cereals, and the renting out of farm land to third parties/growers of peas and potatoes for a lucrative rent. .

### Pedigree Cattle Herd

The first cows were acquired in May 2014. It was from this time onwards that the farm enterprise really started to evolve and grow. As illustrated on the Balance Sheets (Appendix 2), the acquisition and continued breeding of the herd has led to an increase in the valuation of cattle herd; from £5500 (purchased 5/5/2014) to £7362 on 5<sup>th</sup> April 2015 and a further increase in value to £16742 as at 5<sup>th</sup> April

2016. With the ten calves born in December 2016, the herd has increased in value to approximately £22k.

The first crop of young stirks (4) will be sold off 2017 at around £1000 each thus bringing more income into the enterprise and this will be an annual revenue stream, which will continue to grow.

A pedigree Simmental Bull was purchased earlier in the year (February 2016). This was a long term investment and cuts out the expenditure of hiring one in.

The herd size was initially 4 cows (bought in May 2014). Now with the aid of the in-house bull, as of December 2016, the herd size has grown to 26. By December 2017, the herd size will further increase to 37. In addition we have 14 fattening cattle to be sold in June or July 2017.

**Photograph 5:** Some of the cattle herd



### Cereals

The growing of cereals on the farm, which have primarily been barley and oats, has also helped provide a steady and additional source of income. In February of this year (2016), a contract was entered into with the National seed house Alexander Harley Seeds Ltd to supply high grade cereal seed. A contract was also agreed with Quacker/Pepsi Co in March (2016) to supply milling oats. Both contracts not only guarantee an income for this year, but also safeguard this income source in the future.



### Potatoes & Peas Ground Lets

The requirement for crop rotation combined with productive farm land, has allowed the business to let out some of their land to third parties/growers to grow potato and pea crops. This rental is a lucrative source of income which is reinvested back into the business.

This growing season, 12 acres has been let to Bruce Farms to grow peas which are destined for Birds Eye. 18 acres has also been let out to a potato grower

**Photograph 6:** Tommy Chalmers rolling a crop of Spring Oats at Nether Blelock





## Farm Milestones

Some of the farm milestones are set out below in date order. This gives a good indication of the progress the farm has made since the implementing of the new farm management system.

### Farm milestones:

August 2013:	Sandra sells her publishing business to concentrate on developing the farm business
January 2014:	40 acres of land let out to a potato grower for a lucrative rent
February 2014:	The farm shed construction works were completed
March 2014:	Mobile home brought onto the farm – and lived in on a part time basis – throughout the week and full time during calving time etc
April 2014:	200 hedging bushes were planted for landscaping of the mobile house plot and shed
May 2014:	Foundation cattle stock purchased 4 cows
May 2014:	Ring feeder, feeding troughs, barriers and a quad bike purchased
January 2015:	40 acres of land let to a pea grower for a lucrative rent
March 2015:	Thomas & Sandra Chalmers move into the Chalet on a full time Basis
May 2015:	The farm was registered with the Department of Agriculture (Scottish Government) for Single Farm Payment
June 2015:	The cattle herd increased to 8 Cows, 5 calves
June 2015:	The farm was successfully registered for the Scottish Suckler Support Scheme (which brings in 100 euro for any calves bred and born on the farm)
June 2015:	The applicants joined the SQC (Scottish Quality Cereals)
August 2015:	A further 60 hedging bushes were planted for landscaping
November 2015:	A lease is entered into to rent in an additional 60 acres of neighbouring land, taking the overall unit size to 180 acres (80 acres owned and 100 acres leased).
January 2016:	20 store cattle purchased – bought to fatten and sell on again

February 2016:	1 pedigree Simmental Bull and 2 pedigree Simmental cows purchased for the farm
February 2016:	Entered contract with a National seed house Alexander Harley Seeds Ltd to supply high grade cereal seed.
March 2016:	Contract agreed with Quaker/Pepsi Co. to supply milling oats.
March 2016:	Land let to a Pea grower which are destined for Birds Eye.
May 2016:	A field of turnips was planted to support a flock of fattening lambs.
June 2016:	A grant was approved by the Department of Agriculture towards 25% of the cost of fencing a field to graze the cattle.
September 2016:	Good quality straw baled and stored to provide for cows bedding and feed. The balance of straw will be sold in 2017. It should be possible to get a good price as it may not be plentiful then.
October 2016:	All Silage baled and ready to feed the stock through the winter months.
October 2016:	Registered with the Simmental Breed Society with our pedigree herd name Thistle.
October 2016:	Winter Barley high grade seed in ground for 2017
November 2016:	Delivery taken for 408 fattening lambs
December 2016:	10 calves born taking the pedigree herd size up to 1 bull, 10 cows, 5 stirks and 10 calves plus fatteners
December 2016:	Panda, a Simmental cross calf was born, she is our bulls first calf. See photograph 6
January 2017:	Sheep moved from grazing on to turnips
January 2017:	Another high cash crop of turnip to be planted. High fertility crop.
February 2017:	Malting barley return crop for 2017 – future price set.
February 2017:	Bull being put back in with 11 breeding cows for calving in December 2017.
April 2017:	Fattening sheep sold

**Photograph 6: First born calf of new bull GTi**



### **Lamb Fattening**

This year 2016, the business is starting to take in a lamb fattening enterprise for bed and breakfast– the lambs arrive in November, are fattened during the winter, then sold in March for a profit. To this end, the applicants took in 600 store lambs. They grazed a crop of turnips planted this year in one of the fields close to the lodge over the winter months.

**Photograph 7: Some of the sheep at grazing**



This enterprise will complement the applicants farming system and further increase the farm income and profitability of the business. The applicants will repeat this process (fattening lambs) the following year. The sheeps' owner has agreed to bring them back again over 20017/2018.

**Photograph 8:** The start of this year's silage – cut, baled and wrapped



## **Overall**

Since the change in farm management system, the farm business has grown considerably yet steadily in size.

The farmland has also grown in size, with an additional 60 acres being let on a long term basis, taking the overall size of the farm to 180 acres.

The Profit & Loss Accounts (Appendix 1) illustrates that the business has operated within its means and increased income and profits.

Year on year, the farm business has grown. Income increased 140% between 2013-2014 and 2014-2015 tax year. Income increased a further 211% between 2014-2015 and 2015-2016 tax year. Income grew a further 160% between 2015-2016 and 2016-2017 tax year.

Furthermore, the farm business is on a very strong footing with a healthy Balance Sheet (please refer to Appendix 2). The applicants have invested the large majority

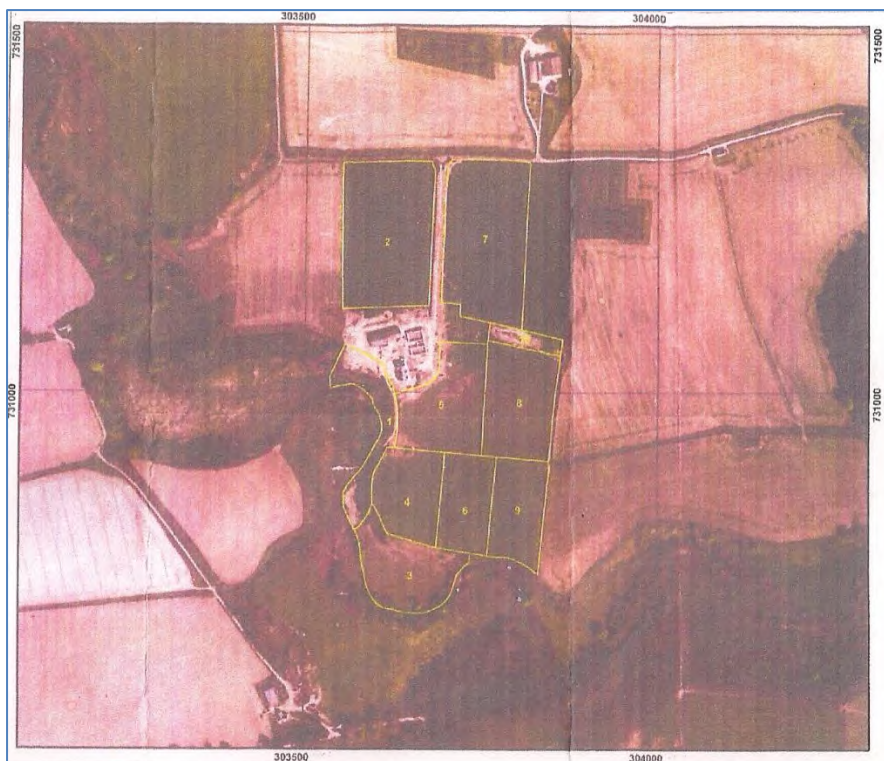


of their private equity into the farm; including the purchase of the chalet, building of the shed and purchasing livestock and machinery. This has meant that there is no debt or finance costs (often the largest overhead/expenditure in farming) and subsequently the farm business will continue to prosper.

Not only is the business continuing to grow, the applicants have continued to re-invest in and expand the business. The business has a promising future ahead with a number of shrewd and well planned decisions, including:

- Securing of an additional 60 acres on a long term lease (taking the overall unit to 180 acres),
- Purchase of a pedigree bull,
- Securing of Single Farm Payment Entitlement (Farming Subsidy) & grant
- Lucrative contracts with separate parties to supply high quality cereal seed and milling oats

Map 2: Additional 60 acres at Craighead Farm which have been leased





## Design & Access

The proposed house will be timber frame construction, one and three quarter storeys high (with dormer window in the eaves), have a pitched roof (with slate effect tiles), white dash render exterior and comprise 3 bedrooms and a 'granny flat' (for the applicants 85 year old mother).

Drawing 1: Front elevation of proposed house



The timber kit is being supplied by Deeside Timberframe. The house type is based around their 'Abernethy' house type, illustrated below.

Illustration 1: Abernethy house type



It is proposed that the house be built on the site which the mobile home currently sits within - adjacent to the general purpose shed. Importantly, it is vital that the house is located adjacent to the general purpose shed – which the cows are housed in.

When considering locations on the farm to site the mobile home for the original application, time was taken and Gary Dimmock (the Planning Officer at the time) was consulted with to select a location which the mobile home and shed would best 'fit' within the landscape.

Map 1: Site Plan



The house is to be built in a natural dip in the landscape and the rising topography to the north provides a back drop to the development – as illustrated in Photograph 1. The site is also contained with the access road running along the northern boundary,

an existing hedge defining the western boundary, a young hedge delineating the southern boundary and the existing general purpose shed and an access road to a nearby house to the east.

Considerable time has been taken to select a house which is in keeping with the surrounding houses, including the newly built houses at Nether Blelock steading and at Jackstone farm (completed 15 months ago). We have also met up with one of the Council's Planning Officers to discuss the proposed house and its design aspects. The Council's 'Siting and Design of Houses in Rural Areas' Guidance and Planning Advice Note (PAN) 68: Design Statements have also been reviewed and their guidance/advice considered.

The chalet/temporary house which is already in situ is connected for mains electricity and water. There is also a septic tank and soakaway which the chalet is plumbed into. It is proposed that once the chalet is removed from the site, the new build house would be connected to these services.

As per the arrangement with the chalet at the moment, the house is to be accessed along a private access road, which the applicant pays a contribution towards its upkeep and actively maintain it.

## Permanent Residential Presence

The Labour Profile & Justification Report goes into considerable detail about the justification for a permanent house on the farm, including; to enable the applicants to provide the level of care and welfare that breeding cattle require, maintain a security presence to mitigate against the theft of stock and equipment and have a purpose built house with an office – to properly administer the farm from.

### Cattle Welfare

Since living on the farm and adjacent to the farm shed, the cattle's health & welfare along with the applicants business have reaped the benefits of this. A couple of examples of this include:

**Example 1:** Twin calves were being born and as they were coming out of the mother they were 'wedged' together. The applicants lost one, but they were able to deliver the 2<sup>nd</sup> calf. Due to the quick and swift action which had been taken, the 2<sup>nd</sup> calf survived.

**Example 2:** "Eclipse" a bull calf was born in March 2015 but his mother had no milk so the applicants had to feed him a bottle 5 times a day for a month, then 4 times a day for the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> months. He is now a healthy calf but it took considerable time and attention.

**Example 3:** In December (2015) a cow took milk fever - this is dangerous and can cause death within hours. Fortunately the applicants were able to identify the problem quickly and injected her with calcium, thus saving the cow and safeguarding her nursing calf.

**Example 4:** Similarly the applicants witnessed a case of staggers in January (2016), it was even more crucial to identify the symptoms quickly and inject her with magnesium.

These instances above reiterate the need for onsite accommodation to assist and tend to the cattle herd.

When the cows are calving and on the run up to calving, they need to be checked several times day and night. The frequency depends on how close they look to giving birth escalating to hourly. This is particularly relevant this year as we have 5 who have never calved before.

**Example 5:** Panda, a Simmental cross calf was born at the start of December 2016 and unfortunately her mother was unable to produce enough milk to keep her satisfied. Fortunately we were able to leap into action quickly after the calf's birth with colostrum and are having to supplement the little milk available from the cow with powdered milk four times a day. We will also have to continue to monitor the calf and increase the milk if needed.

