

TCP/11/16(588) – 18/01796/FLL - Erection of cider/juice production building with pick your own facility and farm shop, siting of an accommodation unit (for a temporary period), erection of a polytunnel and formation of vehicular access, parking and associated works, land 100 metres south of 3 Gowrie Farm, Stanley

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- (a) Papers submitted by the Applicant (***Pages 1789-2046***)
- (b) Decision Notice (***Pages 1889-1891***)
 - Report of Handling (***Pages 1893-1914***)
 - Reference Documents (***Pages 1865-1876***)
- (c) Representations (***Pages 1919-1936***)
- (d) Further Information (***Pages 2051-2064***)

TCP/11/16(588) – 18/01796/FLL - Erection of cider/juice production building with pick your own facility and farm shop, siting of an accommodation unit (for a temporary period), erection of a polytunnel and formation of vehicular access, parking and associated works, land 100 metres south of 3 Gowrie Farm, Stanley

**PAPERS SUBMITTED
BY THE
APPLICANT**

NOTICE OF REVIEW

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

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

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

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

Use **BLOCK CAPITALS** if completing in manuscript

Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

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

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

Yes ☒ No ☐

Planning authority

Planning authority's application reference number

Site address

Description of proposed
development

Date of application

Date of decision (if any)

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

Nature of application

- | | |
|--|-------------------------------------|
| 1. Application for planning permission (including householder application) | <input checked="" type="checkbox"/> |
| 2. Application for planning permission in principle | <input type="checkbox"/> |
| 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) | <input type="checkbox"/> |
| 4. Application for approval of matters specified in conditions | <input type="checkbox"/> |

Reasons for seeking review

- | | |
|---|-------------------------------------|
| 1. Refusal of application by appointed officer | <input checked="" type="checkbox"/> |
| 2. Failure by appointed officer to determine the application within the period allowed for determination of the application | <input type="checkbox"/> |
| 3. Conditions imposed on consent by appointed officer | <input type="checkbox"/> |

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 | <input checked="" type="checkbox"/> |
| 2. One or more hearing sessions | <input type="checkbox"/> |
| 3. Site inspection | <input checked="" type="checkbox"/> |
| 4. Assessment of review documents only, with no further procedure | <input type="checkbox"/> |

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:

The further written submissions are required as they are responses to comments/questions in the delegated report. A site visit would enable a fuller appreciation of the proposal to be made compared to a 100 % written desk type review. If it is thought that a hearing session would be advantageous i am willing to attend.

Site inspection

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

- | | Yes | No |
|--|-------------------------------------|-------------------------------------|
| 1. Can the site be viewed entirely from public land? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

There is a padlock on the gate but if i could be given 24hrs notice I would ensure the gate is unlocked.

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.

The reasons for seeking a review on the application are detailed in the attached Harvest Brae Notice of Review appeal 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.

A Community Council letter of support is included with this appeal. The letter was not available when the Delegated Descision was made due to unfortunate timing of the local community council meeting.

Additional documents, and there reason for inclusion, are identified in the Harvest Brae Notice of Review Appeal Document.

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.

Planning Application Documents from 17/01917/FLL & 18/01796/ FLL
 Community Council Supporting Letter
 Business plans for 2017 & 2019 -confidential
 Trademark Certificates
 Certified accounts- confidential
 Orchard (existing and future) layout drawings
 Cider shed layout drawing
 Traffic volume statement
 HACCP and record sheets
 Photograph showing a shed similar to the proposed cider shed
 Harvest Brae Notice of Review Appeal Document

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

James Neill





















Date

14TH Feb 2019













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	2- 18-01796-FLL Documents	14/02/2019 07:52	File folder
	3- 17-01917-FLL Documents	14/02/2019 07:57	File folder
	4- Pre Planning Application	13/02/2019 19:27	File folder



















1- APPEAL DOCUMENTS

	1- Notice of review- Form	13/02/2019 19:11	Adobe Acrobat D...
	2- Notice of Review- Appeal document	13/02/2019 17:10	Adobe Acrobat D...
	3- Certified accounts- confidential	01/02/2019 07:04	Adobe Acrobat D...
	4- Business Plan Harvest Brae February 2...	13/02/2019 19:06	Adobe Acrobat D...
	5- Community Council Support Letter	29/01/2019 16:23	Adobe Acrobat D...
	6- Photo of a similar shed	01/02/2019 07:15	Adobe Acrobat D...
	7- Cider HACCP Plan	29/01/2019 16:22	Adobe Acrobat D...
	8- Cider - Juice Record sheets	29/01/2019 16:25	Adobe Acrobat D...
	9- Trademark Harvest Brae	11/12/2018 07:03	Adobe Acrobat D...
	10- Trademark Lass O'Gowrie Cider	11/12/2018 07:03	Adobe Acrobat D...
	11- Trademark Perthshire Lavender	11/12/2018 07:03	Adobe Acrobat D...
	12- Transport e-mails	29/01/2019 16:22	Adobe Acrobat D...
	13- Layout Existing Flower	11/02/2019 16:55	Adobe Acrobat D...
	14- Layout Existing Orchard	11/02/2019 16:54	Adobe Acrobat D...
	15- Layout Existing Overall	11/02/2019 16:53	Adobe Acrobat D...
	16- Layout Year 1 Flower	13/02/2019 18:39	Adobe Acrobat D...
	17- Layout Year 1 Orchard	13/02/2019 18:40	Adobe Acrobat D...
	18- Layout Year 1 Overall	13/02/2019 18:43	Adobe Acrobat D...
	19- Layout Year 1 Shed	13/02/2019 18:36	Adobe Acrobat D...
	20- Layout Year 10 Overall	13/02/2019 18:19	Adobe Acrobat D...


2- 18-01796-FLL DOCUMENTS

	Consultee responses	14/02/2019 07:51	File folder
	1- Statement Design statement (includes ...	24/01/2019 18:08	Adobe Acrobat D...
	2- Statement Planning Support 18-01796...	29/01/2019 16:40	Adobe Acrobat D...
	3- Drawing Existing Block Plan 18-01796-...	24/01/2019 18:08	Adobe Acrobat D...
	4- Drawing Proposed Block Plan 18-0179...	24/01/2019 18:30	Adobe Acrobat D...
	5- Drawing Cider Shed and Polytunnel 18...	24/01/2019 18:08	Adobe Acrobat D...
	6- Drawing Mobile Home 18-01796-FLL	24/01/2019 18:08	Adobe Acrobat D...
	7- Drawing Location Plan 18-01796-FLL	24/01/2019 18:08	Adobe Acrobat D...
	8- PKC Decision Notice 18-01796-FLL	29/01/2019 16:42	Adobe Acrobat D...
	9- PKC Delegated Report 18-01796-FLL	29/01/2019 16:46	Adobe Acrobat D...
	10-PKC Notified Neighbour map 18-0179...	24/01/2019 18:16	Adobe Acrobat D...
	11-PKC List of Neighbours Notified 18-01...	29/01/2019 16:48	Adobe Acrobat D...

3- 17-01917-FLL DOCUMENTS

 consultees	14/02/2019 08:00	File folder
 1- Statement Design Statement	29/01/2019 17:16	Adobe Acrobat D...
 2- Statement Planning Support	29/01/2019 17:16	Adobe Acrobat D...
 3-Business Plan 2017	31/01/2019 18:10	Adobe Acrobat D...
 4- Drawing 3D Illustration	29/01/2019 17:16	Adobe Acrobat D...
 5- Drawing Existing site plan	29/01/2019 17:16	Adobe Acrobat D...
 6- Drawing Proposed site plan	29/01/2019 17:16	Adobe Acrobat D...
 7- Drawing Shed and Polytunnel	29/01/2019 17:16	Adobe Acrobat D...
 8- Drawing House	29/01/2019 17:16	Adobe Acrobat D...
 9- Drawing Deer Fence	29/01/2019 17:16	Adobe Acrobat D...
 9-Drawing Garage Store	29/01/2019 17:16	Adobe Acrobat D...
 10- Drawing Location plan	29/01/2019 17:16	Adobe Acrobat D...
 11- Drawing location Map	29/01/2019 17:16	Adobe Acrobat D...
 12- PKC Decision Notice	29/01/2019 17:56	Adobe Acrobat D...
 13-PKC Delegated Report	29/01/2019 17:58	Adobe Acrobat D...
 14- Document Neighbour Notification List	29/01/2019 17:50	Adobe Acrobat D...
 15- Document Neighbour Comments	29/01/2019 18:15	Adobe Acrobat D...
 16- Orchard Report	29/01/2019 17:55	Adobe Acrobat D...

4- PRE PLANNING APPLICATION RESPONSE

 Pre Application Response 17-00396PREA...	02/02/2019 12:45	Adobe Acrobat D...
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NOTICE OF REVIEW UNDER SECTION 43(8) OF THE
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

MIXED USE DEVELOPMENT COMPRISING ERECTION OF
CIDER/JUICE PRODUCTION BUILDING WITH PICK YOUR
OWN FACILITY AND FARM SHOP, SITING OF AN
ACCOMODATION UNIT (FOR A TEMPORARY PERIOD)
ERECTION OF A POLYTUNNEL AND FORMATION OF
VEHICULAR ACCESS, PARKING AND ASSOCIATED WORKS.

APPLICATION REF: - 18/01796/FLL
DATE: 15 /02/2019



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1 Introduction

We are lodging this appeal under section 43(8) of the Town and Country Planning (Scotland) Act 1997 because we believe there is a misunderstanding in the status of our business, and the subjective areas of the planning regulations have been interpreted in an unjustifiably negative way.

We also do not believe appropriate recognition has been given to the material benefits this project has for the environment, economy or local community.

We have as part of this appeal submitted a number of updated documents to reflect the passage of time and provide responses to comments made within the Delegated Report. Should there be a requirement for further information or clarification we would welcome the opportunity to provide it. As this appeal is critical to our livelihood we also humbly request the review board members visit and walk through the orchard so that they can get a fuller appreciation of the project and see what we have been doing.

2 Background

A preliminary planning application was submitted on the 16th June 2017 with a generally supportive response received 7 ½ weeks later on the 8th of August. (17/00396 Preap)

Taking the guidance on-board, planning application 17/01917/FLL was validated on the 17th of November 2017 with a target determination date of the 16th of January.

The Decision Notice, issued on the 21st of February, was disappointing because it was a refusal and because it contained a number of questions that would have been answered if we had been given the opportunity to do so e.g. ‘the author of the labour justification report is unknown’.

Following replacement of the permanent accommodation with temporary accommodation, removal of the garage, additional landscape planting of hedges and erection of a deer fence planning application 18/01796/FLL was validated on the 8th of October with a target date for determination of the 2nd of December.

The refusal notice, which we are now appealing, was issued 2 ½ weeks early on the 15th of November.

3 Response to the Delegated Report

This section contains responses to questions and statements in the delegated report that are either:

- Misinterpretations,
- Questions that would have been answered if the planner had engaged with us, or our agents
- Statements that could potentially generate a negative perception of the project if left unanswered.

Pg 2, another 200 apple trees will be planted this season to clarify what was stated in the planning application was that an additional 200 apple trees would be planted if a positive determination of this application was received, as the decision was negative we have delayed purchasing the additional 200 trees.

Pg 3, the polytunnel will have its frame cemented into the ground.

Pg 3, No details of the proposed surface of the area between the new access, and the new parking area the surface will be gravelled as per the new access road surface.

Pg 3, farm shop/pick your own elements, no specific building or area has been identified I confirm the planner is correct in stating that the activities would be spread between the main building, the polytunnel and other temporary structures.

Pg 4, Site History, we did not lodge an appeal on the previous planning application (17/01917/FLL) as we believed the best course of action was to demonstrate our willingness to work with the planning department by proposing the use of temporary accommodation removing the garage and increasing the amount of landscaping.

Pg 12, in absence of any evidence of actual returns, output or even audited accounts
If this information had been requested it would have been provided. We have therefore attached certified accounts showing that we have invested £29k up to October 2018.

Pg 14, an apple harvest was delivered this autumn but details of this are vague.

As the business plan onerously assumed there would be no harvest in the first year we did not see the need to submit harvest details for last year. For the record 340 kgs of apples was juiced last year, 50kgs of which came from the orchard. (More could have been produced but it is better for plant health and long term yields to take a restricted initial crop).

Pg 14, there remains some gaps in the business plan - such as the need to import stock within the first few years, and / or during barren seasons.

We have used experts advice to reduce the possibility of 'barren seasons' (see Business Plan -risk mitigation Pgs. 9-10) and responded to this unlikely scenario raised in Delegated Report 17/01917/FLL by engaging in discussions with a Scottish and English orchard to potentially source apples. While we do not want to import apples, if it was imperative, we

could purchase apples from two English orchard / cider producers (where I worked last year) at a price that is not as attractive as growing your own but would maintain the business.

While not ideal for cider quality but beneficial in terms of reducing food waste we could also follow other successful Scottish cider producers (some of which have no apple trees) and collect apples from local gardens or offer cider in exchange for apples.

I would also like to take this opportunity to mention that the lavender and cut flower aspects of the business provide independent revenue streams and that the Business plan takes no account of grant funding that may become available following planning approval.

Pg 17, In the event of any approval being considered, further information relating to the following is required to be submitted and assessed.

- Details of the proposed processes, to include washing/processing of apples, production of apple juice, production of cider, the blending of cider and packaging and storage of products.
 - (*See HACCP sheets*)
- Details of the machinery/equipment to be used in the process
 - (*Speidel mill, hydro or hydraulic press,*)
- Details of the bottling process i.e. will it be hand bottled or an automated system
 - (*hand*)
- Hours of operation
 - (*subject to seasons but no milling of apples will be carried out when dark*)
- Details of any mechanical ventilation or chilled storage
 - (*not applicable*)
- Details of the layout of the production building (where produce will be cleaned, plant and equipment etc.
 - (*see attached drawing*)
- Production capacity for cider and juice
 - (*in year five we estimate 6,650 litres of juice being produced [3,325 litres cider-3,325 litres juice]*)
 - (*in year ten 22,575 litres of juice will be produced*)
- Details of livestock and their accommodation
 - (*a maximum of 30 chickens housed in moveable coupes*)

I am registered with environmental health for the cider being produced at our home in Aberfeldy and anticipate working with the environmental health officer following planning approval.

Pg 18, A Transport Statement / Assessment has not been submitted by the applicant in support of the planning application.

A transport statement/assessment was not submitted as the Roads Officer had no objections to the proposal. We have however attached a copy of correspondence between me and the roads officer regarding traffic volume.

4 **Response to the Decision Notice**

The following gives detailed responses to the reasons for refusal in the Decision Notice.

1a - The proposed development is to be set within open farmland which does not have a satisfactory landscape which would not offer suitable landscape containment for the development proposed.

- The proposed development is not set within open farmland; it is set in an orchard consisting of over 200 apple trees, 3400 double row native hedging plants, 1000 double row beech hedges and a perimeter deer fence.
- The cider shed and temporary accommodation will be partially recessed into a banking which gives an immediate backdrop that is specifically stated as being a suitable landscape feature within the Housing in the Countryside Guide 2012.

1b - The proposed business plan/model has not demonstrated comprehensively that there is a site specific resource or opportunity directly linked to what is proposed

- Renowned apple expert, John Hancox, is confident that the Lass O' Gowrie apple variety originally came from where our orchard now sits. This is a truly unique site specific opportunity which we have acted upon by planting 50 Lass O' Gowrie apple trees and trademarked Lass O' Gowrie Cider. (See registered trademark attachment). The potential marketing opportunities this heritage aspect gives us is exciting and has already been demonstrated by the willingness of journalists to provide free publicity (see The Herald article *Why Apple Day is Proving Fruitful* which features the Lass O' Gowrie Apple and Gowrie Farm).
- It is also rare to find a 10 acre parcel of land in Perthshire that is available to buy at a sensible price and very few of those (if there are any) will have south facing good draining soil, but none will have 200 apple trees growing on it which means the site does provide a site specific resource.