## **Security**

Along with cattle care and welfare, security in particular, is a major concern. Since living in the temporary accommodation, the applicants have averted potential instances of theft and antisocial behaviour. Such cases include;

- Caught and warned off people snooping in the shed
- Been visited by men in a van looking for scrap metal (September 2015)
- Came across hare coursers and contacted the police (June, October & November 2015, February & September 2016)
- Suspicious looking strangers encountered walking down drive, when questioned they said they were lost. June 2016
- Dogs attacking sheep in Perthshire including Dunkeld in December 2016 (numerous times throughout 2016)
- Sheep being stolen from fields in Perthshire 2015 & 2016
- Cattle thefts from fields in Angus September 2016

There have also been a number of crimes in the area recently, including;

- Plant & machinery stolen from nearby farm (2015 & 2016)
- Cattle stolen from nearby farm (July 2015)
- Fuel stolen from nearby farms (February, April, June, September & October 2015 and too many )
- Quad bikes & trailers stolen from nearby farms (June, October & November 2015, July; August 2016)
- Shed on nearby farm broken into and contents stolen
- Straw bales in shed nearby set alight.
- Power washer stolen from nearby farm
- Neighbour burgled during day

For the detailed reasons set out in the Labour Profile & Justification Report along with the above mentioned cattle welfare and security concerns, we feel that there is an unquestionable requirement and justification for a permanent house on the farm. Furthermore, the house has effectively become an integral part of the farm business and is essentially, it's 'beating heart'.



## Planning Considerations

We are firmly of the opinion that this proposal; to erect a house to support the established and thriving farming enterprise, is in line with the local and national planning considerations.

It would appear that the council are also of the view that there is justification for a house on the farm, having granted consent in 2009 to put a mobile home on the farm to support the agricultural business and on two further occasions, granting consent to allow the mobile home to remain on the site for an extended period.

The proposed development is in line with the Council's **Housing in the Countryside Policy 2012:**

### 3.3 **Economic Activity**

- a) *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.*

Back in 2009, it was the applicant's intention to submit an application for a permanent house on the site. However, in discussions with the Council, they had acknowledged the justification/requirement for an onsite residential presence, but felt that a permanent house may be too premature as the new farm system had not been implemented. Accordingly, a temporary application for a mobile home was submitted and consent granted to allow the applicants an opportunity to develop and establish their new farm system, after which time (and assuming the business was successful), the council would be supportive of a permanent house on the farm. Since 2009, the applicants have fully implemented the new farm system - having established a pedigree cattle herd, grew cereals, hay and silage, let out ground for potato and pea production, built a general purpose shed and worked out of their on-farm mobile home.

The Council's **Local Development Plan** is also supportive of proposals to expand/diversify existing rural business;

#### **Policy ED3 Rural Business & Diversification:**

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



*or involves the re-use of existing buildings. New and existing tourism-related development will be supported where it can be demonstrated that it improves the quality of new or existing visitor facilities, allows a new market to be exploited or extends the tourism season’.*

**Scottish Planning Policy (SPP)** identifies that *‘Planning Authorities need to adopt a flexible approach to ensure any changing circumstances are accommodated for new economic opportunities to be realised’.*

Other sections of SPP which are also relevant and supportive include:

#### *Promoting Rural Development*

*74. NPF3 sets out a vision for vibrant rural, coastal and island areas, with growing, sustainable communities supported by new opportunities for employment and education.*

*83. In remote rural areas, where new development can often help to sustain fragile communities, plans and decision-making should generally:*

- include provision for small-scale housing<sup>41</sup> and other development which supports sustainable economic growth in a range of locations, taking account of environmental protection policies and addressing issues of location, access, siting, design and environmental impact;*

**National Planning Framework** is also supportive of the proposed development; *‘A sustainable, economically active rural area, which attracts investment and supports vibrant, growing communities, is essential to our vision’.*

The proposed development is also in line with one of the **Land Use Strategy For Scotland** key Objectives; *‘For land based businesses working with nature to contribute more to Scotland’s prosperity’.*

## Summary

We are firmly of the opinion that the proposed development is supported by planning policies and guidance.

Furthermore, the applicants have demonstrated, without doubt, that; a) there is justification for an onsite residential presence on the farm

and b) the farm business has been developed – with the applicants having invested a considerable amount of energy, time and money into establishing their new farming system, which is now flourishing and will continue to grow exponentially in the future. The applicants are fully committed to this business and living on the farm at Nether Blelock. They have also invested heavily in the farming enterprise and there are no ‘fall back options’. The caravan is not only the marital home and farm office, it is also a very important base from which to provide 24 hour cover for the farm.

As is detailed in the Labour Profile and Justification Report, it is absolutely vital that a residential presence is maintained on the farm. The Report also reiterates the pressing requirement for a permanent and larger house.

Not only is the farm business flourishing, the shed and mobile home are also embracing/sitting well within their surroundings. The hedge previously planted around the mobile home and shed is now 0.75m - 1.5m in height and providing a natural setting and boundary to the mobile farm house and shed.

**Photograph 8:**Neeps ready for sheep





**Photograph 10:** Some of the cattle in the general purpose shed





# **Labour Profile and Justification Report**

**(Private & Confidential)**

**Thistle Farm  
The Lodge  
East Nether Blelock  
Bankfoot  
PH1 4EE**

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**28<sup>th</sup> November 2016**

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## 1. INTRODUCTION

In the 2016 harvest year the business known as Thistle Farm managed 80 acres (32.4 ha) of owner occupied land at East Nether Blelock together with 100 acres (40.4 ha) of neighbouring rented land. The owned land at East Nether Blelock was purchased as bare land with no farm buildings or owner accommodation in 2007. Since purchasing the land the farm business has erected a 100 feet x 50 feet (30m x 15m) general purpose building and a chalet to provide temporary on farm accommodation. The general purpose building provides feed storage and winter housing for the livestock enterprise. There are no buildings on the let land.

The business met all the criteria as stipulated in the Common Agricultural Policy legislation to qualify for the New Entrants to Agriculture in 2016.

The owned land at East Nether Blelock was managed in 2016 according to an arable rotation based on Winter Barley, Spring Barley, Spring Oats and Land Let for Peas and Potatoes, An Environmental Focus Area, Forage Swedes and Grass. The remaining 2 acres (0.80ha) of owned land is accounted for by roads, yards and buildings.

After allowing 15acres(6.07ha) of grass to carry 10 breeding cows and 5 home bred store cattle born in 2015 the remainder of the grass area was cut to produce cash crop hay. After the hay crop the grass was fertilised to provide a second cut of silage. This will be fed to the cows, home bred calves, homebred stores and 24 wintering store cattle which will be brought on to the farm.

The swede crop and a catch crop of stubble turnip sown after the pea crop will support the 408 fattening lambs which were on the farm at the 11<sup>th</sup> November 2016.

The owned and rented land is classified as grade 3<sub>1</sub> on the Soil Survey of Scotland Land Capability for Agriculture Map. Land in this class is capable of producing consistently high yields of cereals and grass and moderate yields of potatoes, field beans and other vegetable and root crop. Since taking control of the land Sandra and Thomas Chalmers have used their management skills to produce above average yields of cereals and grass.

### Machinery

Thomas Chalmers also works on the family farm and his father, who is keen to see Thomas and Sandra succeed, allows them free access to the machinery stock which he owns. This allows Thomas and Sandra's farming business to develop without investing capital in machinery or having to resort to the use of agricultural contractors.



This report was commissioned to:-

- Estimate the standard labour requirement to operate the current farming system.
- Justify the erection of a farmhouse which will replace the existing temporary chalet type accommodation.

## 2. LABOUR PROFILE

The following figures from the 2016 cropping and stocking policy were used to construct the labour profile:-

<b>Cropping</b>	<b>2016 Hectares (Acres)</b>
Winter Barley	11.3 (28)
Spring Barley	7.3 (18)
Spring Oats	13.0 (32)
Forage Rape after pea let	4.8 (12)
Potato Let	7.3 (18)
Environmental Focus Area(EFA) Fallow	4.0 (10)
Forage Swedes	2.4 (6 )
Hay	14.1 (35)
2 <sup>nd</sup> Cut Silage after Hay	14.1 (35)
Grazing Grass	6.1 (15)

The early harvest of the pea crop allows the business to sow a following crop of stubble turnip. Together with the forage swede crop this will be used to fatten store lambs which will be brought on to the farm.

<b>Stocking</b>	<b>2016</b>
Breeding Cows	10
Breeding Bulls	1
Home produced Store Cattle	5
Wintering store Cattle	24
Fattening Lambs	408

Store lambs were brought on to the farm in early November. These lambs will initially graze over the cereal stubble and the second cut silage aftermath before moving on to the swede and stubble turnip sown after peas.



### 3. LABOUR PROFILE CALCULATION

	N0.	Area Ha	* HRS/Ha/Hd/Yr	Total Hrs
Winter Barley	-	11.3	20	226
Spring Barley	-	7.3	20	146
Spring Oats	-	13.0	20	260
Forage Rape after Pea let	-	4.8	6	28
Turnip	-	2.4	100	240
EFA Fallow	-	4.0	4	16
Hay	-	14.1	12	169
2 <sup>nd</sup> cut Silage after Hay	-	14.1	10	141
Grazing Grass	-	6.1	4	24
Suckler cows/Breeding Bull	11	-	12	132
Wintering Cattle	29	-	9	261
Fattening Lambs	408	-	1.1	448
<b>Total</b>				<b>2091</b>

\* Based on standard data sourced from DEFRA and published in the 2013/14 SAC Farm Management Handbook.

In the 2016 cropping year the standard labour requirement figures estimate that the business requires 2091 hours to operate the current cropping and stocking policy. Where the standard labour requirements allow 1900 hours for each worker on an annual basis the farm has a labour requirement of 1.10 labour units.

### 4. JUSTIFICATION FOR ERECTION OF PERMANENT ON FARM FAMILY ACCOMMODATION

#### Justification One

Sandra and Thomas Chalmers have developed a significant agricultural business since they purchased the original 80 acres (32.4 ha) of land at East Nether Blelock. Managing a further 100 acres (40.4ha) of rented land means that the business with its current mix of crop and livestock can justify 1.10 labour units to allow it to operate.



### **Justification Two**

The business as it is presently structured met all the standards as set out in the New Entrants to Agriculture regulation.

### **Justification Three**

The business owners have erected a general purpose building on the owner occupied land. This building provides storage and winter housing for the cattle enterprise.

In order to allow them to stay on site and tend their livestock Sandra and Thomas Chalmers currently live in a small two bedroomed chalet. The chalet was primarily designed as holiday accommodation and does not provide the standard of facilities required to support long term accommodation.

Storage is at a premium in the current accommodation and many of the couple's personal belongings have to be kept in a locked steel container in the farmyard. This is not a satisfactory arrangement.

Record keeping is of key importance to managing any modern farm business. The current accommodation does not provide sufficient office space to allow for the collation and storage of livestock, environmental and financial records. Failures in record keeping can lead to substantial financial penalties and means that it is important that the business managers have access to a fit for purpose office area.

### **Justification Four**

The proposed new farmhouse will be located on the owner occupied land and will therefore be situated centrally to the farming operation and beside the general purpose steading building. Erection of the new farmhouse and its siting will improve security within the farmyard and reduce the risk of losses to theft and arson. It will also allow efficient management of the health, welfare and safety of the cattle in the livestock enterprise.

### **Justification Five**

Erection of the proposed farmhouse will add greatly to the quality of life enjoyed by this hard working husband and wife team.

### **Justification Six**

There are no existing vernacular buildings on the owned or rented farmland which are suitable for conversion to farmhouse type accommodation so the accommodation has to be provided as a new build. The new build has been designed and sited to reduce its impact on the environment and to be sympathetic to the "Housing in the Countryside Policy 2009". It will achieve this in the following main areas:-

- i) It does not affect any areas which have been given specific designations



These include Designated Historic Gardens and Designated Landscapes, a National Scenic Area, An Area of Great Landscape Value, a Special Area of Conservation, a Special Protection Area, a Ramsar Site, a Site of Special Scientific Interest, a Scheduled Ancient Monument or its setting and will not have an environmental impact on the Loch Leven or Lunan Valley Catchment Areas.

ii) It supports the Council's objectives for Housing in the Countryside

The land was purchased as "bare land" so there is no buildings suited to conversion to on-farm accommodation. This leaves no alternative other than a new build which has been designed to maintain the local value of the landscape.

**Justification Seven**

The business owners have taken the following steps to ensure that their proposal to erect a new farmhouse meets with Council approval:-

- It complies with the guiding principles contained in the Council's current Guidance on the Siting and Design of Houses in Rural Perthshire.
- A pre-application discussion has taken place and a site visit will be carried out.
- The chosen site has easy access and electricity and water are available close to the site.
- The quality and design of building materials has been selected to reflect the design of surrounding buildings.
- The building will be sheltered and screened by trees and a hedge.
- The chosen site is set apart from the steading building which creates a satisfactory residential environment and makes it easier to take control of health and safety issues.
- The proposal will not lead to any loss of bio diversity with the development having no impact on protected species such as bats and barn owls.
- The proposals for siting this new house in the countryside meets all the criteria required when it is viewed from surrounding vantage points in that:-
  - a) It has been designed to blend sympathetically with the existing land, farm and buildings.
  - b) It uses an identifiable site which is bounded by a hedge.
  - c) It will have no detrimental impact on the surrounding landscape with the house site located within a dip in the landscape.



### **Justification Eight**

The design will incorporate the use of the latest technology to maximise the thermal efficiency of this new build.

### **Justification Nine**

The chosen site already has electricity, water and a suitable septic tank installed.

### **Justification Ten**

The design of the new house will be sympathetic to the other houses in the area and Bankfoot.