2 - The development is contrary to policy PMIA which requires new developments to contribute positively, to the quality of the surrounding built and natural environment.

- I will restrict my comments regarding the improvement in the natural environment to state that conversion of a grass field which had been grazing sheep for 10 years to an orchard with hundreds of fruit trees, thousands of native hedges, a wild flower meadow and borders cannot be seen as anything other than an environmental improvement.
- If the quality of the surrounding built environment relates to the quality of materials and design proposed I am sure the design statement submitted at the time of the application adequately deals with this (if it does not I would be pleased to know why).
- If the quality issue relates to local buildings I suggest that the proposed buildings with their aesthetically pleasing features of using natural wood and plant screening are perfectly suited to an orchard and fully in keeping with the character and amenity of a rural setting.
- It is also my understanding that the planning application deals with high level design and there would still be an opportunity via the building warrant system to fine tune any specific features that may be an area of concern.

3 - There is not either a consented or established economic activity on the site and there is not an identifiable site surrounding the proposed temporary residential unit.

- As previously stated the planting and recessing of the buildings into the banking creates an identifiable site.

- The site was purchased on the 7th of April 2017.
- With economic activity being defined as being when we physically started to work the land we have been economically active since August 2017 i.e. for 18 months. Up to October 2018 we have invested £29k (please see attached certified accounts).
- This investment has enabled us to produce 600 litres of maturing cider which we will be selling in summer 2019.
- To show our commitment and remove any doubt as to the establishment of the business we have requested permission for temporary accommodation for a 3-year period. This would unequivocally demonstrate that the business is established and after which would allow the Council to consider an extension of time for its occupation, or grant permission for a permanent house.

4 - The proposed siting of the residential accommodation, by virtue of its isolated location, fails to accord with sections of Policy RD3

- The temporary accommodation is part of a group of buildings and cannot by definition be isolated. It should be noted that the buildings are described as constituting a group elsewhere in the Delegated Report. See 'grouping' on page 3, 5th line down and 'proposed new group' in the last paragraph of page 15.

In order for the appeal panel to have a fuller understanding and to demonstrate our reasoning in selecting the buildings location the following alternatives were considered:

- At the top of the field next to existing houses,- this was deemed not ideal as it would block neighbours views
- On the steep banking next to the existing houses, -this is impractical due to the difficulties in building on such a steep site.
- Next to the existing south facing houses,- this was rejected due to it being next to a sewage treatment facility and requiring construction on-top of soak away pipes.

The proposed position was selected as it has the following advantages:

- it has a steep banking as a backdrop,
- it is primarily on a flat surface,
- it creates an L shaped courtyard grouping
- the majority of the access track will not be seen from the road,
- it is within the deer fence boundary which benefits security,
- it allows one larger bush style orchard to be planted instead of two smaller ones

5 - It has not been fully demonstrated that the proposal would not adversely impact on neighbouring noise sensitive receptors... and is potentially contrary to Policy EP8

- It would have been advantageous to have been offered the opportunity to make comment on this prior to it being stated as a reason for rejection.
- The washing and pressing of the apples (by hydro or hydraulic-press) generates very little noise as will hand filling and capping of bottles. The only step in the process that could *potentially* generate a loud noise (certainly no louder than a ride on lawnmower) is that of milling the apples
- Milling is required for a few days per year and will be done inside the cider shed so any noise generated would be barely audible outside the shed and definitely not capable of adversely affect neighbouring noise sensitive receptors.
- If there is still concern regarding noise levels we are happy to confirm that an environmental health officer is more than welcome to be in attendance when we are next milling apples and confirm that should it be required appropriate mitigation action would be taken.

4 Project Benefits

The following highlights the many benefits this project could bring to the local economy, environment and community:

Community benefits

- Local schools will be offered the opportunity to have educational field trips to the orchard.
- Following on from the successful Tay Landscape Partnership programme the Cider Shed and Orchard will be made available as a free facility for experts wishing to run Orchard skill courses.

Increased biodiversity

- The existing grass and wire fenced field had been grazed for many years and consequently did not possess a high degree of Bio diversity. The selection of native hedge plants, (Alder, Hawthorne, Blackthorn, Dog Rose, Holly and Field Maple), Fruit trees, Lavender, meadow flowers and cut flower plants will provide excellent habitat and food for numerous types of indigenous insects, butterflies, birds and small mammals.
- Beehives will be installed on the field to facilitate pollination and provide honey.
- As biodiversity returns owl boxes will be erected so that a natural balance can be achieved in as short a period of time as possible.

Increase in economic activity

- The remaining capital investment of £97k will predominantly be spent in Scotland with a significant percentage being spent within the local business community.
- The turnover of £43k in year three, £72k in year five and £194k in year ten will primarily be spent in the local community.

Increase in employment

- One full time employee throughout the year.
- One part time employee throughout the year to assist the full time employee.
- Two part time employees during harvesting and apple pressing time.
- By year ten there will be three full time and three part time employees.

Sustainable

- This is a business that is kind to the planet and by being able to work and live in the orchard will save 13,440 miles travelling to and from our current home which equates to 3 ½ tonnes of Co2, 320hrs and cost £2503 per year.
- By offering locally made produce we will be reducing food miles.
- Any horticulture ‘waste’ will be reused on the field e.g. apple pulp will be fed to the chickens or spread on the field.
- The site is well connected with a proposed cycle path, and bus stop next to the field so that visitors will have ample opportunity to leave their cars at home.

Quality of landscaping

- Contrary to the planning officers interpretation we believe the orchard, lavender, hedges and meadow flowers will provide a beautiful and changing landscape which will be enjoyed by locals, tourists and wildlife throughout the year.

Strategic Development

- The above benefits are fully aligned with the TAY Strategic Development Plan and therefore assists Perthshire meet its strategic aims i.e. *“By 2036 the TAYplan area will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs.”*

5 Proposed Planning Conditions

In the event that the review board members are minded to approve planning permission, it is our understanding that the following conditions have been requested by Consultees;

- Perth and Kinross Heritage trust

We wish to preserve Scotland's heritage and are therefore happy to comply with P.K.H.T.'s HE25 requirement. We agree that an archaeological evaluation at a proportion of 10% of an agreed area (include the road, car parking area, building footprints, soakaway/ drainage and any works that are deemed appropriate by PKHT) shall be undertaken in the first instance. The evaluation will inform a mitigation strategy, if required, to either preserve significant deposits within the development or for further archaeological works, to consist of the excavation, post-excavation analysis and publication of these deposits.

- Road transport planning

We undertake as per the road departments requirement that prior to the development being brought into use, the vehicular access shall be formed in accordance with Perth & Kinross Council's Road Development Guide Type C, Figure 5.7 access detail and that full visibility splays of 2.4m X 70.00m shall be provided to the left and right of the access measured between points 1.05m Land above the road level, insofar as the land is in the control of the applicant, and thereafter maintained.

- Water

Prior to the commencement of development, details of the final size of the soakaway drains shall be submitted to the Council for approval.

- Environmental

We hope we have provided sufficient information to enable the concerns of the environmental officer to be addressed, if however further details are required we are more than willing to meet and discuss what changes or additional information would be required.

- Infrastructure contribution

A Transport Infrastructure contribution of £1,639 has been agreed. This would be paid by S69 Agreement (payment up front).

We also undertake the following legal commitments:

- Temporary accommodation

In order for the council to have reassurance regarding the businesses longevity and our intentions we propose that 3 years from the completion date of the access road, cider shed, polytunnel and the temporary accommodation being installed on the orchard, we shall submit to the Council an updated Business Plan demonstrating the current business operations and forecast. Should the Council be satisfied with the details submitted, a permanent replacement of the proposed temporary accommodation solution shall be considered by the Council.



- Planting

We propose that we enter a Section 75 Agreement to assure the council that we will complete the proposed Orchard, Lavender, Flower, Meadow and Hedge screen planting and replace those that fail to establish themselves within a 3 year period.

6 Conclusion

We have tried to understand why the planning application was refused and perhaps it relates to setting an unwanted precedent but the unique connection between the site and the Lass O'Gowrie apple ensures a precedent is not being created.

We are also concerned that due to poor communication, (by both parties) and activities of developers who have tried to circumvent planning regulations by including a house in an application and then failing to complete other parts of the application have created a background which could detrimentally influence the review board's decision.

We are not property developers and from the very start have honestly stated our requirement is to make an income by working, and by necessity living on, the land.

- We have comprehensively answered the reasons given for refusal,
- We have modified our plans to accommodate planning requirements,
- We have followed the planning system to our financial detriment and suffered time delays,
- We have committed to stay in temporary accommodation to provide 100% assurance to the council that the businesses is established, and has a long term future,
- We have shown we are fully committed to the orchard and completed everything we said we would do,
- We have stated that should any tree/hedges die they will be replaced,
- We will stagger the build stages i.e. Following the archaeological / water soakaway work we shall complete the road access before erecting the cider shed and installing the temporary accommodation.
- We have demonstrated the planning application fully complies with the TAY Strategic Development Plan 2016 – 2036 and will add to the reputation of Perthshire being a food and drink area of excellence.

I trust the review board will use this appeal as an opportunity to reinforce the Governments Scheme of Delegation and Local Reviews 2013 which states that *'the planning system should operate in support of the Government's central purpose of creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth.*

Finally by approving our application the review board will also be agreeing with the local Community Council in seeing that the project is in the best interests of the community, the environment, and the economy.

7 Appendix

The following documents are submitted with the appeal:

- Business plan Oct 2017 and Jan 2019- due to the commercial nature of these documents they are not to be made available to the public
- Certified accounts- due to the commercial nature of this document it is not to be made available to the public
- Orchard layout drawings (existing and future)
- Cider shed layout drawing
- Photo of a similar newly erected shed
- HACCP and record sheets
- Trademark certificates
- Traffic volume e-mail
- Community Council Supporting Letter
- Planning Documents reference
 - 17/00396 Preap,
 - 17/01797/FLL,
 - 18/01796/FLL

Peter James Neill
Harvest Brae
Certified Management Accounts
Period ended 31st October 2018

Certified as a true copy



*MRS M DAVIE
Chartered Accountant*

FourM Accounting Services Limited
Stannergate House
41 Dundee Road West
Broughty Ferry
Dundee
DD5 1NB

Peter James Neill
Harvest Brae
Certified Management Accounts
Period ended 31 October 2018

Income & Expenses Account

	2018
	£
Income - sales	0
Expenses	
Accountancy fee	240
Professional fees	8,120
Council	2,467
Equipment	3,748
Misc	811
Direct costs	14,417
Total expenses	<u>29,803</u>
Loss	<u><u>-29,803</u></u>



Business Plan
February 2019

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Overview

Harvest Brae is a horticultural and craft business soon to be selling products from its Apple Orchard, Lavender garden and Cut Flower beds.

Background

Since the field was purchased in April 2017, 440 meters of deer fence and over 900 meters of windbreak/ landscape hedging have been planted and numerous pieces of horticultural and processing equipment have been bought e.g. Ride on Mower, strimmer, pasteuriser, juicer, hand labelling and bottle capping machine.

25 litres of apple juice, 600 litres of cider and numerous chutney and jam recipes have been trialled for taste and shelf life. Three trademarks have been registered for Lass O Gowrie Cider, Harvest Brae and Perthshire Lavender.

Harvestbrae.com domain name has been registered and the web page is to be published soon.

An appeal for planning approval to erect a cider shed, polytunnel and temporary accommodation is to be lodged before the 17th of February 2019.

Apple Orchard

Perthshire has been growing apples for over 800 years.

The Lass O’Gowrie apple (registered in the National Fruit Archive in 1883) reputedly originated on the Gowrie farm site.

There are over 200, two old apple trees on the site.

Lavender Farm

600 lavender plugs (comprising 6 recommended varieties) were purchased last year. A small number were planted on the field to establish their suitability (one variety struggled). The majority of the plugs were potted up and housed in a polytunnel to accelerate their growth and give them the best start once planted out.

Cut flowers

Several cut flower beds have been created ready for planting spring 2019

Business activities

The business has a number of complimentary activities

- Cider / Fruit Juice / Fruit production,
- Lavender production
- Cut flowers
- Pick your own facility

Cider / Juice Production

Scottish Cider is a viable business model as demonstrated by Thistly Cross who started selling via local farmers markets in 2008 and now sells to national supermarket chains and internationally.

Also Cairn O'Mohr Winery which began producing Cider in 2009 expanded its Cider production to over 25,000 litres in 2017.

Whilst working with a local farmers market stall holder we have been able to produce and sell over 200 bottles of apple juice which demonstrates a small proportion of the potential market for locally produced apple juice.

Lavender Production

While there are no lavender Farms in Perthshire, there are a number of successful lavender farms throughout Britain e.g. Dorset Lavender, Yorkshire Lavender (www.yorkshirelavender.com) and as reported in The Telegraph in 2016 'the number of UK Lavender farms more than doubled in the last eleven years'

While Lavender is still predominantly associated with the older generation, the new trend is to use the visual impact of the crop to create visitor attractions where the fragrant uses of lavender are marketed and supplemented with increasing wellbeing and culinary uses of different varieties of lavender.

Visitor attraction/Pick your own fruit

To promote sales, a combined orchard, lavender and wild flower border walk will be created to allow visitors the opportunity to enjoy a stroll through the orchard, take photographs and learn about apples, lavender, bees and other insects from notices along the walk.

In addition to the visual impact of the lavender, apple trees and wild flower borders a rare breed collection of chickens (up to 30 chickens) will be available for visitors to look at and purchase free range eggs from.

Car parking will be provided on a gravelled courtyard (see layout drawing on page 14).

The facility to provide juicing and bottling of customers freshly picked fruit gives an added experience to the customer and an additional revenue stream for the business.

The adjacent quarry potentially being converted to a holiday park with 300 Chalets would also add to the potential for direct selling to tourists and locals.

Products for sale

1. Pick your own Apples, berries and cut flowers- During apple harvest time individual trees or rows of trees will be available for customers to pick from. Whilst cut flowers will be marketed to local florists the fact that florists predominantly require flowers just as they are about to open and the public want flowers that are already open allows us to offer a pick your own option on flowers that may not otherwise have sold.
2. Lass O Gowrie Cider– Cider with a significant Lass O Gowrie Apple content
3. Fruit Juices- apple and a blend of apple and berry juices (blackberries, strawberries and raspberries)
4. Dried fragrance sachets, lotions, soaps, culinary lavender, lavender oil, bunches of fresh and dried flowers.
5. Jams and Chutneys produced using the Orchards fruit and culinary lavender
6. Free range eggs

Orchard production

A bush style orchard is to be planted in winter 2019/20 which will add to the existing 200 apple tree orchard and conservatively produce 10 tonnes of apples in year 5. Longer term the lower field will be planted with another 550 trees, which will provide an additional 25 tonnes giving a conservative yield of 35 tonnes in year ten (see Bill Bradshaw's *Cider Enthusiasts Manual* ISBN 9781785211270).

Lavender production

Following a successful trial of six hundred lavender plug plants (spread over six varieties), a further 1500 plug plants of the three best performing varieties will be purchased this summer. By year ten (following propagation and expansion into the lower field) 24,000 plants will be growing.

Marketing / Selling

Marketing will be an important aspect to the company's success, and will in the first instance concentrate on educating the public regarding Perthshire's apple heritage and generating consumer interest in Perthshire lavender.

A digital marketing campaign will be actively pursued via a web page and blog detailing the progression of the orchard, lavender and cut flowers from inception to production as well as promoting pick-your-own apple/ cut flower days

All marketing activities shall emphasis quality and local heritage.

Once produce is available, advertisements will be placed on Heartland radio and in local publications e.g. The Quair magazines, Pitlochry life, Perth Advertiser.

We shall follow other successful craft businesses and attend local farmers markets. Occasional large one off events e.g. Atholl Highland Games/Blair Horse Trials may be attended.

Select outlets (florists, local drink emporiums, delicatessens & restaurants) will be approached to stock products.

It is hoped that by continuing to be involved in apple events e.g. Holyrood Apple Day, as well as the uniqueness of being a Perthshire lavender producer local Radio, TV and Newspapers will provide some feature articles.

Benefits for local people and businesses

Employment

A 48 week year at 40hrs per week equates to 1920 working hours per year. From a review of the workload (see pages 15 and 16 and 17), it is shown there is a requirement for 2910 hours to be worked on year three (3395 hrs in year five and 7623hrs in year ten). If all activities could be organised so that the workload was stable and sequential throughout the year there would be a requirement for one and a half people to carry out all the activities.

Whilst plant types and varieties have been selected with workload levelling in mind some tasks must be done concurrently e.g. Apple harvest and juicing. This means that another part time employee will be required to meet peak demand for three months of the year.

The business shall therefore employ in year three:

- One full time employee throughout the year
- One part time employee throughout the year to assist the full time employee
- Two part time employees during harvesting and apple pressing time
- By year ten three full time and three part time employees will be required

Increase in local business activity

- The turnover of £43k in year three (£72k in year five, £194k in year ten) will primarily be spent in the local community.
- In addition to the £29k already invested an additional £97k, (see page 18) will be used to complete the business setup. This investment will predominantly be spent in Scotland with a significant percentage being spent within the local economy.

SWOT (strengths, weaknesses, opportunities, threats)

Strengths

- Marketing of local heritage. I.e. the hundreds of years of apple growing history in Perthshire and the *Lass O' Gowrie* apple variety
- Being the first commercial lavender garden in Perthshire and second in Scotland is good for generating publicity
- Extensive research on plant selection and orchard planning
- South facing slope with good well drained soil,
- *Lass O Gowrie Cider* has been trademark registered
- *Perthshire Lavender* has been trademark registered
- *Harvest Brae* has been trademark registered

Weaknesses

Poor initial cash flow

- This business will be personally financed with no bank loans or mortgages
- From initial planting to first sizeable harvest will be 3 years. The business will therefore have minimal income for the first 3 - 4 years. The Cash flow analysis demonstrates that the remaining investment of £97k is sufficient for all capital costs in setting up the business, i.e. purchasing plants, erecting the Cider Shed and purchasing production equipment.
- The first three years running costs will be £15k per annum (see pg. 22) and is accounted for using existing personal reserves.

- LEADER and Food Processing Grants. The business has taken a pessimistic stance and assumed no grant funding will be received therefore any monies received will automatically benefit the businesses cash flow.
- One of the benefits of living on the field is that it will allow us to sell our Aberfeldy home (£180k), build a smaller home (£135) and release £45k for any contingencies.

Seasonal Non-productive periods

- Due to the seasonal nature of agriculture there is a three month period when full time employment in fruit / lavender/ flower production or cider/juice making activities will not be possible (Jan, Feb, March). The following activities will therefore be carried out in Jan, Feb and March to ensure the business is focused and prepared for the coming year(s)
 - Racking, monitoring cider progress, bottling
 - Producing Dried lavender products
 - Marketing to retail outlets
 - Maintenance of buildings, and equipment
 - Business development strategy and administration tasks –accounts, legislation, training
 - Holiday

Lack of experience

- Last year I worked at a Herefordshire craft cider business for over two months. During this time I gained valuable experience and learned a great deal about the picking, washing, mashing, juicing, blending , bottling, hygiene, testing and fermenting aspects of cider making.
- Two local horticulturists provide ongoing support.
- I have successful business experience. I was a business partner in a hairdressing saloon and more recently as a self-employed Engineer.
- My partner grew up on a smallholding and therefore has extensive experience in smallholding activities and has access to parental guidance / assistance if required.
- My partner has worked in food processing for 10 years and retail businesses for 6 years.
- Perth Tay Landscape Partnership workshops in Orchard Planning, Fruit Tree Pruning, Fruit Tree Pollination and Apple pests and disease courses have been completed.

Opportunities

Existing

- Based on market research and Thistly Crosses dramatic expansion from zero cider production in 2008 to being an exporter and supplier of supermarkets in 2015 there is room for additional local (and national) craft cider.
- There is existing demand for apples from Scottish cider producers.
- The public understand that Apple juice is a healthy alternative to soft drinks. (If there is a requirement to reduce the % of sugar in the fruit juice other beverage suppliers practice of adding carbonated water could be followed)
- There are no other Lavender Gardens in Perthshire.
- The location between an expanding Perth and Stanley as well as the creation of a holiday park next door greatly increases the potential customer base and therefore business opportunity.

Mid-term (5-10 years)

- Increase plant numbers by propagating lavender, cut flowers and apple trees into the lower section of the orchard. This would enable apple tonnage to increase from 10 tonne to 35 tonnes, lavender from 2,250 plants to 24,000 and revenue from cut flowers from £7,500 to £15,000.

- Explore the possibility of cooperation between complimentary local enterprises e.g. honey producers, ice cream makers, bakers
- National distribution of Cider/ Fruit Juice
- Increased Business cooperation between Scottish Apple Producers re marketing and production facilities

Long term (10+ years)

- Diversify into the production of a high value apple Brandy
- Purchase another field so that additional quantities of goods can be produced

Threats

- A planning appeal rejection would be a very serious threat to the existence of the business.
- There has been a recent revival in the number of commercial orchards planted in Scotland see elginsorchard.co.uk, and craigies.co.uk. This could be seen as a threat but I believe that we are well below market saturation for good local apple juice/ cider and that as more businesses enter the market public interest and demand will grow.

Risk Mitigation

Disease

- A key factor in selecting the plants was there resistance to diseases
- Continuous monitoring and if required selection of suitable chemical treatments
- Different types and varieties of plants are to be grown

Pests

- Deer and rabbit fencing has been erected to prevent damage to the trees
- Each tree is also individually guarded against vole/rabbit damage

Weather

- Local horticulturists experience has been acted upon.
- Local varieties of fruit trees with proven ability to withstand climatic conditions or varieties that have demonstrated their ability to thrive in Scotland have been selected
- Growing trials have been used to establish what varieties of lavender are to be propagated
- Minimal water irrigation may be required in rare drought times
- Potential Wind damage will be reduced as native Alder trees and productive shrub plants e.g. Dog rose, blackcurrant, crab apple, hawthorn elderberry have been planted
- Water logged fields will not occur due to slope and existing drainage features
- Frost is not trapped on the field as it is south facing and sloped.

Theft

- A locked deer fence has increased the orchards security, however as the number of items required to work the land and process the harvest is increased so does its value. A permanent presence on the orchard would reduce the likelihood of such thefts.
- There have been incidents of young tea plants stolen within Perthshire. See the Courier and Advertiser of February the 7th 2017. It is also understood that the adjacent land is to be developed with the erection of 300 holiday chalets which potentially could increase the likelihood of theft.

Poor harvest

A poor harvest is something that we have taken all reasonable steps to ensure does not occur but as a contingency, we have looked into potential mitigating actions.

- Selecting different varieties of plants be it Lavender, Apples, Fruit and flowers reduces the overall risk of having a poor harvest
- Using different varieties of Lavender, Apples and Fruit reduces the risk of having a bad harvest from one crop.
- Correct pruning stabilises year on year Apple yield
- Leaf analysis will ensure the fruit trees are in optimum condition
- While we do not want to 'import' apples, if there is a necessity due to a bad season I have a good relationship with a number of orchard owners and cider producers in Herefordshire. These orchards are prepared to sell me apples or juice at a price that while not as attractive as growing your own would maintain the business.
- Obtain free apples from local estates and gardens. 150 litres of apple juice was produced last year from donated apples.
- If required the practise of other Scottish cider producers to offer a 'free' bottle of cider in exchange for apples or 25p per kilo could be followed.

Excessive workload at harvest time

- Harvest time will vary from year to year depending on the weather and variety of plant however generally speaking lavender in July, August, and Apples in late September, October November and early December
- Selected Apple trees are early, mid and late harvesters to best level out the workload during apple harvest time
- During apple picking time one full time worker and two part time workers will be employed
- Woofers/part time workers may be available
- The majority of trees will be on either semi standard or bush type root stock thereby preventing the need for ladders and quicken collection times
- The number of pick-your-own fruit days will be monitored to balance out workload
- Pasteurised fruit juice can be stored for up to two years
- Certain varieties of apple can be stored for 8 weeks prior to being processed without any appreciable degradation of quality.

Inability to sell produce

- A flexible approach has been adopted whereby fruit can be sold or converted to juice, cider, vinegar, or turned into apple jelly, chutneys
- While the types of lavender have been selected for specific uses e.g. fragrance or oil production there is a degree of overlap between each so if one product is unpopular the lavender can be used to supplement a more popular product (excluding culinary as this is variety specific)
- The provenance of the Lass o Gowrie will be a marketing advantage in the local area
- Local delicatessens have indicated they would be willing to stock juice, and preserves
- A Local off licence and public house have also expressed a desire to stock our cider
- We could sell apples to other Scottish cider producers for 25p per kilo however a number of recent orchard start-ups could affect that in the next few years (see threats)

Inability to attract visitors/customers

- An annual advertising budget of £2500 will produce magazine adverts and hand out literature
- By taking the best features of other lavender Farms i.e. nature walks, and adding in an apple orchard, cut flowers and wild flower meadow/ borders there is no reason to believe that visitors will not attend.
- Being unique in Scotland will increase the public's interest

Not profitable

- Costs- A comprehensive list of Set up and operational costs have been established via quotes from appropriate businesses and input from the Scottish Apple Producers group.
- Production volumes –
 - Production estimates have been conservatively taken from horticulturists and Bill Bradshaw (see Cider Enthusiasts manual ISBN 9781785211270)
 - Depending on the variety of lavender harvested 6 lavender plants will produce 15ml of essential oil, or 180 grams of culinary lavender or 18 dried flower bunches
- Sales Revenue for three, five and ten years are shown on pages 19, 20 & 21.
 - From reviewing other Scottish Craft Cider producers and Farmers Markets, the selling price for a 330ml bottle of craft cider or fruit juice is between £2.50 and £3.25. I have therefore used the middle price of £2.75. Year ten's price is reduced to £1.90 to reflect the seller's margin.
 - The Pick your own selling price is based on ASDA per kilo prices.
- Combining the lavender, Cut Flower and Orchard revenue streams shows:
 - Year three's turnover will be £43k with £33k costs resulting in a pre-tax profit of £9.6k (22%).
 - Year five's turnover will be £72k with £59k costs resulting in a pre-tax profit of £13k (23%)
 - Year ten's turnover will be £194k with £137k costs resulting in a pre-tax profit of £38k (28%)
- Additional processes e.g. pressing and bottling of customer pick your own fruit would generate additional revenue streams.
- Additional income will be generated from the sale of surplus eggs at £2.50 per dozen

Macro political/ economics/ Brexit

- Should fruit/ cider/ flower import tariffs be reduced following Brexit the potential negative impact of fruit oversupply from abroad would potentially reduce prices however a key marketing feature of Lass O'Gowrie Cider is its local heritage therefore any negative impact will be minimised.
- At this point exports are not a feature of Lass O Gowrie Cider however in 2017 Thistly Cross exported 22% of its produce abroad with 12 % going to America
- The possibility of reduced manpower supply following Brexit is somewhat mitigated by using the Pick-your-Own model

Temporary accommodation requirement

Temporary accommodation is required for sustainability, Security, Horticulture, Animal Welfare and Risk Management reasons.

Sustainability

A key feature of the business is that it is environmentally sustainable.

As our current home is 28 miles away from the orchard travelling to and from the orchard will consume 1,868 litres of fuel, produce 3 1/2 tonnes of CO₂, take 320hrs and cost £2,503 per year. This is economically and environmentally unjustifiable.

Security

Due to security concerns stated below the establishment of a permanent onsite presence is critical for the operation of the business.

- Some of the equipment that is to be stored in the Cider Shed has a high value, is easily moveable and highly saleable.
- The quantity of bottled cider stored in the shed will try to be minimised but it will present an attractive target for would be thieves.
- Due to the fermentation process large quantities of drinkable cider will be held in 1000 litre tanks within the Cider Shed.
- Cider may also be stored in old whisky and brandy casks to provide an alternative flavour.
- In the future Apple Brandy may be stored/ matured in the Cider Shed.
- Following the purchase of the land the owner of the field has been advised that the adjacent land (Gowrie quarry) is to be developed with the erection of 300 holiday chalets. Having that many tourists next door increases the likelihood of losing newly planted trees and excessive scrumping. Scrumping : 'stealing apples from someone else's tree or orchard'.
- Thefts of young tea plants reported in the Courier and Advertiser on February the 7th 2017 demonstrate the need for individuals to be on site to deter thieves.
- A single inquisitive person could unintentionally ruin 1000s of litres of cider or juice by e.g. removing a stopper and breaking its air tight seal.

Horticulture

- The ability to grow and propagate Lavender and certain flowers in a polytunnel makes them economically attractive crops. The seeds and cuttings will benefit if germinated and brought on for the first year within a polytunnel which makes continuous control of humidity, soil moisture and pest /diseases critical.
- Certain organic pest control measures e.g. removal of weevils are only effective if done at night.

Animal Welfare (including human)

- 30 rare breed chickens will need to be let out in the morning and locked up at night to prevent predation and allow eggs to be collected every day
- It should also be considered that if accommodation/ buildings are not permitted
 - There are no toilet facilities in the orchard
 - There are no washing or cooking facilities in the orchard
 - The only shelter from the weather is the van used to drive to and from the orchard

Risk Management

- The selling of the business owners' current house and construction of a new house on site shall release approximately £45k. This additional £45k is as demonstrated in the cash flow analysis not necessary for the running of the business but it is an essential part of the risk mitigation strategy for the business owners.

Summary

While Perthshire is rightly famous for its fruit growing heritage the specifics of this business are uniquely favourable because of a combination of advantages

- There is an expanding market for cider, particularly fruit flavoured varieties.
- It has a high heritage value as the field is located on what was part of Gowrie Farm and is where the Lass O'Gowrie apple variety originated.
- The business has obtained 'Lass O Gowrie Cider' as a trade mark (number UK00003188828) which will enable marketing to generate local interest.
- The business has obtained 'Perthshire Lavender' trade mark (number UK00003258575)
- The business has obtained 'Harvest Brae' trade mark (number UK00003247719)
- A 300 chalet holiday park proposal for Gowrie Quarry and ongoing Stanley development will bring a large number of potential pick-your-own as well as juice and cider customers
- The opportunity to exploit the steep slope sections with Lavender means all the land will actively contribute to the business
- The above advantages when properly utilised shall generate a turnover of £43k in year three with a pre-tax profit of £9.6k (a margin of 22%) which will grow in year five to produce a turnover of £72k with a pre-tax profit of £13k (a margin of 23%) In year ten the turnover is £194 with a cost base of £137 and profit after VAT and Cider tax of £38k (a margin of 28%)
- Future planting will improve the efficiency of production as the equipment will be available and the trees and lavender will be grown from existing stock therefore requiring minimum additional expenditure.