## **CONCLUSION**

Since purchasing the 80 acres (32.4 ha) of "bare" arable land at Easter Nether Blelock in 2007 Thomas and Sandra Chalmers have expanded their farming interests by renting an additional 100 acres (40.48 ha) of land. This will allow them to grow a good range of arable crops, support a small herd of suckler cows, provide wintering for store cattle and fatten store lambs off the farm.

The erection of a new farmhouse has been justified for the following reasons:-

- Thomas and Sandra Chalmers have built up an efficient farming business which had a labour requirement of 1.10 labour units in the 2016 harvest year.  
  
The business as it currently operates met all the regulatory requirements allowing the owners to qualify as new entrants to agriculture.
- Thomas and Sandra Chalmers currently stay on site in chalet type accommodation which was built to meet the requirements of holiday rather than long term occupation. Erection of a purpose designed farmhouse will add greatly to the quality of life enjoyed by this hard working husband and wife team.
- The farmhouse will be sited to maximise security in times when theft and arson from farms is on the increase.
- In order to cater for the health and welfare of livestock it is essential that the owners stay on site.
- The development is sympathetic to the Council's Objectives for Housing in the Countryside.
- The Guidance on the Siting and Design of Houses in Rural Perthshire has been followed.







East Nether Blelock Farm, Bankfoot, Perthshire

To whom it may concern

I have worked closely with the family for many years providing agronomy and crop husbandry advice on all parts of their farming business.

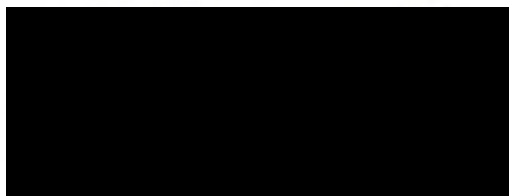
I wanted to explain the difficulties experienced by Thistle Farming operating a fully-fledged working farm without living onsite.

Agrii provide a crop spraying and fertiliser application service for the business. It is extremely important for our operators to be able to liaise directly on the farm with the farmer when handling these dangerous goods. The idea of the farm being unoccupied has obvious health and safety concerns. We provide this service on many different farms but there is always a responsible person living on site to provide support to our staff.

I feel a self-contained farming business without a central dwelling would be a completely impractical situation for Thistle Farming to operate in.

The temporary accommodation currently on farm is unsuitable long term and therefore shows the need for a more permanent structure.

Yours Sincerely



Colin Rennie

Senior Agronomist

Agrii Perth

Glencann Road  
Perth  
PH2 0NL

+44 (0)1783 622685

[www.agrii.co.uk](http://www.agrii.co.uk)

Agrii is a trading  
name of Mosstock  
Arable (UK) Ltd  
and United Agri  
Products Ltd

108 Jeanfield Road

Perth, PH1 1LP

27 August 2017

Dear Sir/Madam

Ref: 16/02152

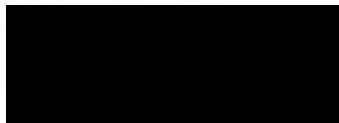
I would like to register my support of the appeal by Tommy and Sandra Chalmers for a house to help sustain their farming

Business at Bankfoot.

I am fully in support of this application for a farmhouse on their cattle and crop farm. I was sorry to hear that their application

was refused and think it is unfortunate that this stress has been caused to them.

Kind Regards

A solid black rectangular box used to redact the signature of Rosemary Watt.

Rosemary Watt

Wester Cairnie Farm Cottage

Dupplin

Perth PH2 OPT

29<sup>th</sup> August 2017

Dear Sirs,

I am writing in support of the appellants Sandi and Thomas Chalmers, in respect of East Nether Blelock.

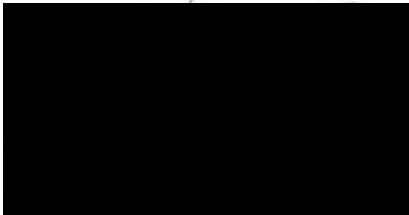
I have known both for some time and was not at all surprised when the plans for the farming enterprise were launched.

The background of many generations of farming behind Thomas Chalmers and the successful business experience of Sandi Chalmers made, in my view, a solid base for the enterprise.

Given that the business was to be based round the breeding of cattle, it made a lot of sense to build a house on site. There would doubtless be various hurdles to jump until the planning process was complete. I have been aware of many of the requirements imposed and believe that all have been met in full.

I am at a loss to understand therefore, why permission has now been refused and would urge a re-think before an injustice is done.

Yours faithfully,

A large black rectangular box redacting the signature of M. W. Gatti.

M. W. Gatti



3 Clerkum Cott

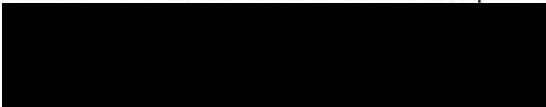
Ambully.

Perth. P41 4PS.

Dear Sir/Madam.

I am writing in response of planning application. 16/02152/FLL. I am surprised at the decision to disallow this project as I have known Mr and Mrs Chalness for many years, Mrs Chalness, I have known since 1995 and watched her build up a very successful publishing business, then subsequently build up a farming venture with pedigree cattle alongside her established farming husband. I have only ever known her to be honest and hardworking and to allow her planning application will only serve to allow her to improve her farming business more.

Regards





Viewfield  
Redgorton  
Perth  
PH1 3EL

24/08/2017

**TO WHOM IT MAY CONCERN**

I am writing as I would like to show my support for the application of a house at East Nether Blelock by Mr & Mrs T Chalmers.

I have known Tommy Chalmers for over 30 years and Sandra since 2000 and have found them to be very reliable, hard working and conscientious farmers.

They have proved themselves to be very accomplished business people and fit well into any neighbourhood showing great community spirit.

As such I believe they most certainly deserve to get their planning permission granted.

Yours faithfully

A solid black rectangular box used to redact the signature of Gerry Oliphant.

Gerry Oliphant


12 Tulliebelton Crescent  
Bankfoot,  
Perth, PH14BT  
21.08.17

TO WHOM IT MAY CONCERN  
Planning Ref. 16/02152

My name is (Mrs.) Ethel Welsh, and I writing as I am so astounded by the refusal of planning permission for Mr. + Mrs. T. Chalmers.

I came to Corrielea Farm in 1947 and have known the Chalmers family as dedicated farmers ever since. Mr. T. Chalmers farmed Little Tullybelton Farm and on his passing this was taken over by his son, Ian (John). He took over his uncle's farm of Westmill and then, with his sons Tommy + Ian, took over another uncle's farm - Milton and Belstane.

Seeing the success that has been made, I would urge that this application be reconsidered. Mr. T. Chalmers and his wife have shown dedication towards the animals and ground in their care, so should have this home to continue their work.

Yours faithfully,  
 (Mrs.)  
(Former Justice of the Peace)

To Whom it May Concern

Ref: 16/02152

As a neighbouring landowner, I am astonished that what appears to be a very reasonable application for a modest house is still not approved.

I am fully in support of this application for a farmhouse on farmland where farming is carried out by experienced farmers.

Kind Regards



Mary Moore

Cotton Farm

Windyedge

Perth

PH2 OPW



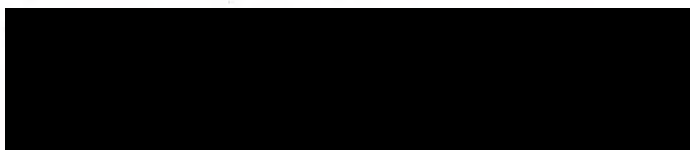
Craighead Farm  
Stanley  
PH1 4PX

Dear Sirs

Mr & Mrs Chalmers

My wife and I are the owners of Craighead Farm. For the last 4 years we have let out our fields to Mr & Mrs Chalmers who have grazed their cattle there and also cut hay. We have always found them diligent and professional in all our dealings with them over this period.

Yours Sincerely

A large black rectangular box redacting the signature of Iain McCombie.

Iain McCombie

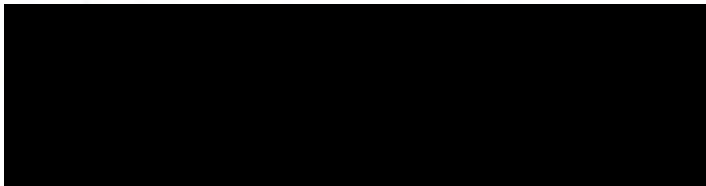
29 Balwearie Road  
Kirkcaldy  
Fife  
KY2 5LT

To whom it may concern,

Mr & Mrs T Chalmers

My daughter and son in law own Craighead Farm, Moneydie, PH14PX. As both have full time jobs elsewhere, I have had good reason to be at the property frequently to supervise various contractors working on their property. As a result of being 'on site' regularly, I have frequently bumped into either Mr or Mrs Chalmers who have been tending to their cattle that graze on land let out by my daughter. I have always been struck by the care and attention that they carry out this task.

Yours Sincerely

A large black rectangular box redacting the signature of Ronald MacLeod.

Ronald MacLeod



Kirkside  
Airntully  
by Stanley  
Perthshire  
PH1 4PH

8.8.17

To Whom it may concern

Having heard that the planning permission for a permanent house at East Nether Blelock farm near Bankfoot - requested by Thomas and Sandra Chalmers - has been refused we would like to record that we feel this decision is incorrect and difficult to understand.

We have known Tommy for many years and his wife, Sandra from around the year 2000. They bought the land in question approximately 8 years ago, and erected a lodge with the intention of, after the requisite time, applying for planning permission for a permanent home.


Having heard what the requirements are for obtaining such permission, we feel that Tommy and Sandra comply in every respect.

- 1) They are not in the housebuilding business - Sandra has bought one house (at Logiebride, Bankfoot), where she and Tommy stayed until they moved to the lodge.
- 2) They are farming the land involved, cattle are raised there, and crops grown.
- 3) They are both countryside aware; Tommy has farmed all his working life, and Sandra was joint editor of a countryside related magazine (Equi-Ads), which was sold on four years ago and is still in production.
- 4) The work involved in farming the acreage concerned has been calculated as requiring more than one person - this, we are aware, is above the guideline required for approval.
- 5) On reading the reasons for refusal and the application correspondence it seems concern had been raised by the objector regarding the credentials of the person who provided the labour report. We understand that this matter is being addressed.

We know that both Sandra and Tommy take this farm very seriously and farm it on a commercial basis. It is good to see a local farming family expanding and it's sad that some people have to try and undermine an ambitious couple.

Our hope is that the Planning Committee will look again at this application and allow it to go forward.

Yours sincerely

  
Jim and Eileen Stratton



6 Tulliebelton Place  
Bankfoot  
PH1 4BU

Planning Ref 16/02152.


Dear Sirs

I am surprised that the planners have refused Mr & Mrs Chalmers application for a house. These locals have been farming for many years. I have known Sandra for a few years and have been impressed with her enthusiasm for her cows and farming business.

The reasons as they have been given for refusal seem to be flimsy.

I think it makes sense to grant permission for a house as it doesn't interfere with anyone.

Yours Sincerely

  
(Miss Pauline Chitty)

Starton House  
Forestmill  
Alloa  
Clackmannanshire  
FK10 3QF

24/08/17

**Re: Thistle farming**

To whom it may concern

We have traded with Thistle farming for the past 3 years with a considerable turnover in both the supply (inputs) and procurement (outputs) from them. The farm operates on high health and hygiene basis that makes them ideal for the production of quality livestock and seed grain. Indeed "Thistle Farming" is regularly quoted in the farming press as having achieved top priced at local auction marts for their livestock and seed produced on the holding is frequently exhibited at grain produce shows.

The farm specialises in the production of seed grain which requires a high level of hygiene and particular attention to detail. Both spring and winter varieties of barley and oats have been grown in the past with the subsequent seed finding its way into producing malting barley for the scotch whisky industry and milling oats for Scotts porridge oat production.

The location of a dwelling house on the farm would undoubtedly facilitate the better running of the farming operations indeed it will ultimately lead to a more efficient farming system with a reduced carbon footprint through the reduction in vehicular traffic required to inspect land, livestock and crops.

We would be of the opinion that a dwelling on the site would be beneficial in terms of having a closer relationship with the adjacent fields and livestock so make for a more homogenised unit.

We will be happy to provide representation if required at any meeting or panel.

Yours sincerely



Bob Warnock  
R W Warnock Ltd  
07446 004137



Mr David Ennion

Head of Moullin

Logiealmond

Perth

PH1 3TN

25<sup>th</sup> April 2017

To Whom It May Concern

I am very happy with the care Mr & Mrs Chalmers have taken of my sheep. They have been responsible for the feeding, maintenance and healthcare of these sheep.

I would be happy to continue to have the sheep with Mr & Mrs Chalmers in 2018.

Kind regards

A large black rectangular box redacting the signature of David Ennion.

David Ennion





# **Labour Profile and Justification Report**

**(Private & Confidential)**

**Thistle Farm  
The Lodge  
East Nether Blelock  
Bankfoot  
PH1 4EE**

**Prepared By:**

**J. Sinclair Simpson  
Agri Management Services  
Briarbank  
Church Brae  
Glenfarg  
Perth  
PH2 9NL**

**Tel: 07745 322301**

**28<sup>th</sup> November 2016**

## 1. **INTRODUCTION**

In the 2016 harvest year the business known as Thistle Farm managed 80 acres (32.4 ha) of owner occupied land at East Nether Blelock together with 100 acres (40.4 ha) of neighbouring rented land. The owned land at East Nether Blelock was purchased as bare land with no farm buildings or owner accommodation in 2007. Since purchasing the land the farm business has erected a 100 feet x 50 feet (30m x 15m) general purpose building and a chalet to provide temporary on farm accommodation. The general purpose building provides feed storage and winter housing for the livestock enterprise. There are no buildings on the let land.

The business met all the criteria as stipulated in the Common Agricultural Policy legislation to qualify for the New Entrants to Agriculture in 2016.

The owned land at East Nether Blelock was managed in 2016 according to an arable rotation based on Winter Barley, Spring Barley, Spring Oats and Land Let for Peas and Potatoes, An Environmental Focus Area, Forage Swedes and Grass. The remaining 2 acres (0.80ha) of owned land is accounted for by roads, yards and buildings.

After allowing 15acres(6.07ha) of grass to carry 10 breeding cows and 5 home bred store cattle born in 2015 the remainder of the grass area was cut to produce cash crop hay. After the hay crop the grass was fertilised to provide a second cut of silage. This will be fed to the cows, home bred calves, homebred stores and 24 wintering store cattle which will be brought on to the farm.

The swede crop and a catch crop of stubble turnip sown after the pea crop will support the 600 fattening lambs which were on the farm at the 11<sup>th</sup> November 2016.

The owned and rented land is classified as grade 3<sub>1</sub> on the Soil Survey of Scotland Land Capability for Agriculture Map. Land in this class is capable of producing consistently high yields of cereals and grass and moderate yields of potatoes, field beans and other vegetable and root crop. Since taking control of the land Sandra and Thomas Chalmers have used their management skills to produce above average yields of cereals and grass.

### **Machinery**

Thomas Chalmers also works on the family farm and his father, who is keen to see Thomas and Sandra succeed, allows them free access to the machinery stock which he owns. This allows Thomas and Sandra's farming business to develop without investing capital in machinery or having to resort to the use of agricultural contractors.

This report was commissioned to:-

- Estimate the standard labour requirement to operate the current farming system.
- Justify the erection of a farmhouse which will replace the existing temporary chalet type accommodation.

## 2. **LABOUR PROFILE**

The following figures from the 2016 cropping and stocking policy were used to construct the labour profile:-

<b>Cropping</b>	<b>2016 Hectares (Acres)</b>
Winter Barley	11.3 (28)
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Forage Swedes	2.4 (6 )
Hay	14.1 (35)
2 <sup>nd</sup> Cut Silage after Hay	14.1 (35)
Grazing Grass	6.1 (15)

The early harvest of the pea crop allows the business to sow a following crop of stubble turnip. Together with the forage swede crop this will be used to fatten store lambs which will be brought on to the farm.

<b>Stocking</b>	<b>2016</b>
Breeding Cows	10
Breeding Bulls	1
Home produced Store Cattle	5
Wintering store Cattle	24
Fattening Lambs	600

Store lambs were brought on to the farm in early November. These lambs will initially graze over the cereal stubble and the second cut silage aftermath before moving on to the swede and stubble turnip sown after peas.



### 3. LABOUR PROFILE CALCULATION

	<b>N0.</b>	<b>Area Ha</b>	<b>* HRS/Ha/Hd/Yr</b>	<b>Total Hrs</b>
Winter Barley	-	11.3	20	226
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Spring Oats	-	13.0	20	260
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Grazing Grass	-	6.1	4	24
Suckler cows/Breeding Bull	11	-	12	132
Wintering Cattle	29	-	9	261
Fattening Lambs	600	-	1.1	660
<b>Total</b>				<b>2303</b>

\* Based on standard data sourced from DEFRA and published in the 2013/14 SAC Farm Management Handbook.

In the 2016 cropping year the standard labour requirement figures estimate that the business requires 2091 hours to operate the current cropping and stocking policy. Where the standard labour requirements allow 1900 hours for each worker on an annual basis the farm has a labour requirement of 1.21 labour units.

### 4. JUSTIFICATION FOR ERECTION OF PERMANENT ON FARM FAMILY ACCOMMODATION

#### Justification One

Sandra and Thomas Chalmers have developed a significant agricultural business since they purchased the original 80 acres (32.4 ha) of land at East Nether Blelock. Managing a further 100 acres (40.4ha) of rented land means that the business with its current mix of crop and livestock can justify 1.21 labour units to allow it to operate.

### **Justification Two**

The business as it is presently structured met all the standards as set out in the New Entrants to Agriculture regulation.

### **Justification Three**

The business owners have erected a general purpose building on the owner occupied land. This building provides storage and winter housing for the cattle enterprise.

In order to allow them to stay on site and tend their livestock Sandra and Thomas Chalmers currently live in a small two bedroomed chalet. The chalet was primarily designed as holiday accommodation and does not provide the standard of facilities required to support long term accommodation.

Storage is at a premium in the current accommodation and many of the couple's personal belongings have to be kept in a locked steel container in the farmyard. This is not a satisfactory arrangement.

Record keeping is of key importance to managing any modern farm business. The current accommodation does not provide sufficient office space to allow for the collation and storage of livestock, environmental and financial records. Failures in record keeping can lead to substantial financial penalties and means that it is important that the business managers have access to a fit for purpose office area.

### **Justification Four**

The proposed new farmhouse will be located on the owner occupied land and will therefore be situated centrally to the farming operation and beside the general purpose steading building. Erection of the new farmhouse and its siting will improve security within the farmyard and reduce the risk of losses to theft and arson. It will also allow efficient management of the health, welfare and safety of the cattle in the livestock enterprise.

### **Justification Five**

Erection of the proposed farmhouse will add greatly to the quality of life enjoyed by this hard working husband and wife team.

### **Justification Six**

There are no existing vernacular buildings on the owned or rented farmland which are suitable for conversion to farmhouse type accommodation so the accommodation has to be provided as a new build. The new build has been designed and sited to reduce its impact on the environment and to be sympathetic to the "Housing in the Countryside Policy 2009". It will achieve this in the following main areas:-

- i) It does not affect any areas which have been given specific designations

These include Designated Historic Gardens and Designated Landscapes, a National Scenic Area, An Area of Great Landscape Value, a Special Area of Conservation, a Special Protection Area, a Ramsar Site, a Site of Special Scientific Interest, a Scheduled Ancient Monument or its setting and will not have an environmental impact on the Loch Leven or Lunan Valley Catchment Areas.

ii) It supports the Council's objectives for Housing in the Countryside

The land was purchased as "bare land" so there is no buildings suited to conversion to on-farm accommodation. This leaves no alternative other than a new build which has been designed to maintain the local value of the landscape.

**Justification Seven**

The business owners have taken the following steps to ensure that their proposal to erect a new farmhouse meets with Council approval:-

- It complies with the guiding principles contained in the Council's current Guidance on the Siting and Design of Houses in Rural Perthshire.
- A pre-application discussion has taken place and a site visit will be carried out.
- The chosen site has easy access and electricity and water are available close to the site.
- The quality and design of building materials has been selected to reflect the design of surrounding buildings.
- The building will be sheltered and screened by trees and a hedge.
- The chosen site is set apart from the steading building which creates a satisfactory residential environment and makes it easier to take control of health and safety issues.
- The proposal will not lead to any loss of bio diversity with the development having no impact on protected species such as bats and barn owls.
- The proposals for siting this new house in the countryside meets all the criteria required when it is viewed from surrounding vantage points in that:-
  - a) It has been designed to blend sympathetically with the existing land, farm and buildings.
  - b) It uses an identifiable site which is bounded by a hedge.
  - c) It will have no detrimental impact on the surrounding landscape with the house site located within a dip in the landscape.

### **Justification Eight**

The design will incorporate the use of the latest technology to maximise the thermal efficiency of this new build.

### **Justification Nine**

The chosen site already has electricity, water and a suitable septic tank installed.

### **Justification Ten**

The design of the new house will be sympathetic to the other houses in the area and Bankfoot.

## **CONCLUSION**

Since purchasing the 80 acres (32.4 ha) of "bare" arable land at Easter Nether Blelock in 2007 Thomas and Sandra Chalmers have expanded their farming interests by renting an additional 100 acres (40.48 ha) of land. This will allow them to grow a good range of arable crops, support a small herd of suckler cows, provide wintering for store cattle and fatten store lambs off the farm.

The erection of a new farmhouse has been justified for the following reasons:-

- Thomas and Sandra Chalmers have built up an efficient farming business which had a labour requirement of 1.21 labour units in the 2016 harvest year.  
  
The business as it currently operates met all the regulatory requirements allowing the owners to qualify as new entrants to agriculture.
- Thomas and Sandra Chalmers currently stay on site in chalet type accommodation which was built to meet the requirements of holiday rather than long term occupation. Erection of a purpose designed farmhouse will add greatly to the quality of life enjoyed by this hard working husband and wife team.
- The farmhouse will be sited to maximise security in times when theft and arson from farms is on the increase.
- In order to cater for the health and welfare of livestock it is essential that the owners stay on site.
- The development is sympathetic to the Council's Objectives for Housing in the Countryside.
- The Guidance on the Siting and Design of Houses in Rural Perthshire has been followed.





<b>TCP/11/16(499) – 16/02152/FLL – Erection of a dwellinghouse, Nether Blelock Farm, Bankfoot</b>
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**PLANNING DECISION NOTICE** *(included in applicant's submission, see pages 223-224)*

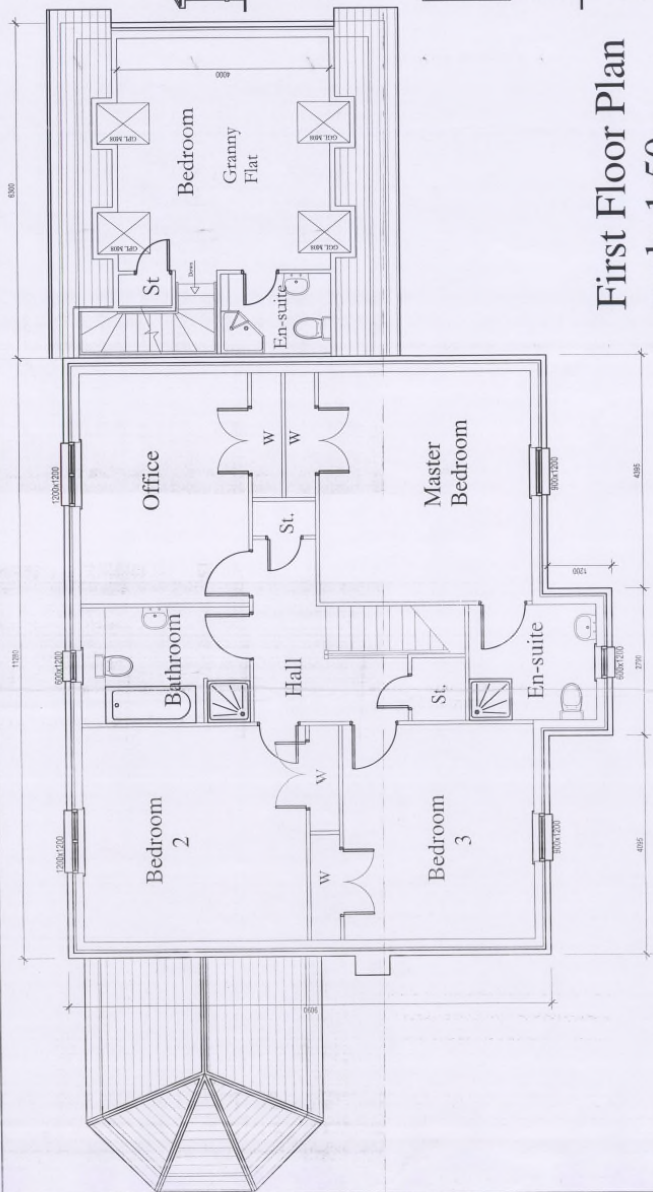
**REPORT OF HANDLING** *(included in applicant's submission, see pages 225-237)*