Workload Hours Year 3				
Apple Trees				Hours
Training (tying and shaping branches) 350 trees @ 15mins per tree				88
Thinning (removing excess flowers and apples) 350 trees @ 15mins per tree				88
Harvesting (300 trees due to pick your own) @ 25mins per tree				125
Winter pruning 350 trees @ 10 mins per tree				58
Cut Flowers				
Planting, = 90 hrs				90
Harvest =90 hrs				110
Processing =90 hrs				110
Juice and Cider making (Total juice 3,605 litres, split 50% cider 50% juice)				
Washing 5150 kg of fruit @200kg/hr				26
Chopping @200kg/hr				26
Pressing @ 100kg/hr				52
Bottle washing 10815 bottles@ 250/bottles hr				43
Filling @ 45l/ hr				80
Capping 10815 bottles at 10 per min				18
Labelling 10815 bottles at 10 per minute				18
Pasteurising juice 5407 bottles each load of 100 bottles takes 15 mins to load and 15 mins unload				27
Cider/ juice making i.e. checking/ testing / cleaning / racking /blending				120
Lavender processing				
Harvesting @2 mins per bush (1500 bushes)				50
Drying and tying 1350 fragrant bunches @2min each				45
Culinary 30g boxes 450 @5mins each				38
Oil 15ml bottles 75 @10mins each				13
Preserves				
Harvest 250kg various plants				32
Processing 750 jars				80
General maintenance				
Grass cutting @ 1 day per fortnight between May and Oct				104
Weeding @ 1 day per fortnight between April and January				160
Perimeter Hedge cutting 3 days per year				24
Equipment and buildings 2 days per month				192
Selling				
30 farmer market days				300
Pick your own over .August, Sept, Oct. Nov= 14 weeks. full coverage over weekends i.e. 28 days				224
Business				
Bookkeeping/ admin 2 days per month				192
Transportation and equipment set up times				
to account for transporting produce from field to processing area and setting up equipment + 15%				380
			Total hours work	2910

Workload Hours Year 5				
Apple trees				Hours
Training (tying and shaping branches) 350 trees @ 15mins per tree				88
Thinning (removing excess flowers and apples) 350 trees @ 20mins per tree				117
Harvesting (300 trees due to pick your own) @ 35mins per tree				175
Winter pruning 350 trees @ 10 mins per tree				58
Cut Flowers				
Planting, = 90 hrs				90
Harvest =90 hrs				110
Processing =90 hrs				110
Juice and Cider making (Total juice 8050 litres, split 50% cider 50% juice)				
Washing 9500 kg of fruit @200kg/hr				48
Chopping @200kg/hr				48
Pressing @ 100kg/hr				95
Bottle washing 19950 bottles@ 250/bottles hr				80
Filling @ 45l/ hr				148
Capping 19950 bottles at 10 per min				33
Labelling 19950 bottles at 10 per minute				33
Pasteurising juice 9975 bottles each load of 100 bottles takes 15 mins to load and 15 mins unload				50
Cider/ juice making i.e. checking/ testing / cleaning / racking /blending				160
Lavender processing				
Harvesting @2 mins per bush (2250 bushes)				75
Drying and tying 1500 fragrant bunches @2min each				50
Culinary 30g boxes 700 @5mins each				58
Oil 15ml bottles 75 @10mins each				19
Preserves				
Harvest 250kg various plants				32
Processing 750 jars				80
General maintenance				
Grass cutting @ 1 day per fortnight between May and Oct				104
Weeding @ 1 day per fortnight between April and January				160
Perimeter Hedge cutting 3 days per year				24
Equipment and buildings 2 days per month				192
Selling				
30 farmer market days (10hr days)				300
Pick your own over .August, Sept, Oct. Nov= 14 weeks. full coverage over weekends i.e. 28 days				224
Business				
Bookkeeping/ admin 2 days per month				192
Transportation and equipment set up times				
to account for transporting produce from field to processing area and setting up equipment + 15%				443
Total hours work				3395

<u>Workload Hours Year 10</u>				
Apple trees				Hours
Training (tying and shaping branches) 850 trees @ 20mins per tree				283
Thinning (removing excess flowers and apples) 850 trees @ 20mins per tree				283
Harvesting (850 trees due to pick your own) @ 40mins per tree				567
Winter pruning 850 trees @ 15 mins per tree				213
Cut Flowers				
Planting= 250 hrs				90
Harvest =250 hrs				110
Processing = 250hrs				110
Juice and Cider making (Total juice 19075 litres, split 50% cider 50% juice)				
Washing 33000 kg of fruit @200kg/hr				175
Chopping @200kg/hr				161
Pressing @ 100kg/hr				323
Bottle washing 67225 bottles@ 250/bottles hr				271
Filling @ 45l/ hr				502
Capping 67725 bottles at 10 per min				113
Labelling 67725 bottles at 10 per minute				113
Pasteurising juice 33862 bottles each load of 100 bottles takes 15 mins to load and 15 mins unload				169
Cider/ juice making i.e. checking/ testing / cleaning / racking /blending				400
Lavender processing				
Harvesting @2 mins per bush (9950 bushes)				332
Drying and tying 3000 fragrant bunches @2min each				100
Culinary 30g boxes 7950 @5mins each				663
Oil 15ml bottles 1000 @10mins each				167
Preserves				
harvest750kg various plants				90
processing 2250 jars				200
General maintenance				
Grass cutting @ 1 day per fortnight between May and Oct				104
Weeding @ 1 day per fortnight between April and January				160
Perimeter Hedge cutting 3 days per year				24
Equipment and buildings 2 days per month				192
Selling				
30 farmer market days (10hr days)				300
Pick your own over .August, Sept, Oct. Nov= 14 weeks. full coverage over weekends i.e. 28 days				224
Business				
Bookkeeping/ admin 2 days per month				192
Transportation and equipment set up times				
to account for transporting produce from field to processing area and setting up equipment + 15%				994
Total hours work				7623

Orchard costs 2019 (inc VAT)			Cost	from
plant costs				
m9 apple trees			£2,250	apple tree man
lavender			£1,875	fairweathers nursery
native hedges			£1,300	hedges direct
cut flower seeds bulbs			£1,000	
meadow flower seeds			£210	
tree protection				
bush tree support fence			£1,750	
weed suppressant membrane			£400	pro tec ebay
pegs for suppressant			£100	gardners dream ebay
fertilizers/ soil treatment			£50	
agricultural equipment				
tractor/quad bike			£2,000	ebay
grass cutting tool-mower			£250	ebay
spray equipment			£170	
orchard ladder			£270	vigo
picking buckets with harness			£124	sfequip.com
field trailer			£150	ebay
wooden 'potato' boxes			£250	ebay/ gum tree or make own
hand pallet truck			£202	pallettrucksuk.co.uk
polytunnel			£1,000	plastic cover and doors
cider equipment (Inc. VAT)				
washer			£200	cut down ibc
masher			£630	spiedel apple mill 91202
press			£4,685	Voran 100P2
food grade liquid pumps			£250	vigo press Rover Novax 1500lts/hr
food grade hoses clips etc			£250	
ibc containers			£825	DVC used
bottle washing			£930	vigo ltd 2 head with pump & tank
bottle drainer			£75	vigo ltd drainer tree
bottle filling			£1,113	s1 vigo press 4 head
bottle caps			£154	
pasteurising equipment			£1,000	in house design
labells			£413	b2b (on line company)
crates			£650	50 crates = 1000 bottles ebay
cleaning equipment , spray heads?			£250	
pressure washer			£450	karcher
Lavender Still				
Lavender still			£500	internet design
Barn (Inc VAT)				
Septic tank			£4,000	
electric			£2,000	
water			£1,500	including tap in field
cost of barn			£26,160	Robertsons
foundations			£2,256	"
erection			£6,480	"
planning			£1,764	"
SER Certificate			£1,020	"
concrete floor			£7,080	"
drainage survey			£1,000	
Architect (internals)			£3,000	
gas heater			£136	clarke devil
storage racks			£150	
storage racks			£1,033	3jcsales
lights			£500	
toilets			£150	wickies
sink / benches			£600	
oven			£1,500	
fridges			£700	
Temporary Accomodation				
Chalet			£5,000	
chicken pens				
chickens			£300	10 at £30 each
chicken coup			£500	moveable
Road access				
			£5,000	
Total			£97,555	

Total Income -- year three									
Apples	Produce	kgs	Allocated to pick ur own kgs	Income from pick ur own *	Allocated to preserves kgs	Income from preserves **	kgs remaining for juice	litres of juice / cider @70% juice extraction	Income from selling cider/ juice ***
Apples		5500	100	£189	250	£2,063	5150	3605	£29,741
	Income P-Y-O		£189	* apples @£1.89 per kg, Note prices are equivalent to ASDA					
	Income from preserves		£2,063	** preserves at £2.75 per 330 g jar					
	Income from juice- cider		£29,741	*** juice / cider at £2.75 per 330ml bottle					
	Apple income		£31,992.75						
Will need	50	pick your own customers taking 2kgs of fruit							
Will need to sell	10815	bottles of cider/juice							
Will need to sell	750	jars of preserves							
	Lavender income		£6,285						
	Cut Flower		£5,000						
	Total Income		£43,278						
	costs		£33,654						
	Profit		£9,624	22%					

Lavender Income -- year three										
Lavender Plant Variety	number of mature plants	number of 1 yr old plants sold	*income from plant sales	number of dried flowers/ fragrance sachets	**income from dried flowers/ fragrance sachets	number of 15ml essential oil bottles produced	***income from essential oil sales	number of culinary lavender 30g boxes	****income from culinary lavender	total lavender income
fragrance	500	50	£149.50	1350	£4,037					
oil	500	50	£149.50			75	£675			
cullinary	500	50	£149.50					450	£1,125	
	1500									
Totals		150	£449	1350	£4,037	75	£675	450	£1,125	£6,285
Total Income		£6,285	the above figures are based on a propogation rate of 7 per parent plant and not selling any mature plants untill year three							
production volumes are based on available 3 and 4 year old plants										
*plants sold at £2.99 each										
** dried flowers fragrance sachets sold at £3.00 each. (it takes one plant to produce three bunches of dried flowers or fragrance sachets. An estimated 1500 dried bunches/ sachets will be sold per year the remainder of the plants will be used to maintain the visual impact of the farm)										
*** essentail oil sold at £9.00 per 15ml.(It takes 6 plants to produce 15ml)										
****culinary lavender sold at £2.50 per 30g (it takes 1 plant to produce 30g of lavender)										

Total Income -- year 5									
Apples	Produce	kgs	Allocated to pick ur own kgs	Income from pick ur own *	Allocated to preserves kgs	Income from preserves **	kgs remaining for juice	litres of juice / cider @70% juice extraction	Income from selling cider/ juice ***
Apples		10000	250	£473	250	£2,063	9500	6650	£54,863
Income P-Y-O			£473	* apples @£1.89 per kg, Note prices are equivalent to ASDA					
Income from preserves			£2,063	** preserves at £2.75 per 330 g jar					
Income from juice- cider			£54,863	*** juice / cider at £2.75 per 330ml bottle					
Apple income			£57,397.50						
Will need	125	pick your own customers taking 2kgs of fruit							
Will need to sell	19950	bottles of cider/juice							
Will need to sell	750	jars of preserves							
Lavender income			£7,734						
Cut Flower			£7,500						
Total Income			£72,631						
Costs			£58,914						
Net Profit			£13,717	23%					

lavender income -- year 5										
Lavender Plant Variety	number of mature plants	number of 1 yr old plants sold	*income from plant sales	number of dried flowers/ fragrance sachets	**income from dried flowers/ fragrance sachets	number of 15ml essential oil bottles produced	***income from essential oil sales	number of culinary lavender 30g boxes produced	****income from culinary lavender	total lavender income
fragrance	750	50	£149.50	1500	£4,485					
oil	750	50	£149.50			117	£1,050			
cullinary	750	50	£149.50					700	£1,750	
	2250									
Totals		150	£449	1500	£4,485	117	£1,050	700	£1,750	£7,734
Total Income		£7,734	the above figures are based on a propagation rate of 7 per parent plant and not selling any mature plants untill year three							
production volumes are based on available 3 and 4 year old plants										
*plants sold at £2.99 each										
** dried flowers fragrance sachets sold at £3.00 each. (it takes one plant to produce three bunches of dried flowers or fragrance sachets. An estimated 1500 dried bunches/ sachets will be sold per year the remainder of the plants will be used to maintain the visual impact of the farm)										
*** essentail oil sold at £9.00 per 15ml.(It takes 6 plants to produce 15ml)										
****culinary lavender sold at £2.50 per 30g (it takes 1 plant to produce 30g of lavender)										

Selling via pick your own retail --year ten									
Apples	Produce	kgs	Allocated to pick ur own kgs	Income from pick ur own *	Allocated to preserves kgs	Income from preserves **	kgs remaining for juice	litres of juice / cider @70% juice extraction	Income from selling cider/ juice ***
Apples	35000		2000	£3,780	750	£6,188	32250	22575	£128,678
	Income P-Y-O		£3,780						* apples @£1.89 per kg, Note prices are equivalent to ASDA
	Income from preserves		£6,188						** preserves at £2.75 per 330 g jar
	Income from juice- cider		£128,678						*** juice / cider at £1.90 per 330ml bottle
	Apple income		£138,645						
Will need	1000	pick your own customers taking 2kgs of fruit							
Will need to sell	67725	bottles of cider/juice							
Will need to sell	2250	jars of preserves							
	Lavender income		£41,219						
	Cut Flower		£15,000						
	Total Income		£194,864						
	vat (15% on juice/ cider)		£19,302						
	Costs		£137,224						
	profit		£38,337						28%

Selling lavender plants and products -- year ten										
Lavender Plant Variety	number of mature plants	number of 1yr old plants sold	*income from plant sales	number of dried flowers/ fragrance sachets	**income from dried flowers/ fragrance sachets	number of 15ml essential oil bottles produced	***income from essential oil sales	number of culinary lavender 30g boxes produced	****income from culinary lavender	total lavender income
fragrance	8000	50	£149.50	3000	£8,970					
oil	8000	50	£149.50			1000	£11,925			
cullinary	8000	50	£149.50					7950	£19,875	
	24000									
Totals		150	£449	3000	£8,970	1000	£11,925	7950	£19,875	£41,219
Total Income		£41,219	the above figures are based on a propagation rate of 7 per parent plant and not selling any mature plants until year three							
production volumes are based on available 3 and 4 year old plants										
*plants sold at £2.99 each										
** dried flowers fragrance sachets sold at £3.00 each. (it takes one plant to produce three bunches of dried flowers or fragrance sachets. An estimated 1500 dried bunches/ sachets will be sold per year the remainder of the plants will be used to maintain the visual impact of the farm)										
*** essential oil sold at £9.00 per 15ml.(It takes 6 plants to produce 15ml)										
****culinary lavender sold at £2.50 per 30g (it takes 1 plant to produce 30g of lavender)										

Business Costs- No harvest			
<u>wages</u>		11,000	1 full time 1 part time
<u>Telephone</u>		100	
<u>Rates</u>		500	rates ,water sewage
<u>Taxes</u>		0	duty
<u>Fuel</u>		350	electricity,gas,diesel, petrol
<u>Orchard Maintenance</u>		900	sprays , fertilizers , foilage/ soil tests
<u>Maintenance Agricultural Equipment</u>		600	
<u>Maintenance Factory Equipment</u>		0	
<u>Packaging</u>		0	
<u>Professional Fees</u>		1,700	accountant, insurance, horticulture experts
<u>Marketing / Advertising</u>		450	internet, stationery
<u>Raw Materials</u>		0	
		£15,600.00 total running costs	

Business Costs- year 3 harvest					
wages					
full time			£9,000	1 full time	
part time			£4,000	2 part time	
Telephone				£400	
Internet					
web page			£400		
Rates				£3,000	estimate
building					
water					
sewage					
Taxes					
Alcohol Duty			£0	£40.38 per 100 litres at 7.5%abv	
				stay below 7000 litres to opt out of alcohol duty	
Fuel					
electricity			£800		
gas bottles			£500	if gas is used to bake / make preserves	
diesel/petrol			£150		
Orchard Maintenance					
fences			£100		
fertilizers			£300		
sprays			£400	if required trying to not use pesticides	
foilage/soil tests			£200	£20 per test	
Maintenance Agricultural Equipment					
Tractor/ Quad			£100		
Building			£100		
Van maintenance/mot			£1,000		
Van road tax			£250		
Van fuel			£1,900	10000 miles at 19p / mile	
Maintenance Factory Equipment					
press/masher/washer			£50		
kitchen oven etc			£50		
Packaging					
bottles			£2,001	vigo press 330 ml clear @18.5p per bottle	
lids/caps			£151	10815 caps at 1.4p each	
labels			£324	labels 100mm (w) x 80mm (h) 4 colours 3p each	
boxes			£300		
bags			£100		
crates			£130	£13 per crate	
bottles			£61	75 15ml bottles ampulla	
boxes			£135	450 small carton boxes for lavender	
labels			£26	lavender labels	
preserve jars			£210	the bottle people	
Labels preserves			£30		
Professional Fees					
accountant			£750		
horticulture experts			£750		
bank			£100	free for first two years	
Association subscriptions			£100		
Insurances			£500		
Marketing / Advertising					
flyers			£1,000		
magazines			£1,500		
signage			£700		
stationery			£250		
Farmer market fees			£1,500	£50 per market, (30 per year)	
Raw Materials					
yeasts- Nutriants			£30	If required	
cider testing chemicals			£20		
cleaning chemicals			£150		
vinegar			£10		
spices			£25		
sugar			£100		
			£33,654	total running costs	

Business Costs- year 5				
<u>wages</u>				
full time			£20,000	1 full time
part time			£12,000	2 part time
<u>Telephone</u>				
			£500	
<u>Internet</u>				
web page			£400	
<u>Rates</u>				
building			£3,000	estimate
water				
sewage				
<u>Taxes</u>				
Alcohol Duty			£0	£40.38 per 100 litres at 7.5%abv
				stay below 7000 litres of cider to opt out of alcohol duty
<u>Fuel</u>				
electricity			£1,200	
gas bottles			£700	if gas is used to bake / make preserves
diesel/petrol			£200	
<u>Orchard Maintenance</u>				
fences			£100	
fertilizers			£400	
sprays			£500	if required trying to not use pesticides
foilage/soil tests			£240	£20 per test
<u>Maintenance Agricultural Equipment</u>				
Tractor/ Quad			£100	
Building			£100	
Van maintenance/mot			£1,000	
Van road tax			£250	estimate ford transit
Van fuel			£1,900	10000 miles at 19p / mile
<u>Maintenance Factory Equipment</u>				
press/masher/washer			£50	
kitchen oven etc			£50	
<u>Packaging</u>				
bottles			£3,691	19950 ,330 ml clear @18.5p per bottle
lids/caps			£279	19950 caps (1.4p each)
labels			£599	labels 100mm (w) x 80mm (h) 4 colours 3p each
boxes			£900	
bags			£250	
crates			£1,300	£13 per crate
bottles			£95	117 15ml bottles ampulla
boxes			£140	700 small carton boxes for lavender
labels			£41	lavender labels
preserve jars			£210	the bottle people
Labels preserves			£30	
<u>Professional Fees</u>				
accountant			£750	
horticulture experts			£750	
bank			£1,000	
Association subscriptions			£100	
Insurances			£500	
<u>Marketing / Advertising</u>				
flyers			£1,000	
magazines			£1,500	
signage			£700	
stationery			£250	
Farmer market fees			£1,500	£50 per market 30 markets per year
<u>Raw Materials</u>				
yeasts- Nutriants			£90	If required
cider testing chemicals			£80	
cleaning chemicals			£300	
vinegar			£20	
spices			£50	
sugar			£100	
			£58,914 Total Running Costs	

Business Costs- year 10 . Selling to Markets and Delicatessens				
wages				
full time			£65,000	3 full time
part time			£12,000	3 part time
Telephone			£500	
Internet				
web page			£400	
Rates			£3,000	estimate
building				
water				
sewage				
Taxes				
Alcohol Duty			£4,558	£40.38 per 100 litres at 7.5%abv
				stay below 7000 litres of cider to opt out of alcohol duty
Fuel				
electricity			£2,000	
gas bottles			£1,400	if gas is used to bake / make preserves
diesel/petrol			£1,000	
Orchard Maintenance				
fences			£100	
fertilizers			£400	
sprays			£500	if required trying to not use pesticides
foilage/soil tests			£240	£20 per test
Maintenance Agricultural Equipment				
Tractor/ Quad			£100	
Building			£100	
Van maintenance/mot			£1,000	
Van road tax			£250	estimate ford transit
Van fuel			£3,800	20000 miles at 19p / mile
Maintenance Factory Equipment				
press/masher/washer			£50	
kitchen oven etc			£50	
Packaging				
bottles			£12,529	67725 ,330 ml clear @18.5p per bottle
lids/caps			£948	677255 caps (1.4p each)
labels			£2,032	labels 100mm (w) x 80mm (h) 4 colours 3p each
boxes			£2,000	
bags			£500	
crates			£2,600	£13 per crate
bottles			£810	1000 15ml bottles ampulla
boxes			£1,590	7950 small carton boxes for lavender
labels			£448	lavender labels
preserve jars			£630	the bottle people
Labels preserves			£90	
Professional Fees				
accountant			£750	
horticulture experts			£750	
bank			£1,000	
Association subscriptions			£100	
Insurances			£500	
Marketing / Advertising				
flyers			£2,000	
magazines			£3,000	
signage			£700	
stationery			£500	
Farmer market fees			£1,500	£50 per market 30 markets per year
Raw Materials				
yeasts- Nutriants			£3,000	If required
cider testing chemicals			£1,600	
cleaning chemicals			£500	
vinegar			£100	
spices			£100	
sugar			£500	
			£137,224 Total Running Costs	

Stanley and District Community Council

Perth and Kinross Council
Planning and Development Section
Pullar House,
35 Kinnoull Street,
Perth,
PH1 5GD

16/01/2019



Reference: 18/01796/FLL

Erection of cider/juice production building with pick your own facility and farm shop, siting of an accommodation unit (for a temporary period), erection of a polytunnel and formation of vehicular access, parking and associated works on land 100 Metres South Of 3 Gowrie Farm Stanley.

We wish to make further representation with reference to planning application 18/01796/FLL registered by the Council on 3rd October 2018 which was refused and will now be going to appeal.

After holding full and frank discussion at our community council meeting on the 8th January 2019 which included a presentation by Mr Neill, it was unanimously agreed to offer support to this application on the basis that:

- This type of business should be considered as being linked to a site specific resource (apple orchard) and would create badly needed job opportunities in the immediate area and it could be accommodated within the landscape capacity of the area concerned.
- We very much doubt that the creation of polytunnels and production buildings as explained by Mr Neill, sited within the landscape would contribute negatively to the area and environment.
- The establishment of this type of rural business would be welcome in the area and would in effect bring people to the area and help maintain other businesses in the area.
- With the number of housing being considered for Stanley as part of the Local Development Plan, what is proposed should be considered as part of maintaining the rural countryside, enhancing the area and it should be noted that the traditional Scottish Apple "Lass o Gowrie" is native to this area and is reputed to have been introduced on the old Gowrie Farm which was on the site of the present application. A number of trees of that variety have already been planted on the site.
- As to the question of noise it is difficult to believe that noise from this site would affect neighbouring residential housing and we are reassured that this would not become an issue.

Vice Chairman

Peter Mackie MBE



Treasurer

Nicholas Greshchuk



Secretary

Kirsty McKeown



Member

Ewan Stobbie

Member

David Ross of Ross

Stanley and District Community Council

In our previous letter we raised concerns regarding vehicle access and egress these concerns have now been resolved.

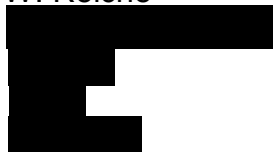
If you wish any further information please contact Stanley and District Community Council.

Yours Faithfully



Chairperson: W. Reiche

Address:



Telephone:

Mobile:

E- mail: stanleycommunitycouncil@hotmail.com

Vice Chairman

Peter Mackie MBE



Treasurer

Nicholas Greshchuk



Secretary

Kirsty McKeown



Member

Ewan Stobbie

Member

David Ross of Ross



The above shed is located opposite Dewar's Distillery in Aberfeldy and is 4 metres longer than the one in our application. It will have espalier fruit trees on its walls and other sympathetic planting to soften its edges.

Date.....

HARVEST BRAE HACCP - Craft Cider Making

Step 1

Harvesting and Washing

Hazard and Cause Contamination with orchard debris and rotten fruit

CONTROL MEASURE	CRITICAL LIMIT(Y/N)	MONITORING PROCEDURES	CORRECTIVE ACTION
Wash, and remove rotten fruit / debris	Is fruit of near edible quality?	Visual	Repeat washing / grading
a- Harvesting machines are not used. b- Fruit is 100% handpicked therefore selected for suitability at the beginning. c- Only fruit that is suitable for eating is selected for washing. d- Apples are re-examined before going into the first wash tank and throughout the washing process. e- When small batch transferring from the first wash tank into the second wash tank a water spray is applied over the apples. f- The water in the wash tanks are continually assessed for cleanliness and replaced at least twice a day. g- Wash tanks, transfer crates and buckets are cleaned at the end of each day h- Rejected fruit is collected in plastic buckets and disposed of at the end of the day.			

Step 2

Juice extraction

Hazard and Cause Contamination during milling and pressing

CONTROL MEASURE	CRITICAL LIMIT(Y/N)	MONITORING PROCEDURES	CORRECTIVE ACTION
Ensure cleanliness of equipment and containers		Visual	Repeat washing
a- At the beginning and end of the day processing equipment is examined to ensure it is in good condition e.g. no missing parts. b- Reputable manufacturers equipment is used e.g. VIGO and Speidel. c- Any piece of equipment that comes into direct contact with apples is washed at the beginning and end of each day e.g. scatterer, racks, cloths, scoops. d- Juice collecting/ fermenting containers are sterilised and rinsed in accordance with proprietary cleaning solutions and procedures. e- Juice / fermentation containers are food grade plastic. f- If pulp is not being processed immediately it is covered to ensure contamination does not occur. g- Plastic tables are used to provide suitable surfaces for putting things on.		Record sheet	

Step 3

Pre fermentation

Hazard and Cause Adverse microbial growth due to high PH value

CONTROL MEASURE	CRITICAL LIMIT(Y/N)	MONITORING PROCEDURES	CORRECTIVE ACTION
Blend apple varieties appropriately	pH < 4.2	pH paper or meter	Add malic acid or blend with more acidic fruit
a- Based on measured PH value add appropriate quantity of Campden tablets (maximum 100ppm of SO2).		Record sheet	

Step 4

Initial Fermentation

Hazard and Cause Inadequate amount of alcohol to destroy pathogens

CONTROL MEASURE	CRITICAL LIMIT(Y/N)	MONITORING PROCEDURES	CORRECTIVE ACTION
Ensure there is sufficient sugar content to ferment to ABV > 3%	ABV > 3% (i.e. original SG to exceed 1.030)	Hydrometer or refractometer	Add sugar prior to fermentation
a- Blend fruit types appropriately.		Record sheet	

Step 5

Fermentation and Storage

Hazard and Cause Containers inadequately sealed against external contamination e.g. *Acetobacter*

CONTROL MEASURE	CRITICAL LIMIT(Y/N)	MONITORING PROCEDURES	CORRECTIVE ACTION
Ensure containers are properly sealed or airlocks fitted	Presence / absence of film growth	Visual/ Smell	Rack into clean vessel and treat with SO ₂ up to max of 75 ppm
a- Monitor airlocks to ensure they 'bubble' and do not dry out b- Monitor SG and if required add nutrients. c- Record final SG and calculate alcohol volume.		Record sheet	

Step 6

Packing

Hazard and Cause Presence of foreign material

CONTROL MEASURE		CRITICAL LIMIT(Y/N)	MONITORING PROCEDURES	CORRECTIVE ACTION
Inspect. Wash and remove if necessary		Absence of foreign bodies	Visual	Repeat cleaning until satisfactory
a- Bottle filling equipment to be flushed with cleaning fluid and rinsed before use. b- Bottles to be washed and soaked in cleaning solution. c- Bottles to be flushed immediately prior to filling. d- Bottle caps to be soaked in cleaning solution prior to fitting onto bottles. e- Bottle filling equipment to be flushed with cleaning fluid and rinsed after use.			Record sheet	

- 1) This Hazard Analysis and Critical Control Point (HACCP) Plan was completed on 1 st November 2018.
- 2) The plan was completed by James Neill
- 3) The HACCP plan(s) covers 1) Biological contaminants 2) Chemical contaminants, and 3) Physical contaminants which may present food safety hazards during harvesting, washing, juice extraction, fermenting,(pre, initial, final), storage and bottling stages of craft cider making.
- 4) The Scope of this HACCP Plan covers the manufacture of Craft Cider Making

RECIPE DETAILS/INGREDIENTS LIST

100% apples
Campden tablets (Sulphite) - maximum of 200ppm used in complete process
Refined cane sugar if required
<u>Yeast nutrients ~(if required)</u>
<u>Cleaning fluid VWP or similar</u>

TRADE MARKS REGISTRY



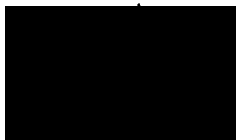
REGISTRATION CERTIFICATE

Trade Marks Act 1994 of

Great Britain and Northern Ireland

I certify that the mark shown below has been registered under No. UK00003247719 effective as of the date 02/08/2017 and has been entered in the register on 29/06/2018

Signed this day at my direction



Tim Moss
REGISTRAR

Representation of Mark
HARVEST BRAE

The mark has been registered in respect of:

Class 29:

Fruit preserves.

Class 31:

Fruit, fresh.

Class 32:

Fruit beverages and fruit juices.

Class 33:

Cider.

In the name of Peter James Neill

TRADE MARKS REGISTRY



REGISTRATION CERTIFICATE

Trade Mark Act 1994 of

Great Britain and Northern Ireland

I certify that the mark shown below has been registered under No. UK00003188828 effective as of the date 02/10/2016 and has been entered in the register on 30/12/2016

Signed this day at my direction



SEAN DENNEHEY
REGISTRAR

Representation of Mark
Lass O'Gowrie Cider

The mark has been registered in respect of:
Class 33:
Cider.

In the name of Peter James Neill

TRADE MARKS REGISTRY



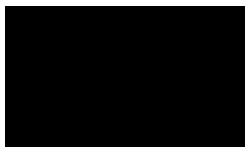
REGISTRATION CERTIFICATE

Trade Marks Act 1994 of

Great Britain and Northern Ireland

I certify that the mark shown below has been registered under No. UK00003258575 effective as of the date 22/09/2017 and has been entered in the register on 15/12/2017

Signed this day at my direction



Tim Moss
REGISTRAR

Representation of Mark
Perthshire Lavender

The mark has been registered in respect of:
Class 3:
Lavender oil.

In the name of Peter James Neill

Transport details

From: Tony Maric [REDACTED]
Sent: 28 August 2017 13:31
To: 'James'
Subject: RE: **road access** at stanley farm

Hi James,

I have now had a chance to assess your proposals and my initial comments would be as follows:

The proposed location for the new **access** from the B9099 would seem to be acceptable as the visibility is good.
I would probably be looking for a **Type C access** here if it is to service the orchard, cider shed and pick your own facility.
The traffic figures seem reasonable and I would also expect the peak period to be Saturdays and Sundays.
Allowing for a peak rate of 14 visits per hour, I am content that the local network would cope with this increase in traffic.
I will therefore not require a full Transport Statement, but, I would expect to see a supporting statement showing the traffic impact, together with details of the proposed new **access**.

Obviously these are only my initial comments and are in no way binding on the Council. A more thorough review would be carried out should you decide to submit a full planning application.