**REFERENCE DOCUMENTS**

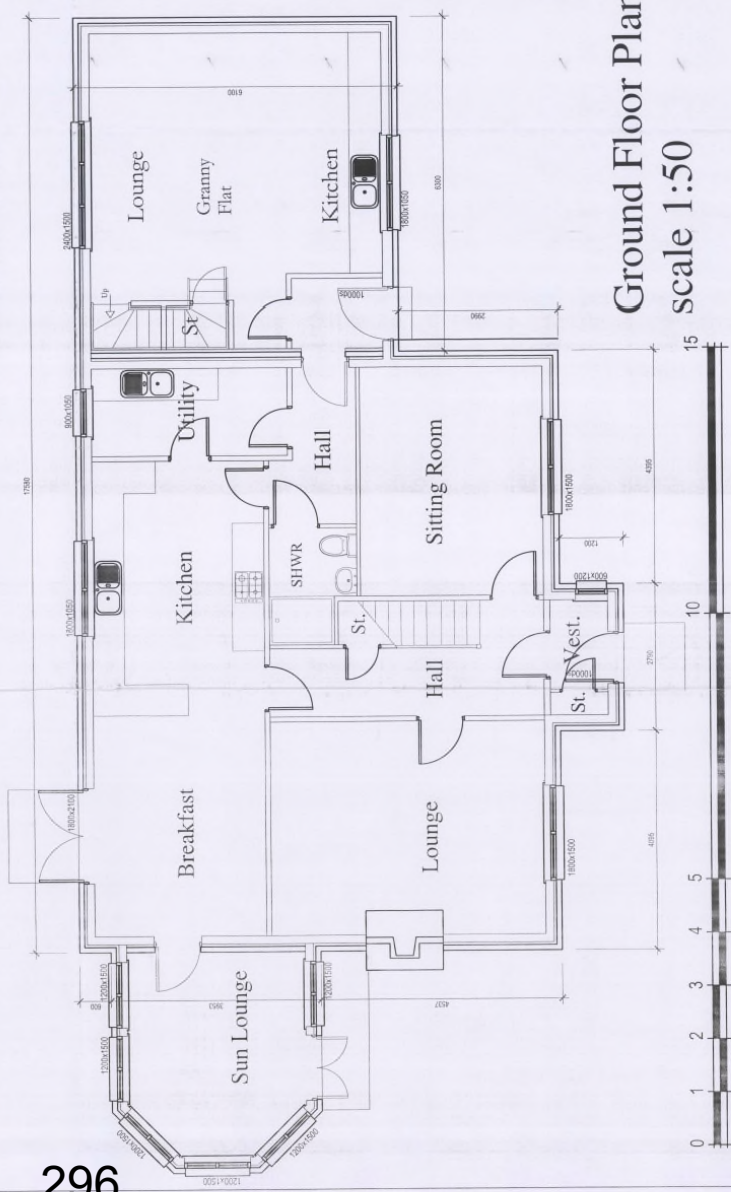




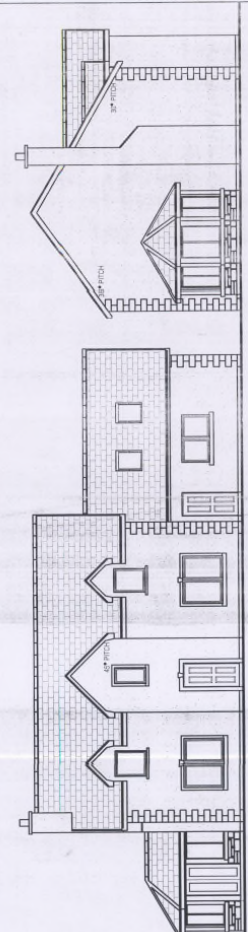




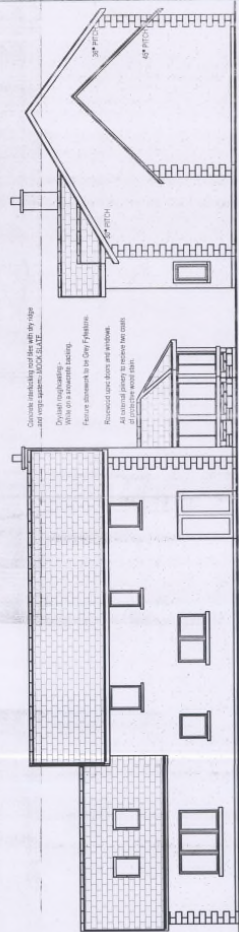
First Floor Plan  
scale 1:50



Ground Floor Plan  
scale 1:50



North East Elevation

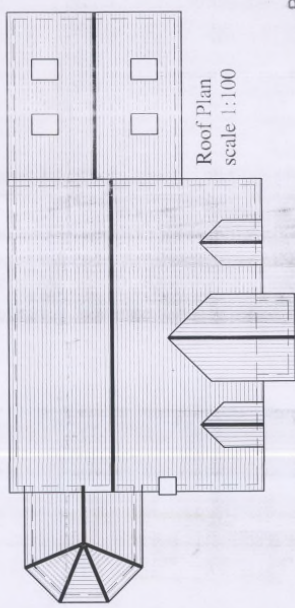


South West Elevation

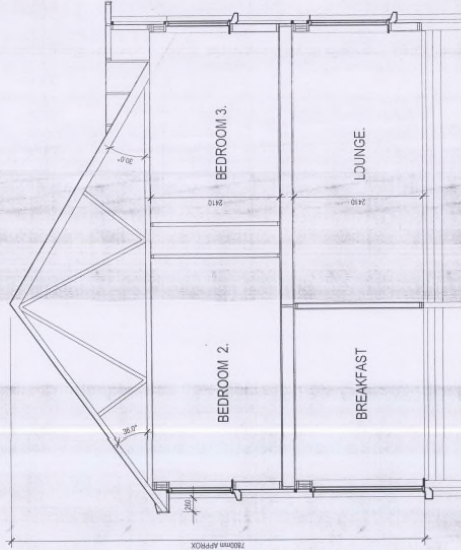
South East Elevation

North West Elevation

ELEVATIONS scale 1:100



Roof Plan  
scale 1:100

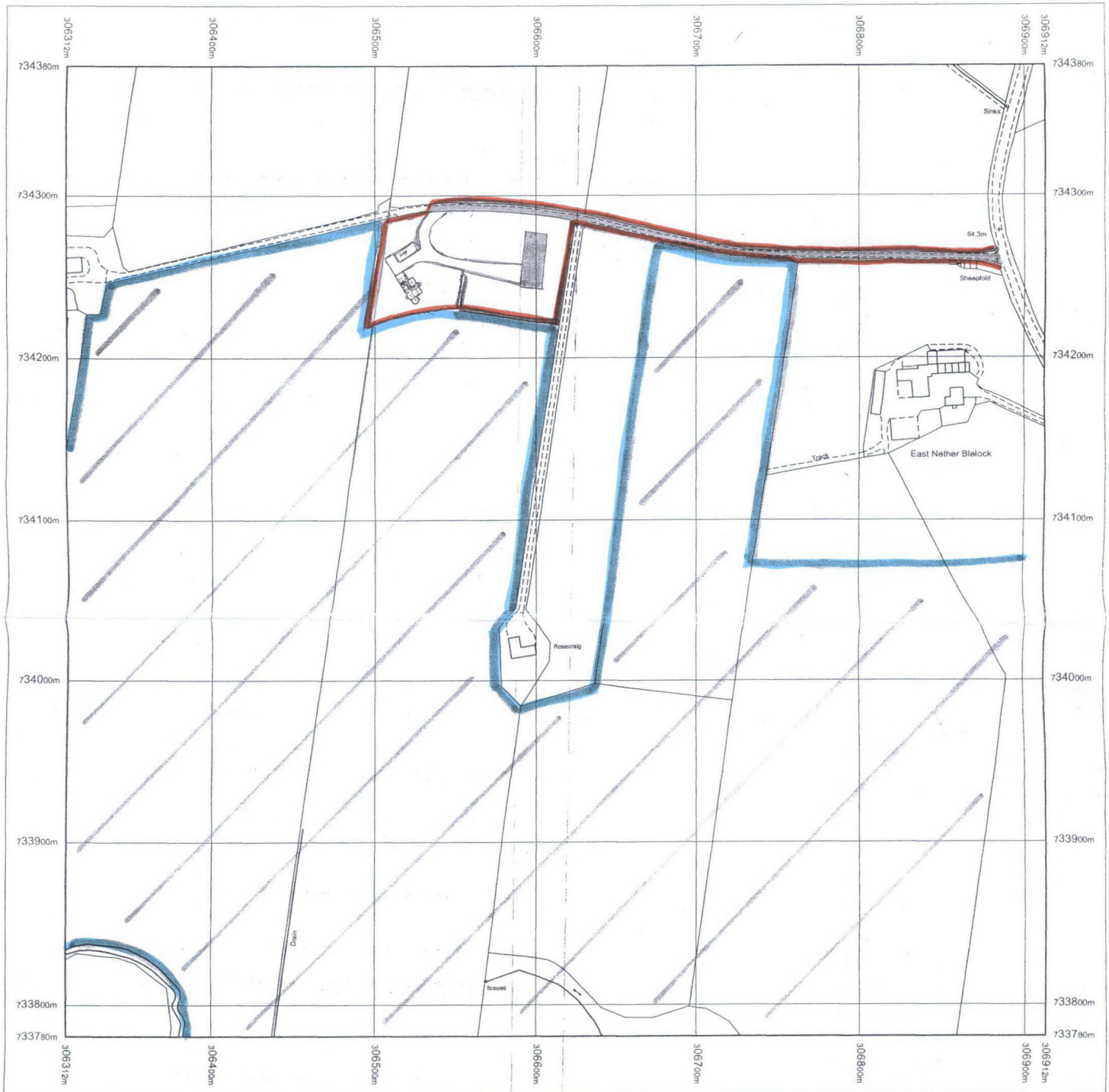


TYPICAL SECTION Scale 1:50

PERTH AND KINROSS COUNCIL  
DRAWING REF: 14/02/15/12

 <b>Deeside Timberframe</b> Brownhill Road, Spangstock Industrial Estate Strathmore, Aberdeenshire, AB39 2JH T: 01898 871123 F: 01898 707295 info@deesidetimberframe.co.uk www.deesidetimberframe.co.uk	Date: 10/12/15 Revision: Planning Application
Client: <b>Mr &amp; Mrs Tommy Chalmers</b> Project: <b>New Dwelling,          East Nether,          Bileck Farm,          Bankfoot,          Perth.</b>	Date: 15/01/00 @ A1 Date: 07.12.15 Drawn: SM Rev: A Drawing No: <b>DH/9260/PLAN/01</b>
Drawing: <b>Layout Plans and Elevations</b>	





Agricultural building at  
Nether Blelock Farm, Bankfoot

Planning Application Site

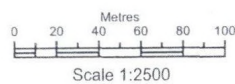
Land owned by client

Agricultural building

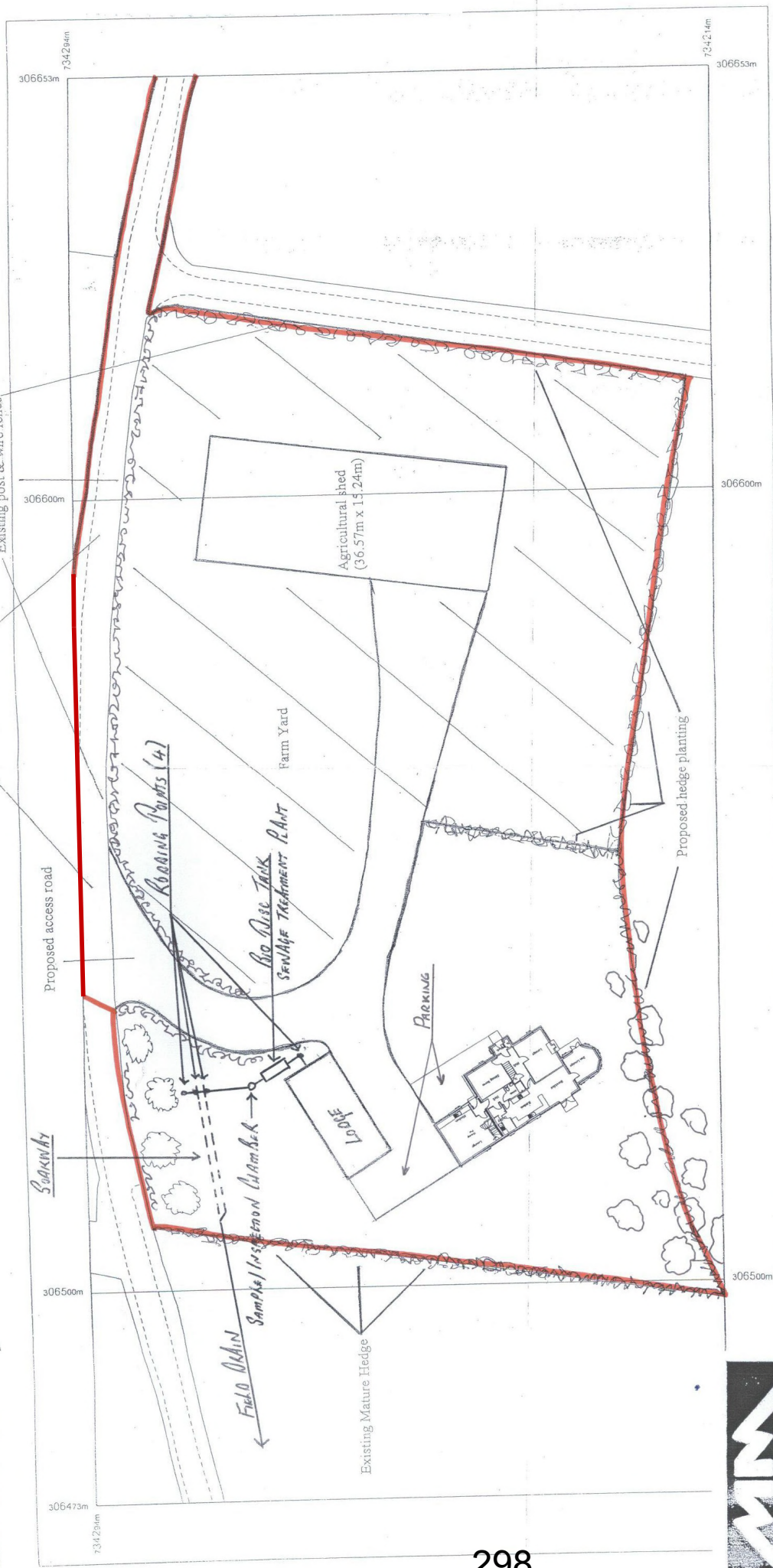
Proposed temporary home

Access

THIS PLAN AND THE SALE PLAN ARE BASED UPON  
THE ORDNANCE SURVEY MAP BY PERMISSION OF  
THE CONTROLLER OF HER MAJESTY'S  
STATIONERY OFFICE. CROWN COPYRIGHT



OS Licence Number 74302E



Agricultural building at  
Neher Bleock Farm, Bankfoot

OS Reference Number 74302E

THE PLAN AND THE SALE PLAN ARE BASED UPON  
THE ORDNANCE SURVEY MAP BY PERMISSION OF  
THE CONTROLLER OF HER MAJESTY'S  
STATIONERY OFFICE. CROWN COPYRIGHT