Regards

Tony

Tony Maric BSc (Hons) MSc PG Dip CMILT MCMT MTPS MInstTA
Transport Planning Officer
Transport Planning
The Environment Service
Pillar House
35 Kinnoull Street
PERTH
PH1 5GD
[REDACTED]

Web: www.gksc.gov.uk

From: James (mailto:[REDACTED])
Sent: 18 August 2017 13:09
To: Tony Maric
Subject: **road access** at stanley farm

Hello Tony,

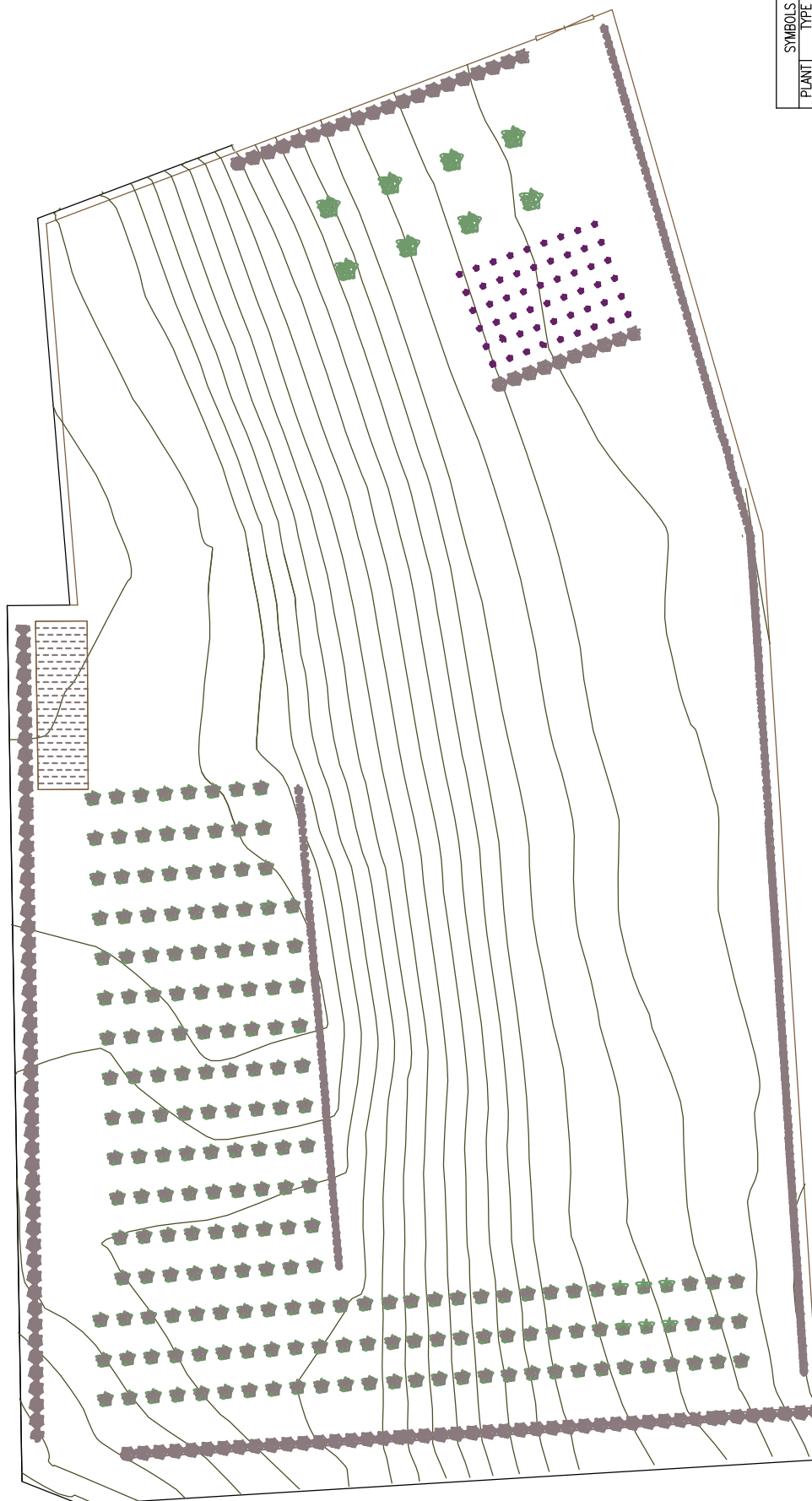
Thank you for the time and guidance given to me during our telephone conversation this morning.
I am planning to create an orchard on a field at Gowrie Farm (land Parcel Identifier NO/10218/31387) and have submitted a preplanning application 17/00396/PREAPP

As part of the Planning Officer's review of the preplanning application he recommended I contacted you to establish what level of information would be required with the planning application, and to confirm a full Transport Statement is not required.

As discussed I cannot see the house and cider shed generating more than two, two bed houses however there will be a pick-your-own facility which will generate more traffic.
When fully established I estimate there will be a maximum of 2000 car pick your own visits to the site per year. The majority of these visits will be over a 9 week harvest period August, Sept, Oct. (i.e. 222 visits per week)
During harvest time the pick-your-own facility will be open seven days per week.
I anticipate ten visits per day Monday to Friday which leaves a peak rate of 172 visits to be split between Saturday and Sunday i.e. 86 per day.
The pick-your-own facility will be open between 9am and 6pm however if we take the worst case and all visits occur between 10:00 and 16:00 it will give a peak rate of 14 visits per hour between ten and 4 o'clock on Saturdays and Sundays

I have attached a few google street views showing the existing **road** layout and hope the above is sufficient for your review. If it is not sufficient please advise what additional information you would require.
I look forward to hearing from you soon.

Thank you and
regards
James Neill



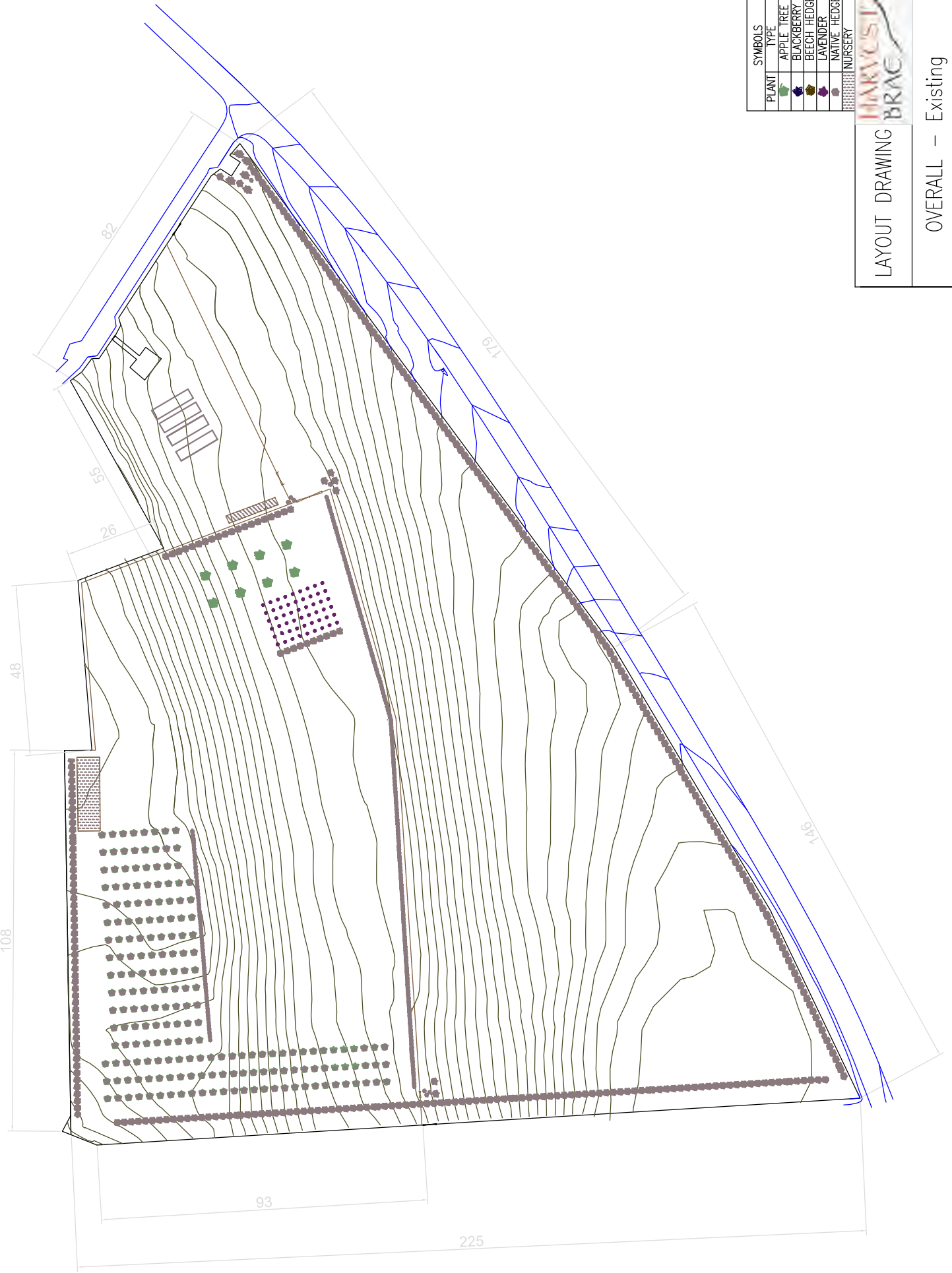
SYMBOLS	
PLANT	TYPE
	APPLE TREE
	BLACKBERRY
	BECH HEDGE
	LAVENDER
	NATIVE HEDGE
	NURSERY