**TCP/11/16(499) – 16/02152/FLL – Erection of a  
dwellinghouse, Nether Blelock Farm, Bankfoot**

## **REPRESENTATIONS**





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

<b>Planning Application ref.</b>	16/02152/FLL	<b>Comments provided by</b>	Nicola Orr
<b>Service/Section</b>	Strategy & Policy	<b>Contact Details</b>	Nicola Orr [REDACTED]
<b>Description of Proposal</b>	Erection of a dwellinghouse		
<b>Address of site</b>	Nether Belock Farm, Bakfoot		
<b>Comments on the proposal</b>	<p><b>NB: Should the planning application be successful and such permission not be implemented within the time scale allowed and the applicant subsequently requests to renew the original permission a reassessment may be carried out in relation to the Council's policies and mitigation rates pertaining at the time.</b></p> <p>THE FOLLOWING REPORT, SHOULD THE APPLICATION BE SUCCESSFUL IN GAINING PLANNING APPROVAL, <u>MAY</u> FORM THE BASIS OF A SECTION 75 PLANNING AGREEMENT WHICH MUST BE AGREED AND SIGNED PRIOR TO THE COUNCIL ISSUING A PLANNING CONSENT NOTICE.</p> <p><b>Primary Education</b></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 Auchtergaven Primary School.</p> <p>Education &amp; Children's Services have no capacity concerns in this catchment area at this time.</p> <p><b>Transport Infrastructure</b></p> <p>With reference to the above planning application the Council Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth. This proposal is within the reduced transport contributions area.</p>		
<b>Recommended planning condition(s)</b>	<p><b>Summary of Requirements</b></p> <p>Education: £0 Transport Infrastructure: £2639</p> <p><b><u>Total: £2639</u></b></p>		

	<p><b>Phasing</b></p> <p>It is advised that payment of the contribution should be made up front of release of planning permission. The additional costs to the applicants and time for processing legal agreements for single dwelling applications is not considered to be cost effective to either the Council or applicant.</p> <p>The contribution may be secured by way of a Section 75 Agreement. Please be aware the applicant is liable for the Council's legal expense in addition to their own legal agreement option and the process may take months to complete.</p> <p>If a Section 75 Agreement is entered into the full contribution should be received 10 days after occupation.</p>
<p><b>Recommended informative(s) for applicant</b></p>	<p><b>Payment</b></p> <p><b>Before remitting funds the applicant should satisfy themselves that the payment of the Development Contributions is the only outstanding matter relating to the issuing of the Planning Decision Notice.</b></p> <p><b>Methods of Payment</b></p> <p>On no account should cash be remitted.</p> <p><b>Scheduled within a legal agreement</b></p> <p>This will normally take the course of a Section 75 Agreement where either there is a requirement for Affordable Housing on site which will necessitate a Section 75 Agreement being put in place and into which a Development Contribution payment schedule can be incorporated, and/or the amount of Development Contribution is such that an upfront payment may be considered prohibitive. The signed Agreement must be in place prior to the issuing of the Planning Decision Notice.</p> <p><b>NB:</b> The applicant is cautioned that the costs of preparing a Section 75 agreement from the applicant's own Legal Agents may in some instances be in excess of the total amount of contributions required. As well as their own legal agents fees, Applicants will be liable for payment of the Council's legal fees and outlays in connection with the preparation of the Section 75 Agreement. The applicant is therefore encouraged to contact their own Legal Agent who will liaise with the Council's Legal Service to advise on this issue.</p> <p><b>Other methods of payment</b></p> <p>Providing that there is no requirement to enter into a Section 75 Legal Agreement, eg: for the provision of Affordable Housing on or off site and or other Planning matters, as advised by the Planning Service the developer/applicant may opt to contribute the full amount prior to the release of the Planning Decision Notice.</p> <p><b>Remittance by Cheque</b></p> <p>The Planning Officer will be informed that payment has been made when a cheque is received. However this will require a period of 14 days from date of receipt before the Planning Officer will be informed that the Planning Decision Notice may be issued.</p>

	<p>Cheques should be addressed to 'Perth and Kinross Council' and forwarded with a covering letter to the following:  Perth and Kinross Council  Pullar House  35 Kinnoull Street  Perth  PH15GD</p> <p><b>Bank Transfers</b>  All Bank Transfers should use the following account details;  <b>Sort Code:</b> 834700  <b>Account Number:</b> 11571138</p> <p>Transport Infrastructure  For Transport infrastructure contributions please quote the following ledger code:  1-30-0060-0003-859136</p> <p>Direct Debit  The Council operate an electronic direct debit system whereby payments may be made over the phone.  To make such a payment please call 01738 475300 in the first instance.  When calling please remember to have to hand:</p> <ul style="list-style-type: none"> <li>a) Your card details.</li> <li>b) Whether it is a Debit or Credit card.</li> <li>c) The full amount due.</li> <li>d) The planning application to which the payment relates.</li> <li>e) If you are the applicant or paying on behalf of the applicant.</li> <li>f) Your e-mail address so that a receipt may be issued directly.</li> </ul> <p><b>Indexation</b></p> <p>All contributions agreed through a Section 75 Legal Agreement will be linked to the RICS Building Cost Information Service building Index.</p> <p><b>Accounting Procedures</b></p> <p>Contributions from individual sites will be accountable through separate accounts and a public record will be kept to identify how each contribution is spent. Contributions will be recorded by the applicant's name, the site address and planning application reference number to ensure the individual commuted sums can be accounted for.</p>
<b>Date comments returned</b>	31 January 2017





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

<b>Planning Application ref.</b>	16/02152/FLL	<b>Comments provided by</b>	Tony Maric Transport Planning Officer
<b>Service/Section</b>	Transport Planning	<b>Contact Details</b>	██████████ ██████████████████
<b>Description of Proposal</b>	Erection of a dwellinghouse		
<b>Address of site</b>	Nether Blelock Farm Bankfoot		
<b>Comments on the proposal</b>	Insofar as the roads matters are concerned, I have no objections to this proposal.		
<b>Recommended planning condition(s)</b>			
<b>Recommended informative(s) for applicant</b>			
<b>Date comments returned</b>	31 January 2017		



*John Drummond FCCA*  
*Rosecraig*  
*Bankfoot*  
*Perthshire*  
*PH1 4EE*

---

Head of Planning and Development  
Development Management  
Perth & Kinross Council  
Pullar House  
35 Kinnoull Street  
Perth  
PH1 5GD

6<sup>th</sup> of February 2017

Dear Sir

**Planning Application 16/02152/FLL - Erection of a dwellinghouse  
at East Nether Blelock Farm, Bankfoot, by Mr & Mrs Chalmers**

I hereby object to the above planning application, lodged on 15<sup>th</sup> December 2016 and validated on 17<sup>th</sup> January 2017.

For reference, this planning application is now the applicants' tenth for this site, since 2008, ie: 08/01830, 08/01832, 09/00558, 09/00559, 12/01864, 10/00676, 14/02130, 15/02205, 16/01331 and now 16/02152.

The frequency and timing of these perpetual planning applications could be regarded as neighbour harassment. Existing residents' basic rights to live and work in a rural location without the constant threat and barrage of residential development on an adjoining green field site are continually being impaired and eroded. We are constantly having to be vigilant, paying particular attention to and understanding the content and intention within these various planning applications. We respectfully request that the Council recognises the above and finally determines this application by refusal, rather than giving the applicants a further opportunity to withdraw and resubmit it, thereby prolonging the process even further.

When this latest planning application was validated and available to view through the Council's online planning portal, there were an additional 2 supporting documents lodged, ie a "Supporting Statement" by the applicants and a "Labour Profile and Justification Report" by J Sinclair Simpson for "Thistle Farm". We have assumed that the "Thistle Farm" document title is another error and the report is intended to refer to East Nether Blelock Farm. These documents have now vanished without trace from the Council's public access online planning portal. It is therefore difficult and indeed almost impossible to know and assess the full application, its likely impact and exactly what information is being presented for consideration to the planning authority. For clarity, this letter of objection assumes that these documents have been withdrawn from public access for some reason, although they are still being considered by the planning authority.

I objected to the previous planning applications for this site and for reference, I would draw your attention to my letters dated 24<sup>th</sup> of April 2009, 12<sup>th</sup> of June 2009, 12<sup>th</sup> of November 2012, 27<sup>th</sup> of January 2015, 10<sup>th</sup> of February 2016 and 22<sup>nd</sup> of August 2016. The majority of the issues raised through these letters of objection are still valid and indeed many of my assertions and predictions have been evidenced through the passage of time.



In summary, my reasons for objection and request for a refusal to planning application reference 16-02152 are as follows:

- The planning officer's "Report of Handling – Delegated Report" (see page 7], dated 6<sup>th</sup> of December 2016 for application reference 16-01331, advised:
  - That they should "take in one further summer before the applicants will be asked to make their final submissions in respect of a new, permanent dwelling on the site". The applicants have ignored the planning officer's advice/instruction, as they have submitted this permanent house application within a few weeks of his report on their previous application. The planning officer clearly had doubts as to the viability of the business and offered the applicants a further year within which they could demonstrate its alleged success. This most recent application has been made within a matter of days of the report and therefore completely ignores his advice/instruction. One can therefore only conclude that the applicants have been unable or unwilling to comply with instructions, demonstrate that they have advanced their business and therefore they cannot argue that they have an operational need.
  - That he required "a detailed SAC report outlining clearly the need for a permanent dwelling on the site" and stated that "there will be no guarantees that a subsequent detailed planning application will be successful if a robust case cannot be demonstrated and which is evidenced based". This planning application, as well as the Supporting Statement and Labour Profile and Justification Report (both of which are no longer available for public access, view and scrutiny) do not provide what was specifically asked for. The Supporting Statement is not evidence based, it is predicated upon photos of cows, "free access" machinery and merely states what the applicants may do in future years. The Labour Profile Report was not prepared by SAC, is not evidence based and concludes with tenuous "justifications" and personal opinions. Again, one can therefore only conclude that the applicants have been unable or unwilling to comply with the planning authority's instruction or demonstrate that they have an operational need.
  - "in the event that a more permanent dwelling is brought forward, additional landscaping proposals would be required to complement what is already on site", The applicants have yet again failed to submit any landscaping plans or proposals and they have again ignored what was specifically required by the planning officer, therefore the submission is lacking both appropriate detail and information.
  - no concerns were raised by the Council's Transport Planning Department as "vehicular access via the private roughly surfaced access track" was deemed to be satisfactory, as "passing places are available via entry point to fields". The applicants have recently erected temporary sheep fencing across the field entrance, therefore this is no longer available for a passing place. The narrow access track is not safe for other road users or pedestrians, particularly in view of the large agricultural contracting equipment (as photographed in the Supporting Statement) and used by the applicants. Any further dwellings on this site will only increase the danger to other road users, through additional traffic volumes being generated on an already over-crowded and deteriorating single lane farm track, which has no



recognised passing places. It is not fit for the existing volumes of traffic, far less any proposed increase through further development.

- The applicants have had over 8 years to complete this development and have either refused or have been unwilling to devote due time, consideration and resources to implementing previous planning consents within the specified time limit, despite them being fully aware as to the temporary nature of their planning conditions. The original time limit condition within the 2009 consent (09/00559) was 3 years, this was extended in 2012 by a further 2 years, then by 18 months in 2014 and again by 12 months in 2016. If the applicants were serious about the development and their farm business, then surely they would have committed to it and completed it within the time limits specified on each and every occasion. The Council gave planning permission to previous applications with specific conditions and the applicants have failed to adhere to or deliver them. The previous planning application (16/01331) was to extend the time limit was for a further 2 years, yet the council only granted 12 months, thus demonstrating that they felt this was an appropriate period within which the applicants should discharge the conditions and follow through with their plans. Given the applicants obvious failures to deliver previous planning consents, there can be no confidence that should they be successful in gaining this consent that they will indeed implement or deliver it.
- Departures from Planning Policies and Local Development Plans are permitted where it can be demonstrated that there is operational need and the development proposal is appropriate and within the context of its surroundings. This planning application fails in these regards. Like previous submissions, it has used the argument of “operational need” as the main justification for building a house and the applicants are attempting to embellish and mislead through their supporting statements and reports, as these are not a representation of reality. There is no evidence of operational need, merely an attempt to misrepresent the facts to give the appearance of a conventional and profitable small farm business.
- The applicants state that they have a growing farm business, yet a brief analysis of the financial records within the Supporting Statement clearly shows that this is, at best, a hobby farm and a life style business, certainly not a viable agricultural enterprise. The level of income and alleged profit cannot be regarded as a commercial enterprise, as these are stated without any allowance or recognition for costs such as: vehicle and implement repairs and maintenance, insurance, fuel, servicing, property and field repairs and maintenance, fencing, drainage, arable inputs such as ploughing, sowing, spraying, harvesting costs, silage bagging, etc. The financial data is completely misleading and does not stand up to even minimal scrutiny. These costs have been omitted each year in the farm profit and loss accounts and if they have been met by the wider family business, their business is completely reliant upon it to support its operation. The “free access” to tractors, equipment and implements from the applicants’ larger contracting farming business again demonstrates that this is not a realistic commercial farm enterprise, as these significant costs just could not be supported by the small operation at this location. There is no commercial financial viability and no realistic sustainable business model, either planned or demonstrated. This reduces the planning application to one which seeks to build a house on farm land, adjacent to a shed for which there are no operational needs, justifications or evidence that this is commercial enterprise capable of surviving in the twenty first century.
- The applicants commenced housing cattle in their sheds almost 12 months before they were living onsite in their temporary house, again this discredits the argument of operational need or animal husbandry requirements. The few cattle that are housed in the shed from time to time are not grazed on the applicants’ adjacent farm land, as the fields do not have



appropriate cattle stock proofed fences. These animals are grazed several miles from this location and therefore the apparent requirement to be onsite with them is without foundation. The only 2 fields that do have large animal stock proof fencing are used by the applicants to graze their horses and ponies. The applicants' family farming business has for many years housed large herds of cattle at several other farm steadings around central Perthshire (eg Gourdiehill Farm and Upper Obney Farm) and yet they do not have any onsite houses at these locations. Animal welfare is being put forward as a justification for a permanent house onsite, yet the applicants are involved in other farm businesses with livestock kept in remote steadings, several miles away, yet they have no onsite presence at these sites. Why is it that an operational and animal welfare issue is argued at this location, yet it does not appear to exist at other locations owned and operated in the same way by the applicants through their other business interests?

- It is claimed that an additional 60 acres of land is apparently being farmed in conjunction with this small holding. The additional land is around 5 miles from this location, therefore it is completely irrelevant with regard to growing the business at this site. The argument of operational need is further diluted by the applicants own admission that they graze livestock at remote locations and this demonstrates that there is no real need to live adjacent to the animals. This is merely an application to build a house on farm land, under the guise of operational need and animal welfare.
- The Labour Report Profile and Justification report originally lodged in support of this application (although it has subsequently been removed from public access and view) contains no financial analysis. It repeats the "free access" to machinery, enabling the applicants to operate on a non-commercial basis and states some tenuous reasons of justifications for a house. The latest choice of proposed farming activity differs significantly from any previous planning applications and it results in the apparent creation of just over 1 labour unit. The basis of calculation is however out of date as it uses 2013/14 measurements and standards and to make any reasonable attempt to justify the number of labour units, surely current rates should be applied and therefore this renders the report obsolete and misleading.
- There is no evidence that the applicants have any plans in place for operating a sustainable commercial farm business or that they have any prospect of bucking the long term national trend and being able to create and maintain a small but commercially viable, profitable and sustainable business. The granting of a planning consent for a permanent house will most likely lead to the inevitable business failure and subsequent sale of yet another small farm steading, being split up and converted for further housing developments.
- Developments in the countryside should allow for a suitable landscape fit and follow the principles of established natural features, etc. to protect visual amenity. Despite specific conditions regarding creation of boundaries, screening, hedges, etc on the applicants' previous planning consents, ie:
  - condition 3 on 09/00558,
  - condition 5 on 09/00559,
  - condition 4 on 12/01864,
  - condition 4 on 14/02130,
  - as well as Perth and Kinross Council's letter to applicants dated 8 April 2011 (where last paragraph referred to establishing screening),

There is still no evidence of any established natural landscaping, maturing hedges or tree screening, despite the applicants having had over 8 years to establish a context and environment for the proposed site. Any site inspection will demonstrate that the limited hedging, shrubs or screening recently planted by the applicants have been completely inadequate, have not been maintained and have been overgrown by weeds and thistles.



The council's last planning consent condition on screening was "in the interests of visual amenity, to ensure a satisfactory standard of local environment quality...". The applicants have failed to carry out this important condition on every planning permission they have received for this site and therefore one cannot have any confidence in them satisfying any future planning conditions, should they receive this consent.

- Detailed conditions on the applicants' previous planning consents for the temporary house, together with the various extensions for permitted time all state that "the occupation of the property is restricted to a person(s) employed at Nether Blelock Farm..... on the basis of operational need and that they are involved within working on the farm business". Notwithstanding that there is no real evidence of an operational need for a house, I cannot see how the proposed house type with a "granny flat" annex fits within this context and it appears that the applicants are looking to create 2 dwellings, where not even one is justified.
- Any inspection of the facts will demonstrate that this farming enterprise is either a small part of a much larger farming business or it is a non-commercial and unviable business that is a life style hobby farm. It is not a viable standalone agricultural business, as all evidence and practice over the last 2 decades has demonstrated that small mixed arable and livestock farms of this type and size are just not commercially viable. There is no evidence of the applicants implementing an integrated farm management plan and it does not stand up to any scrutiny. The applicants business is financially dependent upon the generosity of their family's larger farming, agricultural contracting and property development business and it is closely associated with it. This link is important, as it demonstrates the applicants are an integral part of a large scale business. They and their family business partners own and operate several other large farms and properties throughout central Perthshire, including Logiebride, Milton Steading at Tullybeagles, Belstane, Little Tullybelton, Gourdiehill, Mill of Tullybelton, Upper Obney, etc. They have also made several other planning applications to develop so called "redundant" farm steadings into residential developments. East Nether Blelock Farm cannot be regarded in isolation, as it is so closely associated with a significantly larger family business empire, of which property development and gaining planning consents for housing on agricultural holdings appears to be central to their activities.

In summary, virtually nothing has been achieved by the applicants at this location over the last 8 years. A simple inspection of the premises and some analysis of the planning application will demonstrate that they have not made a real attempt to establish a viable farm business, as they have merely built a shed and chosen to house a few cows in it to try and leverage permission to build a house, where it would not otherwise have been allowed.

I trust that you consider the above points and conclude that the application should be refused.

Should you require any additional information or evidence, please contact me by return.

Yours faithfully

John Drummond FCCA





RECEIVED

07 FEB 2017

4 East Nether Blelock  
Bankfoot  
Perthshire  
PH1 4EE

Perth & Kinross Council Planning Department.  
Pullar House,  
35 Kinnoull Street  
Perth PH1 5GD

6th February 2017

Dear Sir/Madam

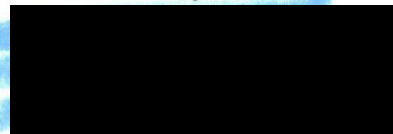
Planning Application Ref 16/02152/FLL

I am writing to object to the above planning application because I have grave concerns over the applicants disregard for our joint access lane.

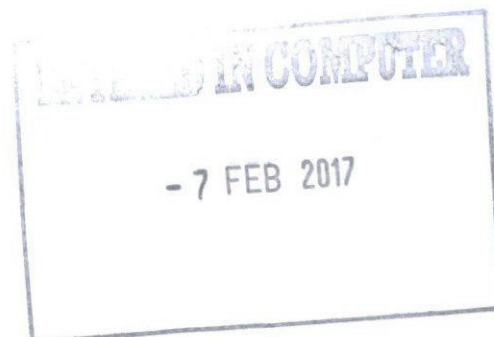
The road entrance is disintegrating and the tarmac on the lane is cracking and breaking up. The size & weight of machinery the Chalmers are using is not suitable for such a narrow lane.

I am worried about the inevitable pending expense to re tarmac the lane which is the sole access lane for 6 properties including mine.

Yours sincerely



Mrs J W MacLeod





# Memorandum

To	Development Quality Manager	From	Regulatory Service Manager
Your ref	PK16/02152/FLL	Our ref	LJ
Date	6 February 2017	Tel No	██████

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

## Consultation on an Application for Planning Permission

### **PK16/02152/FLL RE: Erection of a dwellinghouse Nether Blelock Farm Bankfoot for Mr Thomas and Mrs Sandra Chalmers**

I refer to your letter dated 25 January 2017 in connection with the above application and have the following comments to make.

#### **Contaminated Land** (assessment date – 06/02/2017)

#### Recommendation

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



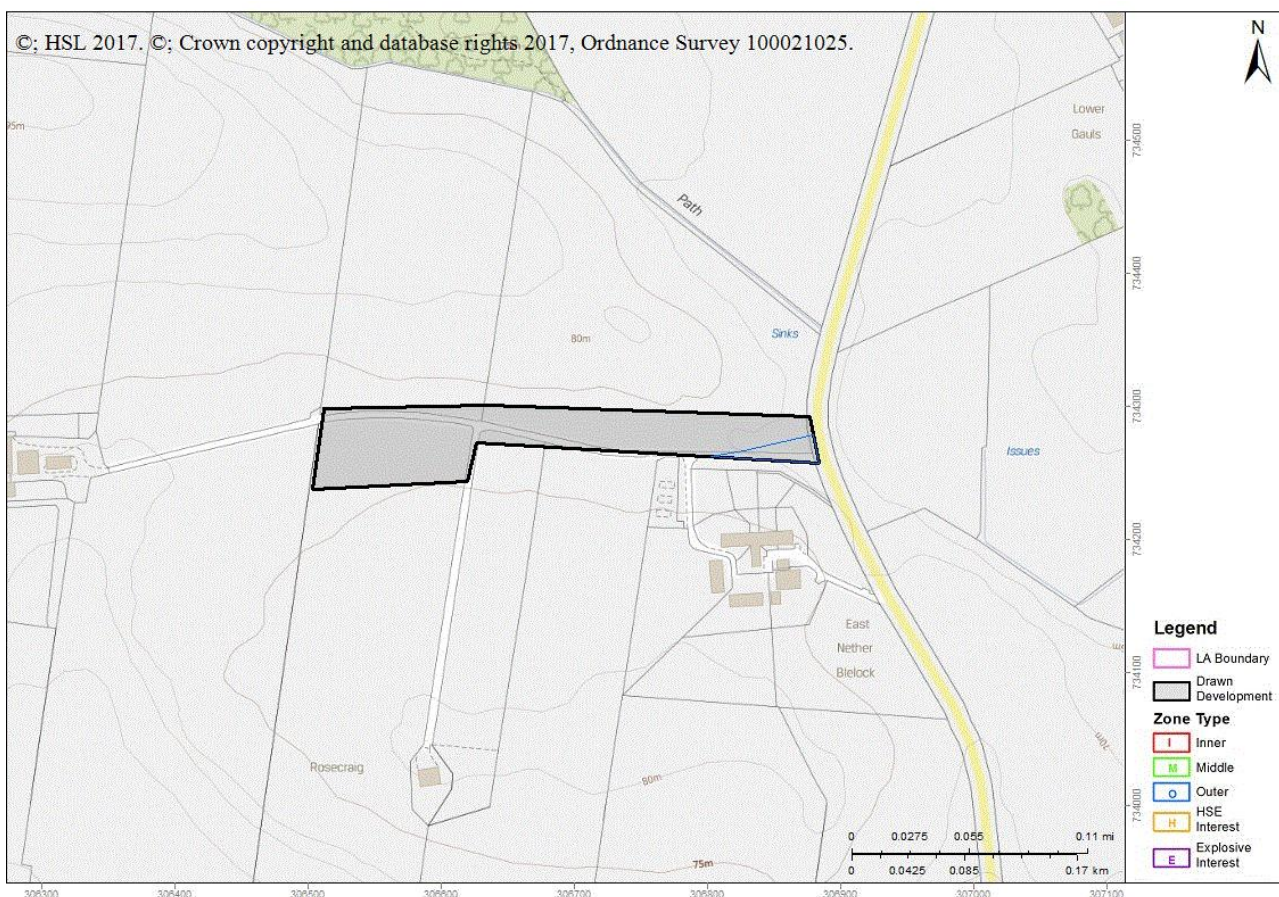


**Advice : HSL-170621101337-317 DO NOT ADVISE AGAINST****Your Ref:** 16/02152/FLL**Development Name:** Nether Blelock, Bankfoot**Local Authority Reference:** 16/02152/FLL**Comments:** Erection of one house

Land Use Planning Consultation with Health and Safety Executive [Town and Country Planning (Development Management Procedure) (England) Order 2015, Town and Country Planning (Development Management Procedure) (Wales) Order 2012, or Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013]

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/ pipelines. This consultation, which is for such a development and is within at least one Consultation Distance, has been considered using HSE's planning advice web app, based on the details input on behalf of Perth and Kinross.

**HSE's Advice: Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.**

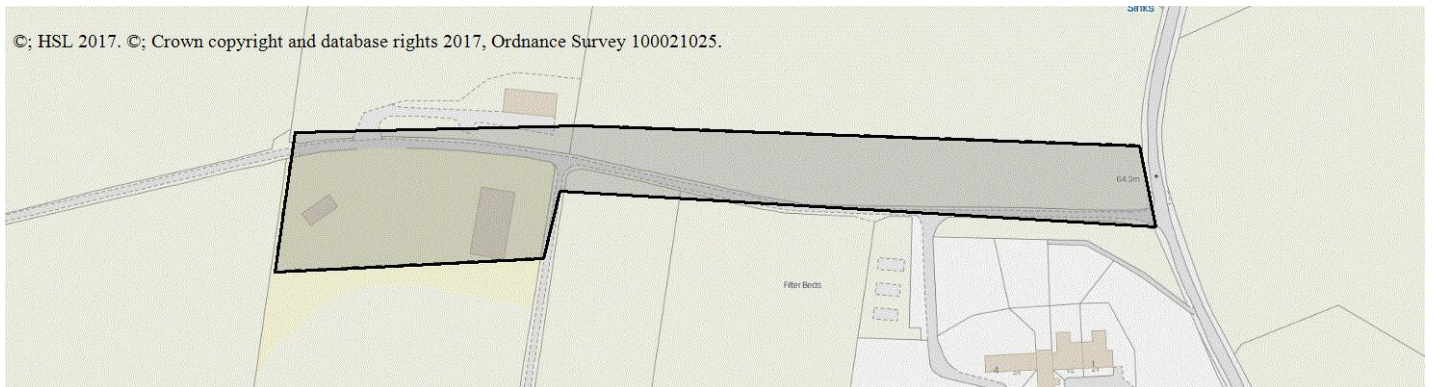


Commercial In Confidence

## Breakdown:

### Housing DAA

How many dwelling units are there (that lie partly or wholly within a consultation distance)? Less than 3



### Pipelines

#### 8100\_2359 National Grid Gas PLC

As the proposed development is within the Consultation Distance of a major hazard pipeline you should consider contacting the pipeline operator before deciding the case. There are two particular reasons for this:

- The operator may have a legal interest (easement, wayleave etc.) in the vicinity of the pipeline. This may restrict certain developments within a certain proximity of the pipeline.
- The standards to which the pipeline is designed and operated may restrict occupied buildings or major traffic routes within a certain proximity of the pipeline. Consequently there may be a need for the operator to modify the pipeline, or its operation, if the development proceeds.