LAYOUT DRAWING

ORCHARD – Existing

SCALE: NONE	SHEET 2 OF 3	DRAWING NUMBER
DATE: 05/02/19		HB101 REV. 0



LAYOUT DRAWING

OVERALL - Existing

SCALE: NONE	DRAWING NUMBER	HB101	REV. 0
DATE: 05/02/19	SHEET 1 OF 3		



SYMBOLS	
PLANT	TYPE
	APPLE TREE
	BLACKBERRY
	BEECH HEDGE
	FLOWER HEDGE
	LAVENDER
	NATIVE HEDGE
	GRAVEL TRACK
	NURSERY

LAYOUT DRAWING

ORCHARD – Future Year 1

SCALE: NONE

DATE: 05/02/19

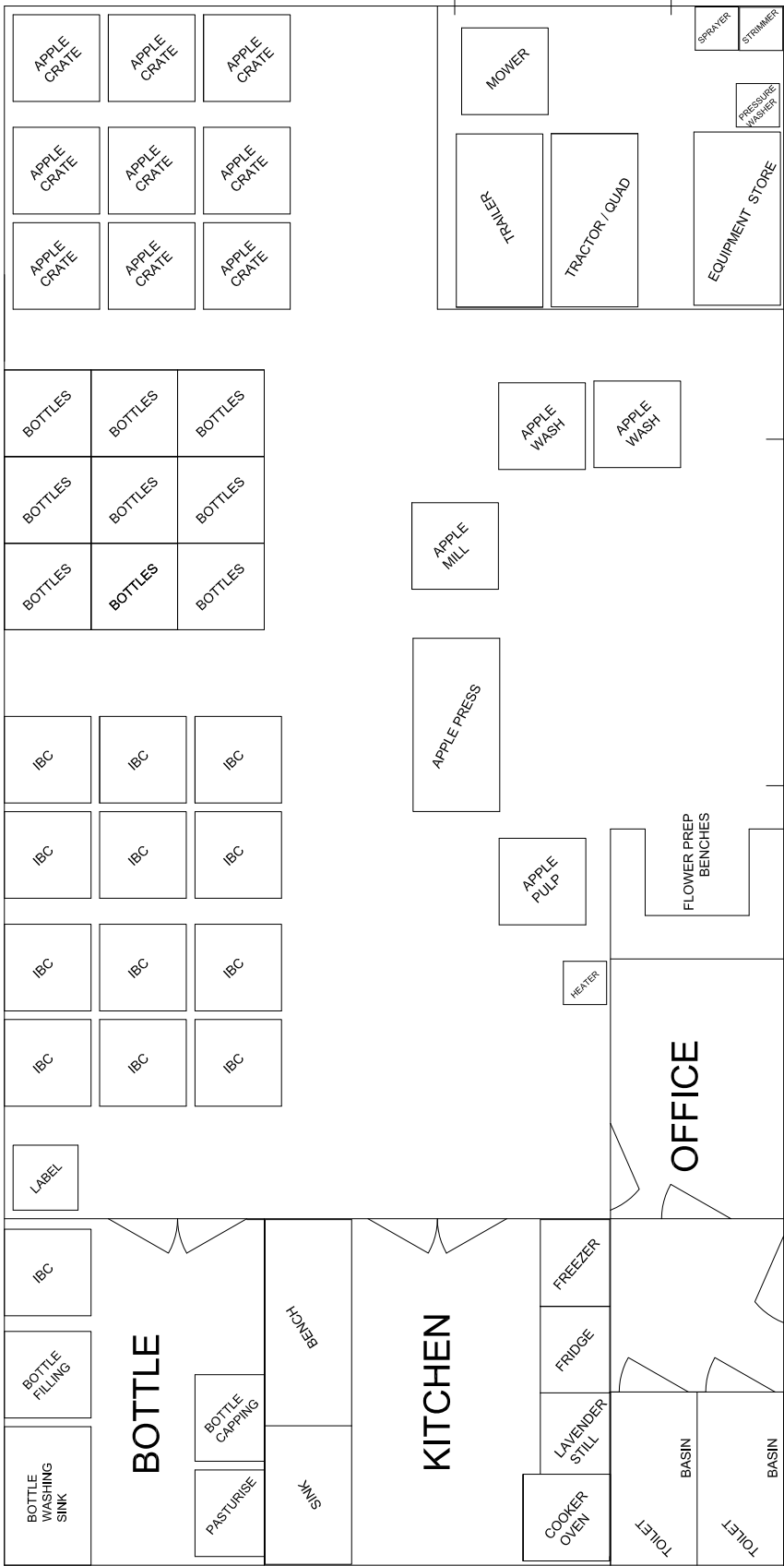
DRAWING NUMBER

SHEET 2 OF 5

HB 100


REV. 0





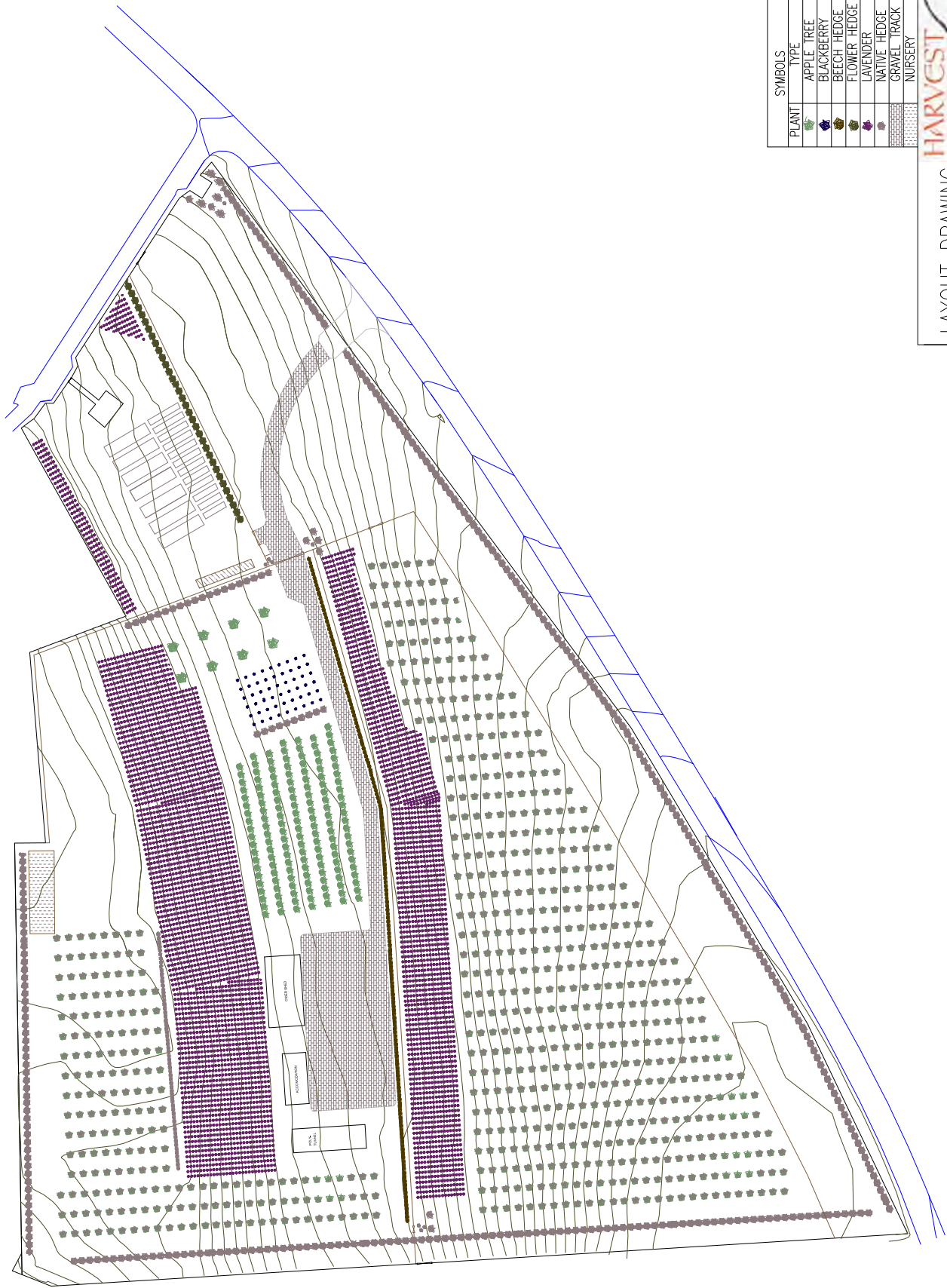


LAYOUT DRAWING

SYMBOLS	
PLANT	TYPE
	FLOWER HEDGE
	LAVENDER
	NATIVE HEDGE

CIDER SHED

SCALE: NONE	SHEET 4 OF 5	DRAWING NUMBER HB 100	REV. 0
DATE: 05/02/19			



SYMBOLS	
PLANT	TYPE
	APPLE TREE
	BLACKBERRY
	BEECH HEDGE
	FLOWER HEDGE
	LAVENDER
	NATIVE HEDGE
	GRAVEL TRACK
	NURSERY

LAYOUT DRAWING

HARVEST
BRAC

OVERALL – Future Year 10

SCALE: NONE	SHEET 5 OF 5	DRAWING NUMBER
DATE: 05/02/19	HB 100	REV. 0

Design Statement

Proposed Cider Shed, Orchard & Dwelling Harvest Brae, Stanley, Perthshire

Applicant: Mr J Neill

Planning Application Ref: -

Prepared: 29 October 2017

Revisions: Rev B – 24/9/18

studio | **EAST**
chartered architects

Prepared by:
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- 1.0 Introduction**
- 2.0 Business Development & Housing Requirement**
- 3.0 Design**
 - 3.1 Site & Topography**
 - 3.2 Access & Parking**
- 4.0 Executive Summary**
- Appendix A – Updated Business Plan (2018)**
- Appendix B – Community Benefits**

1.0 Introduction

This report has been prepared to support an application for construction of an agricultural shed, apple orchard, lavender farm including siting of a mobile home on land south of Gowrie Farm, Stanley to provide necessary accommodation for a new cider production business. Gowrie Farm which has been part developed in to a residential steading is located to the south of the village of Stanley.

The application site lies adjacent to an existing building group comprising of a courtyard steading complex of ten houses and an approved application site for 300 chalets and 20 touring caravan stances at Gowrie Quarry. The application site is approx. 37,928m².

Pre-application enquiries were submitted in June 2017. These sought a response on the proposed arrangement and location of the development and a positive response was received.

This application follows the refusal of application reference 17/01917/FLL. A key point of note is that this application does not include an application for a permanent dwelling, as previously requested.



Views of original site (prior to planting)

2.0 Business Development and Housing Requirement

The business as a whole functions with a variety of different activities under operation. This forms part of a diverse business with varying requirements. The general scope of activities extends to:

- Maintenance of apple orchard
- Maintenance of Lavender farm
- Fruit harvesting
- Lavender harvesting for oil, fragrance and culinary uses.
- Cider production
- General maintenance of productive hedgerows and planting

The maintenance of the orchard and lavender farm provides a full time role for the care and welfare of the plants / trees alongside the provision of on-site security for both trees, equipment and produce associated with the business.

This will be a unique facility within the area which will not only benefit the family but also the rural economy.

As part of this current application, the following points should be noted:

- The business will be producing approx. 1000 litres of cider within the 2018/19 season
- The application for a permanent dwelling has been replaced with an application for permission to install temporary accommodation.
- It is an understanding of this application that should the business fail within three years the accommodation, shed and poly tunnel will be removed.

The following comments are made to address the concerns of the planning officer regarding the site specific resource or opportunity

- There is a unique connection between the Heritage Lass O'Gowrie apple variety and the site of Gowrie Farm. Scottish apple expert John Hancox is confident to state that the Lass O'Gowrie apple originated on the site. This makes the site truly unique and gives the trademark Lass O'Gowrie Cider a specific marketing opportunity.
- While it could be argued that the site is similar to other sites in rural Perthshire i.e. south facing, good drainage with slightly acidic soil, the relative lack of availability for purchase of such a 10 acre site make it a rare opportunity
- Discussions with Scottish National Heritage has clarified that as shallow tree planting (approx. 300mm deep) is to take place on the previously identified archaeology site no archaeological investigations are required.

Should a positive planning decision be made by early autumn the following sequence of events are planned:

- A further 200 fruit trees will be planted this winter 2018,
- The new road access will be created spring 2019
- The Poly tunnel will be erected in spring 2019
- Shed construction shall commence in summer 2019
- Temporary accommodation installation late summer 2019



Established and productive planting

3.0 Design

Concept

The principal reason for siting of a mobile on the site is to provide functional accommodation required for the maintenance and security of the orchard and associated production plant/equipment.

Location

The agricultural shed and mobile home have been positioned on the site to avoid permeation of the skyline and is located adjacent to the proposed agricultural storage unit and polytunnel for security, ease of access and to maintain a close building group. The sloping site offers the opportunity to lessen the impact of any new buildings by setting them into the slope. This gives an overall low profile when viewed from the main road.

The development has been set away from the existing building group to avoid overshadowing whilst the planting of 850 new apple trees and lavender farm will screen the development when viewed from the B9099 and existing access road to the farm steading. When approached from the North, the development will be seen set within the slope of the site ensuring that the existing views to the south are maintained.



New Planting and Proposed Lavender Arrangement

In addition it is noted that there are services serving the existing steading buildings on the eastern corner of the site. There is a preference not to disrupt these and as such the building has been sited to avoid these costly or potentially disruptive works.

In summary, the placement of the development ensures it's seamless amalgamation on the site and associated building group.

Drainage & Services

Foul drainage will be serviced by a new septic tank with a clear water outflow to a soakaway. It is also intended that surface water drainage will be connected to a new soakaway. There is ample space within the site to accommodate these facilities. Design of this will be carried out in full detail by the project engineer, once engaged.

3.1 Site & Topography

The site extends to approx. 37,928m² and is owned by the applicant. The site is gently sloping from the North of the site towards the B9099 in the South.

The site itself is defined by distinct fenced boundaries as well as the B9099 road to the South and the adjacent steading development. The boundaries have been reinforced with the addition of specimen tree and hedgerow planting (which will support the business operations) which are into their second growth season and post & wire fencing to match existing.

The site boundaries create a definable site and respect the existing boundary lines of neighbouring properties.

These updated proposals include for temporary accommodation (of a lower height than the permanent dwelling previously sought) which is of a low profile design, avoiding any 'ridge line' development.



Boundary Treatments and Establishing Hedgerows

3.2 Access & Parking

The site will be accessed via a new gateway off the B9099 road. This will provide a means of access away from the existing building group to ensure the existing access road is not affected by the new traffic requirements to the orchard and lavender farm. This ensures the additional traffic requirements will not jeopardise road or pedestrian safety, either on the track or at its junction with the main carriageway.

Visibility splays extending to 215m, within the required guidelines, are achievable at the proposed new entrance.

This existing entrance area will be further defined by new post and wire fencing which will be continued around the site and used to further reinforce the boundaries and containment of the site.

The site includes for the provision of at least 15no parking spaces with a large courtyard for visitor, private and agricultural vehicle operations. There is a provision for all vehicles to be able to manoeuvre within the site and leave in a forward gear.

The car parking and manoeuvring areas will be generally finished in a gravel layer with a tarmac bell mouth formed to the new track.

4.0 Executive Summary

- This report has been prepared to support an application for construction of an agricultural shed, apple orchard and siting of a mobile home on land South of Gowrie Farm, Stanley to meet the business, security and maintenance requirements for cider production development.
- The proposed development, as a whole, will present the opportunity for a holistic sustainable lifestyle with living and working taking place on site and a limited dependence on the requirement for travel for both work needs.
- The site extends to approx. 37,928m² and is gently sloping from the North of the site to the adjacent road to the South.
- Pre-application enquiries were submitted in June 2017. These sought a response on selection of the proposed location of the development and a positive response was received.
- This site has been particularly identified as a specific location for growth and production of the Heritage Lass O'Gowrie apple variety.
- The business will be producing approx. 1000 litres of cider within the 2018/19 season
- A deliberate landscaping scheme is to be employed throughout the site. This will serve the sustainable lifestyle of the occupants, enhance the overall bio-diversity of the site and provide appropriate levels of screening and privacy for existing and proposed residents.

Appendix A - Updated Business Plan (2018)

Production

- Apples from the orchard and donations by local gardeners, and estates have enabled 600 litres of apple juice to be laid down
- 500 lavender plug plants have been purchased potted up and contracted out to overwinter in a nearby polytunnel.
- Cut flower growing area has been fenced off, ready to prepare ground for flower growing next year.
- Detailed discussions are ongoing with an English craft cider maker, to blend our local apples (and or juice) with English cider varieties to create a Harvest Brae bottled cider. This option is being explored until we have the facility to produce and store our own in reasonable quantities.
- We are in discussions with the owner of an orchard in the Scottish borders to obtain a supply of traditional cider apples. The discussions are aiming to formalise a supply of Scottish cider apples for a number of years which would enable Harvest Brae to be marketed as being 100% Scottish.
- 400 litres of cider apple juice has been purchased for blending with local apple juice.

Outlets

- Working with a local farmer's market stall holder we have been able to produce and sell over 200 bottles of apple juice. This demonstrates there is a business opportunity for such a product.
- Having approached a number of retailers and food service businesses most have expressed an interest (some very keen) in purchasing our produce, some have declined as they wish to remain with existing suppliers.

Marketing

- Harvest Brae trademark has been registered.
- Domain name and web site have been registered, the web page is currently being populated but it is not intended to be published until sufficient quantities of produce are available for sale.

Miscellaneous

- I work full time at Harvest Brae.
- Ongoing personnel development. I have gained invaluable experience, knowledge, friends and contacts by working at a Herefordshire award winning cider maker.
- I have also assisted other business owners at farmers markets including on occasions setting up and running their stall.

Future activities

- Transfer trees from the nursery area into the orchard.
- 500 Lavender plants will be planted on the upper slope spring 2019.
- Cut flower bulbs will be planted this autumn and flower growing will commence spring 2019.
- Harvest Brae cider will be bottled and sold.
- If a positive planning decision is received by late autumn the following sequence shall be followed:
 - A further 200 fruit trees will be purchased and planted this winter.
 - 400 rootstock plants will be purchased and planted.
 - More windbreak planting will be carried out
 - Creation of the new vehicular access during winter 2018 or subject to the weather spring 2019
 - Erect the polytunnel in late spring 2019
 - Erect the shed in summer 2019
 - Install the temporary accommodation before the end of summer 2019
 - Purchase chickens for egg production

It is hoped that the above sequence demonstrates our desire to minimise any perceived negative visual impact and our total commitment to the project.

Appendix B - Community Benefits

(Economic benefits of employment and business activity are detailed in the Business Plan)

Engagement

- Local primary schools will be offered the opportunity to have educational field trips to the orchard.
- Following on from the successful Tay landscape partnership programme the cider shed and orchard will be made available as a free facility for experts wishing to run Orchard skill courses.

Bio Diversity

- The existing grass and wire fenced field had been grazed with sheep for more than 10 years and consequently does not possess a high degree of Bio diversity. The selection of native hedge plants, (Alder, Hawthorne, Blackthorn, Dog Rose, Holly and Field Maple), Fruit trees, Lavender, meadow flowers and other plants will provide shelter and food for numerous types of indigenous insects, butterflies, birds and small mammals.
- Beehives will be installed on the field to facilitate pollination and provide honey.
- As biodiversity returns to the field owl boxes may be erected so that a natural balance can be achieved in as short a period of time as possible.

Landscape

- Since purchasing the field over 3000 native hedge plants have been planted along the quarry and road side of the field with an additional 1000 beech /hornbeam and 300 native hedges planted inside the deer fence.
- The orchard planting of over 850 Fruit trees, and lavender plants will provide a beautiful and changing view throughout the year.
- The use of different types of root stock and tree varieties shall provide different sizes and types of trees so that sharp edges of block plantations and skyline ridges will be avoided.
- Where appropriate wind breaks and demarcation of planting areas will be achieved by hedging and willow planting.
- The proposed buildings will be partially recessed into a steep banking which will act as a partial screen from Gowrie farm and reduce their visual impact from the B9099.
- The buildings will be timber clad and in addition to the screening provided by willow windbreaks, hedging, fruit trees and lavender plants they will have espalier trees grown on appropriate faces so that the buildings visual impact will be minimal.

Perth office

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The Planning Department
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Pullar House
35 Kinnoull Street
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PH1 5GD

Direct dial: 01738 783352
Email: john.wright@struttandparker.com
Our ref: JAW/AC

Dear Sir/Madam,

PERTH & KINROSS, STANLEY, LAND 100m SOUTH OF GOWRIE FARM, PH1 4PP (KNOWN BY THE APPLICANT AS "HARVEST BRAE").

"THE CREATION OF AN ORCHARD, ERECTION OF A FRUIT PROCESSING SHED (WITH ANCILLARY PICK YOUR OWN AND SALE OF PRODUCE), POLYTUNNEL, AND A TEMPORARY DWELLING, FORMATION OF ACCESS, PARKING AND OTHER ASSOCIATED WORKS".

UPDATED PLANNING SUPPORTING STATEMENT ON BEHALF OF THE APPLICANT.

This resubmitted Full Planning Application is pursuant to the refusal of a Full Planning Application on the 21st February 2018 (Ref: 17/01917/FLL) and is for the same character of development within 12 months of the refusal of permission, therefore no application fee is payable for this application (Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Regulations 2004, Regulations 7 & 8).

It follows the Refusal of Full Planning Application Ref: 17/01917/FLL registered by the Council on 17th November 2017 following a request for pre-application advice (submitted in June 2017) received August 2017.

The initial application was allocated to Mr Andy Baxter and we would request that for continuity sake, this application might be passed to Mr Baxter for processing given his familiarity with the site, the proposal and the issues, rather than a new Officer who will need to familiarise themselves with the proposal and the site.

We have attached our original Planning Supporting Statement which remains largely valid (with the exception of the change from a permanent house, to a temporary house).

Background

The application was validated on the 17th November 2017, following a pre-application request, and given a target date for determination of 17th January 2018. Despite the efforts of our client to engage with the Council following the close of consultation, no further information was requested prior to the application being determined.

On reading the Delegated Report, it is disappointing to note various references by the Planning Officer to areas where additional information could have been requested, and would have been provided, which may have assisted his consideration of the proposal. As these areas have been highlighted in the Delegated Report, we have addressed them in this statement, which we trust will assist in considering the revised proposal more fully.



Regulated by RICS

Decision Notice and Reasons for Refusal

The Council's Decision Notice, received on the 21st Feb 2018, sets out the Council's reasons for refusing permission and we have addressed each one in turn below;

Contrary to Policy ED3, (lack of landscape containment; not adequately demonstrated site-specific resource or opportunity).

Whilst we acknowledge that the site does not benefit from long established boundaries to provide immediate landscape containment, the rising landscape to the north provides some natural visual containment when approaching from the east (which will be further screened by the boundary and apple tree planting put in place over the last 12 months), and the houses at Gowrie Farm Steading would be the backdrop above the buildings when viewed approaching from the west, in advance of the orchard establishing.