HSE's advice is based on the situation as currently exists, our advice in this case will not be altered by the outcome of any consultation you may have with the pipeline operator.

This advice report has been generated using information supplied by Andy Baxter at Perth and Kinross on 21 June 2017.

Note that any changes in the information concerning this development would require it to be re-submitted.

*John Drummond FCCA  
Rosecraig  
Bankfoot  
Perthshire  
PH1 4EE*

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Gillian A Taylor  
Clerk to the Local Review Body  
Local Review Body  
Perth and Kinross Council,  
Council Building,  
2 High Street,  
Perth, PH1 5PH

16<sup>th</sup> of November 2017

Dear Ms Taylor

**Planning Application 16/02152/FLL - Erection of a dwellinghouse  
at East Nether Blelock Farm, Bankfoot, by Mr & Mrs Chalmers**

Thank you for your email dated 3<sup>rd</sup> November 2017 pertaining to the above planning application, which was lodged in December 2016 and subsequently refused by Perth and Kinross Council on 21<sup>st</sup> July 2017.

Myself and several other neighbours objected to this planning application, as well as the previous submissions made by the applicants over the last 9 years. For reference, this planning application was their tenth for this site, since 2008, following 08/01830, 08/01832, 09/00558, 09/00559, 12/01864, 10/00676, 14/02130, 15/02205 and 16/01331.

I would respectfully draw your attention to my previous letters of objection dated:

- 24<sup>th</sup> of April 2009,
- 12<sup>th</sup> of June 2009,
- 12<sup>th</sup> of November 2012,
- 27<sup>th</sup> of January 2015,
- 10<sup>th</sup> of February 2016,
- 22<sup>nd</sup> of August 2016
- 6<sup>th</sup> of February 2017.

As detailed by the Council's planning officer, in both his Delegated Report and Decision Notice, he carefully assessed the application and refused it, giving very clear reasons for his decision. Nothing has changed on site since that judgement was made and there are absolutely no reasons why this or any other appeal should be successful, as the facts pertaining to the planning application are contrary to the relevant provisions of the Council's Development Plan and there are still no considerations which justify setting it aside. Indeed, through the passing of a further summer and autumn season, some of the planning officer's doubts surrounding the credibility of the application and his reasons for refusal have been reinforced by the applicants' actions and the passage of time.



In summary, the applicants bought approximately 70 acres of bear farm land, built an agricultural shed at the bottom of a field, chose to house a few cattle in it and since that time, have attempted to embellish and misrepresent facts to try and justify a house on the adjacent land.

Planning permissions were granted, enabling the applicants to erect a temporary house with strict time limits within which they were to live onsite and demonstrate that they were serious at trying to build and develop the farm business by following their new farm management plans. After several applications to extend the time limit for the temporary house, they have continually failed to demonstrate that they have any requirement for a permanent onsite presence. They have demonstrated throughout their 9 years of ownership that they have either been unable to, or chosen not to devote due time, effort and resources towards building a commercially sustainable business within the generous timescales offered by all of the previous temporary consents. Through their own actions, over a sustained period of time, they have proved that there is no operational need and no onsite accommodation is actually required. They housed livestock in their shed for almost a year before the temporary house was erected and indeed even after it was brought on site, it lay vacant for many months afterwards. The argument of operational need is further diluted by the applicants own admission that they graze livestock at other remote locations and this demonstrates that there is no real need to live adjacent to the animals.

Mr Chalmers, who is the farmer, also farms in many other Perthshire locations, still does not live on site in the temporary house and this unequivocally demonstrates that their claim for an onsite presence is not actually required. Mr Chalmers only visits this farm for a few minutes on occasional days and has cattle, sheep and other significant farming interests at several other remote locations. Many of these farms also accommodate cattle and livestock in their steadings and yet they do not have any onsite residential presence, therefore the suggestion that it is required at this site is, at best, an embellishment of the facts.

The applicants' planning applications have been crude attempts to secure planning permission for a house in the countryside, on a green field site, on the pretext of agricultural operational need.

Please refer to my previous letters of objection for full details of how the applicants have constantly attempted to mislead and misrepresent the facts. The reality is that a new very small mixed arable and livestock farm cannot be commercially sustainable in this day and age.

The financial plans and labour justification reports submitted in support of the planning application are misleading, incomplete and they do not represent commercial reality. The applicants have had several years to demonstrate that they had a commercially viable and sustainable business, yet they have continually failed to do so. Instead, several business plans and labour justification reports have been submitted, attempting to embellish facts and project what they are allegedly intending to do. These reports are focussed upon what the applicants perceive they need to say, to enable them to secure their planning consents on the basis of economic activity and alleged agricultural need. Any scrutiny of these plans alongside an inspection of the facts will demonstrate that this farming enterprise is either a very small part of a much larger family farming business or it is a very part-time, non-commercial and unviable stand alone business that is effectively a life style hobby farm.

The applicants have a history of applying for residential developments on agricultural sites and have secured planning consents to convert steadings and build houses on other so called redundant farm buildings (eg Logiebride Farm, planning reference 11/01337). Their Logiebride Farm, farmhouse and steading development site is just over one mile from this location and I cannot see how or why they cannot run their "agricultural business activities" from there, as it already has an established farming use, context and history. Logiebride Farmhouse has recently been advertised for sale (<http://www.rightmove.co.uk/property-for-sale/property-44791323.html>) as well as for rent

(<http://www.asproperty.co.uk/property/logiebride-logie/>). It appears that the applicants are attempting to build up a property business, rather than develop any real agricultural activity.

Over the past 9 years, virtually nothing has been achieved by the applicants at this location and they have not even fully discharged planning conditions associated with previous consents, in particular pertaining to planting and screening. A simple and brief inspection of the premises and some analysis of the planning application and its supporting documents will demonstrate that there has been no real attempt to establish a viable agricultural business. The applicants have merely built a shed and chosen to house a few cows in it, then subsequently tried to leverage planning permission to build a house, where it would not otherwise have been permitted.

I trust that you consider the above points and conclude that the planning officer reached the correct determination and their appeal against his decision should be declined.

Should you require any additional information or evidence, please contact me by return.

Yours sincerely

John Drummond FCCA



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4th December 2017

Dear Ms Taylor,

**ERECTION OF A DWELLINGHOUSE, NETHER BLELOCK FARM, BANKFOOT.  
PLANNING REF: 16/02152/FLL. LRB REF: TCP/11/16 (499)**

We write in response to the representation made by the interested party and sole objector to this planning application; Mr Drummond.

Throughout this application and in previous planning applications for the temporary home, the applicants have taken the moral 'high road' and have tried to ignore the obvious attempts of Mr Drummond to ensure planning permission is refused.

However, the applicants are compelled to respond to this latest representation/objection which is even more slanderous and deceitful than previous representations/objections made by Mr Drummond. Again, its content is engineered to mislead its readers. This representation, also illustrates the extreme lengths Mr Drummond is prepared to go to scupper the applicants attempts to secure planning consent. As is also apparent in Mr Drummond's latest representation, he is continuing to conduct a vindictive smear campaign against the applicants.

Mr Drummond's latest representation is also factually incorrect, spurious and misleading, with the irony being that, he makes the same accusations of the applicants planning submissions! It should be noted that at Mr Drummond's previous appearance at the Development Control Committee meeting (for the extension of the temporary home consent), he was warned by a Councillor during the Development Control Committee meeting that it was a serious matter to accuse the applicant of lying and deceiving where he had no evidence or proof – which he admitted when questioned further.

To address some of the points raised in Mr Drummond's representation;

1. It is implied that there are 'several other objectors' to this planning application. Only Mr Drummond objected to this application.
2. The applicants originally bought 80 acres of bare land, not 70 acres as stated in the representation.



3. As illustrated in the planning applications submissions, the applicants have been very open and transparent. They have not attempted to 'embellish and misrepresent the facts' as claimed in the representation to try and justify a house.
4. Contrary to what is claimed in the representation, the applicants have both devoted a significant amount of time, effort and resources towards building a viable farm business. Mrs Chalmers has given up her job to focus on the farm business. The applicants live on site and they have invested all of their savings into the farm business.
5. The representation states that 'a few cattle are housed' in the shed, implying that either the cattle are a rouse to secure planning permission for a house or the farm is a 'hobby farm'. This is contrary to the planning officer's observation, who states in the Report of Handling 'visiting the site and viewing cattle in the shed I'm not questioning the numbers nor the numbers of sheep/lambs on the land'.
6. The representation states that there is no operational need for on-site accommodation. With a permanent herd of 36 cattle (and an additional 10 cows being wintered on a B&B basis) at Nether Blelock, there is no doubt that there is a requirement for onsite accommodation. The Council's previous decisions to grant planning consent to retain the temporary house on site, further reinforces this requirement. The Planning Officer in his Report of Handling, also acknowledges that there is a requirement for on-site accommodation, but in his opinion, a permanent house is premature of the development of the farm business.
7. The comment in the representation that 'Mr Chalmers, who is the farmer' is sexist, chauvinistic and hurtful. Mrs Chalmers is also a 'farmer' and carries out the majority of the livestock management and care. As stated in the planning application submissions; Mr Chalmers is indeed a minority partner in his family's farming business and undertakes work as a farming contractor. This farm is however solely the applicants farm and their farming business. Whether Mr Chalmers is a partner in another farming business or not, is completely irrelevant. For the record (although completely irrelevant), there are no additional habitable houses on any farms belonging to the farming business which Mr Chalmers is a minority Partner of.
8. As stated in the planning applications submissions, the applicants do graze their cattle on another farm for a few months in the summer – which is not an unusual practice for many farmers. However, as also stated, onsite accommodation is absolutely vital when the cattle are being wintered in the shed and during calving season in the spring. Additionally, onsite accommodation is also required for security reasons.
9. The farm which the cattle are grazed on (during the summer) is not in a 'remote location' as stated in the representation. It is 5.5 miles along the road.
10. This application is not an attempt to get a house in the country. As is evident on the ground, in the Justification and Labour Profile report and farm accounts, this is a thriving farm business, which requires a permanent house.
11. Nether Blelock farm by modern day standards is indeed a 'small farm'. This however, does not automatically mean that it cannot be commercially sustainable. The business has no debts to service which adds to its viability. The change in farming system, securing of neighboring land to rent on a long term basis, renting fields on a crop rotation to pea and potato growers and being enterprising (such as offering B&B wintering cattle and for sheep grazing etc) has allowed the farm business to

- grow year on year. If new entrants into the farming industry are not given an opportunity to establish themselves and grow, what hope is there for the industry??
12. It is implied in the representation that the farm business is a 'sham' and that the applicants are embellishing the facts and are making statements/plans in their planning submissions to tick the correct boxes for securing planning consent by means of operational need. The facts suggest otherwise; 80 acres of land owned; 100 acres of land on a long term lease; a herd of 36 Simmental cattle (including a bull); wintering an additional 10 cattle on a B&B basis; 600 lambs are being fattened on a B&B basis (original estimate was 408); membership and registration of calves with the Simmental Society; the farm successfully registered for single farm payments; fields (on a crop rotation basis) are periodically rented to potato and pea growers; contracts have been entered into to supply milling oats and high grade cereal seed; the farm successfully registered for the Scottish Beef Suckler Support Scheme and the applicants are in the Scottish Quality Cereals Association.
  13. The applicants are not 'Property Developers' nor do they 'have a history of applying for residential developments' as claimed in the representation. Yes, Mrs Chalmers did secure planning consent to convert a small farm steading into 3 houses adjacent to a house belonging to her at Logiebride, but this consent lapsed and the houses were never built – primarily as there was not a demand.
  14. Logiebride (a residential house, traditional steading and 1 acre of land) belongs to Mrs Chalmers and was purchased by her before she met her husband. It is situated 4 miles from Nether Blelock, not 1 miles as stated in Mr Drummonds representation. Another attempt to distort the facts. Firstly, a house located 4 miles away is not suitable for providing the proper level of care to the pedigree cattle and provide a security presence on the farm. Secondly, in response to Mr Drummond's claim that the agricultural business activities could be run from Logiebride - a small traditional steading and 1 acre of land, is hardly fit for housing a cattle rearing enterprise.
  15. In the representation, it is stated that 'over the past 9 years, virtually nothing has been achieved by the applicants at this location'. This is clearly untrue – as detailed in number 12.
  16. In the representation, it is implied that the hedging has not been planted as per the temporary home planning condition. Again, this is incorrect, as illustrated by the photograph on the proceeding page.

Photograph: Hedging around the lodge



We trust that the LRB can see that this objector is out to protect his interests and property (in the background of the photograph above) and that it is clear that this is a thriving farm business which merits a permanent house.

Please get in contact with us if you require any further information.

Yours sincerely

P Keir Doe MRTPI MRCS