The planting proposed does not require planning permission, and without it, we acknowledge that the proposed buildings would be visible in the landscape (any new development is), however we do not believe that this would amount to a significant adverse impact on the landscape quality/character of the area, due to the high quality materials proposed in the design statement submitted with the application and the commitment to establishing the business.

As the establishment of the proposed planting cannot be secured by Condition (as it is not part of the application – but it does sit within the red line application boundary) it would be possible to secure this in a similar manner to landscaping proposed as part of a residential development proposal, via a S75 Legal Agreement which the applicant would be happy to enter into. This could require the completion of the planting within the first planting season, and the replacement of any specimens that fail to establish within a 5-year period to be replaced.

In terms of a site-specific resource, small 10-acre parcels of good quality free draining south facing land are rarely made available for sale to the public in Perthshire, particularly in a location such as this with an historic association with the Lass O Gowrie Apple being used in the business. Whilst the good quality, free draining soil and south facing aspect are important for the business and make the property well suited for the proposed enterprise, it is its availability and historic links to the Lass O Gowrie apple (1st described in the National Fruit Archive in 1883, and Gowrie Farm built pre 1864 supporting this assertion) which delivers both a site specific resource, and a significant marketing opportunity for the business and rural Perthshire which could not be secured elsewhere making this location/site essential for this business.

The Scottish Apple Expert John Hancox is now confident that this was the origin of the Lass O Gowrie Apple which confirms the above in respect of a site specific resource not available elsewhere. Lass O Gowrie Cider is now a registered trademark.

We believe that we have demonstrated a site-specific resource and opportunity, which will deliver both full time employment and a tourism resource.

Contrary to Policy PM1A (Placemaking) (isolated; incongruous; not contribute positively to surrounding built and natural environment).

Whilst we acknowledge the site may be seen as isolated, we do not believe it is incongruous or that it would not contribute positively to the surrounding built and natural environment. We are of the view that this proposal could in fact have a beneficial impact on the landscape and both the built and natural environment by providing a landscape setting for the currently isolated ridgeline development of Gowrie Farm Steading, a significant

environmental improvement both in terms of habitat creation but also habitat linkages and enhancing the biodiversity of a currently bare field (which some ecologists refer to as an ecological desert) to provide a beneficial resource to bees, nesting birds and invertebrates, amongst other things.

The materials and design of the proposal have been shown in the Design Statement submitted with the application and we believe represents a high quality palette of materials which will be visually appealing in views by passing traffic, in contrast to standard materials that may have otherwise been proposed for more traditional agricultural buildings (not necessarily requiring planning consent) demonstrating the applicants desire and commitment to delivering something significantly more attractive than a standard agricultural shed. We do not believe that an agricultural shed, a polytunnel and a small house could be considered out of keeping (incongruous) with a rural setting/landscape.

Contrary to Policy RD3 (c) and Section 3.3 of the Housing in the countryside SG (there is no consented or established economic activity and the proposal does not use an identifiable site with long established boundaries) and the proposed house would not comply with any of the other criteria.

We have responded elsewhere on the suitability of the site and the site specific resource/opportunity and its boundaries, but would further comment here that, the Housing in the Countryside SG 2012 (category 3.3) requires the applicant to demonstrate the need for an onsite presence, and we believe that this is done in the Business Plan submitted with the application both in terms of the operational need to and benefits of living on site, but also the security of the expensive equipment and the nature of the produce stored.

The workload hours provided in the Business Plan have been informed by discussion with both Mr Andrew Lear "Appletree Man" & "Plants with Purpose", and Mr John Hancox "the Apple Man" & Scottish Heritage Fruit Trees" (all of whom have the appropriate knowledge and qualifications to provide this information) and are reflected in the Business Plan. The policy also provides that "where a house is required in association with a proposed economic activity, constructing of the house will not be permitted in advance of the establishment of the business. We have acknowledged this in our application proposing a temporary housing solution (in place of a permanent house previously proposed, in advance of establishing the business with a permanent solution being subject to the establishment of the business).

We would request a 3-year permission for this temporary housing solution to allow the Council to consider the establishment of the business prior to committing to either an extension of time for its occupation, or a permanent house at that time. Any permanent housing solution would be on the site of the temporary house and would therefore be accommodated within the group of buildings and shielded by the planting undertaken which by that stage would have established and matured.

Finally, the Decision Notice states that the proposal does not comply with the Development Plan, and there are no material considerations that would support a different decision being reached.

Material Considerations

Planning Advisory Service (PAS) have published a generally accepted summary (not an exhaustive list) of what may constitute a material consideration for the purposes of planning which include; Scottish Government Policy; Suitability of the site for the proposed development; Economic impact, and Creation of a precedent. Whilst we appreciate that it is for the decision maker to determine the weight to be attributed to these considerations, we have set out below our interpretation for your information.



SG Policy – Rural Economy Secretary Fergus Ewing has identified *“one of the primary barriers to attracting new entrants to farming is the availability of land”* and to address that has released 1,000ha of public land to develop opportunities for new entrants (unfortunately, this announcement came after the applicant had acquired the application site) and so invested his own savings in this enterprise. The Scottish Government also have funding mechanisms (unfortunately the applicant was not aware of this when beginning this project) available to those who wish to take up the opportunity which includes a capital grant for land acquisition. Similarly, the planting of trees is something that the Scottish Government are committed to delivering tree planting on 10,000ha per annum and this would contribute to meeting that target at no cost to the public purse.

Economic Impact – Whilst the immediate economic impact of this proposal may be viewed as marginal in terms of employment opportunities, through time, and establishment of the business and its links with other businesses in the locality (demonstrated in the Updated Business Plan) this will increase both the full time on site opportunities and the part time opportunities as well. In the event that the adjacent caravan park is developed (and this has not been taken in to account in the business plan) we envisage this being a popular attraction to holiday makers looking for something different to do (which would not require travel by car unlike other attractions and facilities in the locality).

Creation of Precedent – We do not believe that this exact same precise set of circumstances could be replicated elsewhere and therefore are of the view the granting of permission for this development does not lead to the creation of an undefendable precedent for other similar proposals.

Delegated Report

There are a number of elements in the Delegated Report that warrant comment, and we have set these out below in the order they arise in the Report.

Under the heading “Land Use”, the Officer states “the formalisation of community walks/mazes would constitute a change of use away from agriculture”. This is incorrect. As stated in the preceding paragraph the Officer correctly states that “the planting of fruit trees and / or lavender plants with the purpose of taking a crop thereafter would not require any planning permissions” therefore, whether these are laid out in a maze is irrelevant as the primary purpose would be to take the crop with the walk being an incidental ancillary activity to the primary ongoing agricultural use.

Whilst the applicant does not have a detailed knowledge derived from years of experience in growing apples, he has sought expert input (from MR Andrew Lear “Appletree Man” & “Plants with Purpose”, and Mr John Hancox “the Apple Man” & Scottish Heritage Fruit Trees”) and advice on the Business Plan and operation of the Orchard and in a short space of time generated a significant knowledge base and sources of support and advice during the establishment of the business.

The Officer comments on the limited revenue generated in the early years of the business, however, in support of the Business case, it is worth highlighting that this is a worst-case scenario with no reliance on grant funding and still demonstrates a viable business. Whilst the applicant has missed the opportunity to benefit from a Capital grant under the New Entrants scheme, there is still the opportunity to apply for a capital grant (40% of the capital cost) under the Food Processing and Marketing Grant scheme (which requires planning permission to be in place first) which would significantly mitigate the low revenue in the early stages.

The Officer comments on the projected hours and labour justification and indicates that it is not clear who produced these. The Business Plan has been prepared in collaboration with a Scottish apple growing experts



Mr John Hancox (who is confident that Gowrie Farm was the origin of the Lass O Gowrie apple based on historic evidence referred to above) and Mr Andrew Lear who both have detailed knowledge of the business. The applicant has also been working on a Cider Farm in England as well as on his own property over the last year and has expanded his practical knowledge of this subject through that work.

The Officer comments that the proposed use of a S75 Legal Agreement to secure the implementation of the planting, and its replacement, could not be workable, enforceable or practical. As this is a full application, and the application red line site area includes the whole ownership, it would be legally competent and enforceable for the Council to enter in to a S75 Legal Agreement to control the use of the surrounding land as an Orchard, and to control the implementation and replacement of the planting. Alternatively, the planting, whilst not proposed in the application or requiring consent, is within the redline boundary and could surely be subject to a condition much like any other housing development.

In relation to Transport, the Officer confirms that the Roads Officer has no objection to this proposal, subject to conditions. However, he then expresses concerns of his own, not related to those of his colleague and states that a Transport Statement/Assessment has not been submitted. This is because this is not required for this scale of development, and the Roads Officer was satisfied with the information submitted and requested no further information. If the Officer felt that a Transport Statement was required, they should have set out why and requested one.

Planning Obligations

A Transport Infrastructure contribution (£5,188) was requested and agreed. The applicant would pay this by S69 Agreement (payment up front) rather than deferring payment by S75 Legal Agreement should permission be granted.

A Section 75 Legal Agreement may be required (unless the Council feel that this could be secured by Condition to avoid the need for a Legal Agreement at all) to secure the implementation of the Orchard Planting within the first planting season, and for any specimens that fail to establish within a 3-year period to be replaced.

Concluding Remarks

We appreciate that with all new businesses there is an element of risk of the business failing, however, we believe that the applicant has sought all reasonable assistance and advice in respect of this proposal, and that the business case is a worst case business case which has the potential to be reinforced to offset any short term revenue concerns through the LEADER Food Marketing & Processing Grant (40% of the Capital Cost of erecting buildings – but can only be applied for with Planning Permission in place). There are other grant funding sources that could have been exhausted but were not known to the applicant at the relevant time.

Given the ongoing work by the applicant on site despite the refusal of the previous application (1,000 beech/hornbeam and other native hedge species planted on the boundaries and through the site, as well as 200+ apple trees planted, with a further 200+ apple trees to be planted on a positive determination of this application), the discussions with purchasers of bulk stock in the locality (shops, pubs etc.) and the strong desire to invest more fully in the proposal, we believe that the Council should take comfort from this so and grant permission with the temporary accommodation.



We believe that this exciting proposal complies with the Policies of the LDP, and associated SG, and should receive your support. We look forward to receiving your decision on this proposal. If you have any queries on the application, they should be directed to the applicant/agent in the first instance.


Yours sincerely,

John Wright BSc (Hons) MRICS
Senior Associate Director

Encs: Planning Supporting Statement (October 2017)

Key:

○ ○ ○ Existing Apple Orchard

 Existing berry / soft fruit

Scale	1 : 500
Project number	1725
Date	May 18
Purpose of issue	Planning
Drawn by	NG



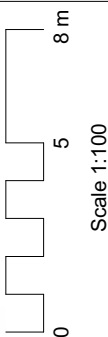
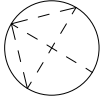
Key:

- Existing Apple Orchard
- Proposed Apple Orchard
- ▤ Proposed Apple Planting
- ▥ Proposed Lavender
- ▧ Existing berry / soft fruit
- ▨ Proposed bulbs / cut flowers
- ▩ New wildflowers and area for rare breed poultry

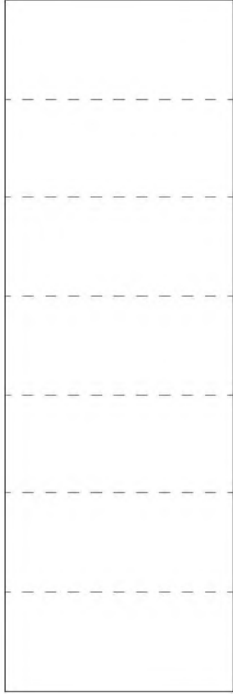
Scale	1 : 500
Project number	1725
Date	May 18
Purpose of issue	Planning
Drawn by	NG



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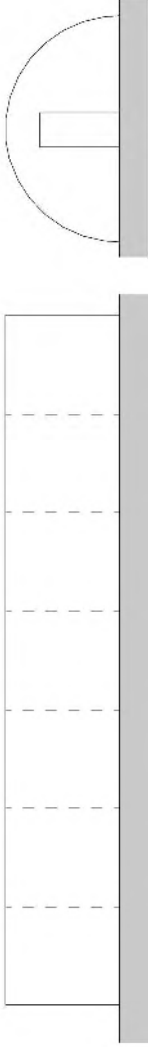


No.	Description	Date
	studioEAST	
CLIENT	Mr Neil	
	PL-04	
PROJECT	Smallholding, Orchard & Mobile Home Harvest Brae, Stanley	
TITLE	AGRICULTURAL SHED & POLYTUNNEL	
SCALE (@A2)	1:100	
PROJECT NUMBER	1725	
DATE	May 18	
PURPOSE OF ISSUE	Planning	
DRAWN BY	NG	
	King James VI Business Centre, Fforton Rd, Perth, PH2 8DY t: 01738 472060 e: hello@studio-east.co.uk	



Polytunnel Floor Plan

1 : 100

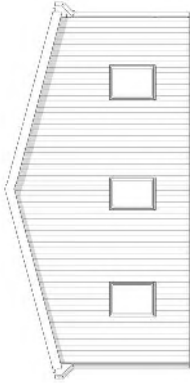


East & West Elevations

1 : 100

North & South Elevations

1 : 100



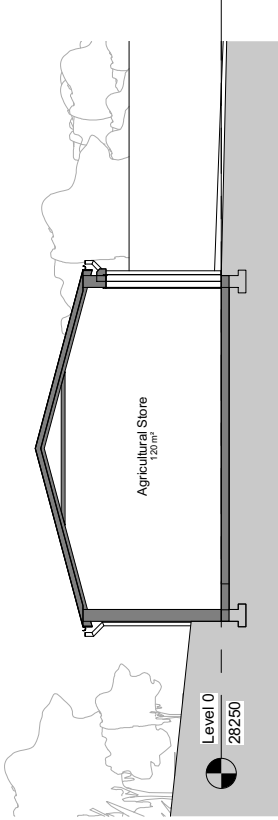
Agricultural Shed West Elevation

1 : 100



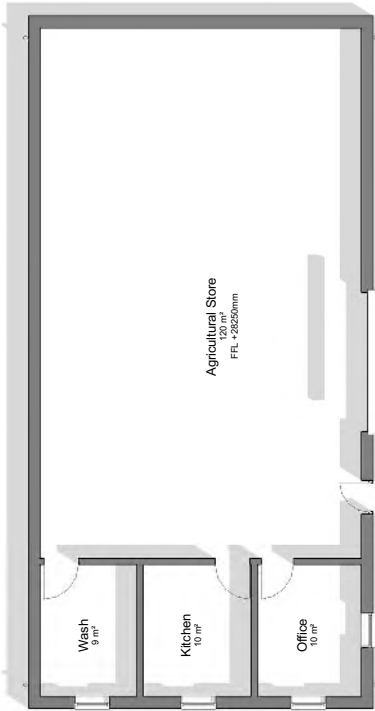
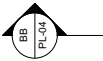
Agricultural Shed East Elevation

1 : 100



Section BB

1 : 100



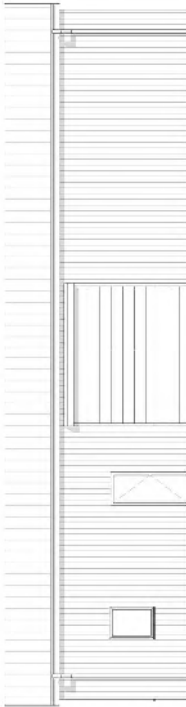
Agricultural Shed - Floor Plan

1 : 100



Agricultural Shed North Elevation

1 : 100



Agricultural Shed South Elevation

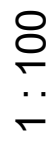
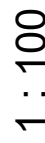
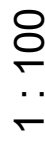
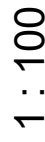
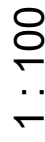
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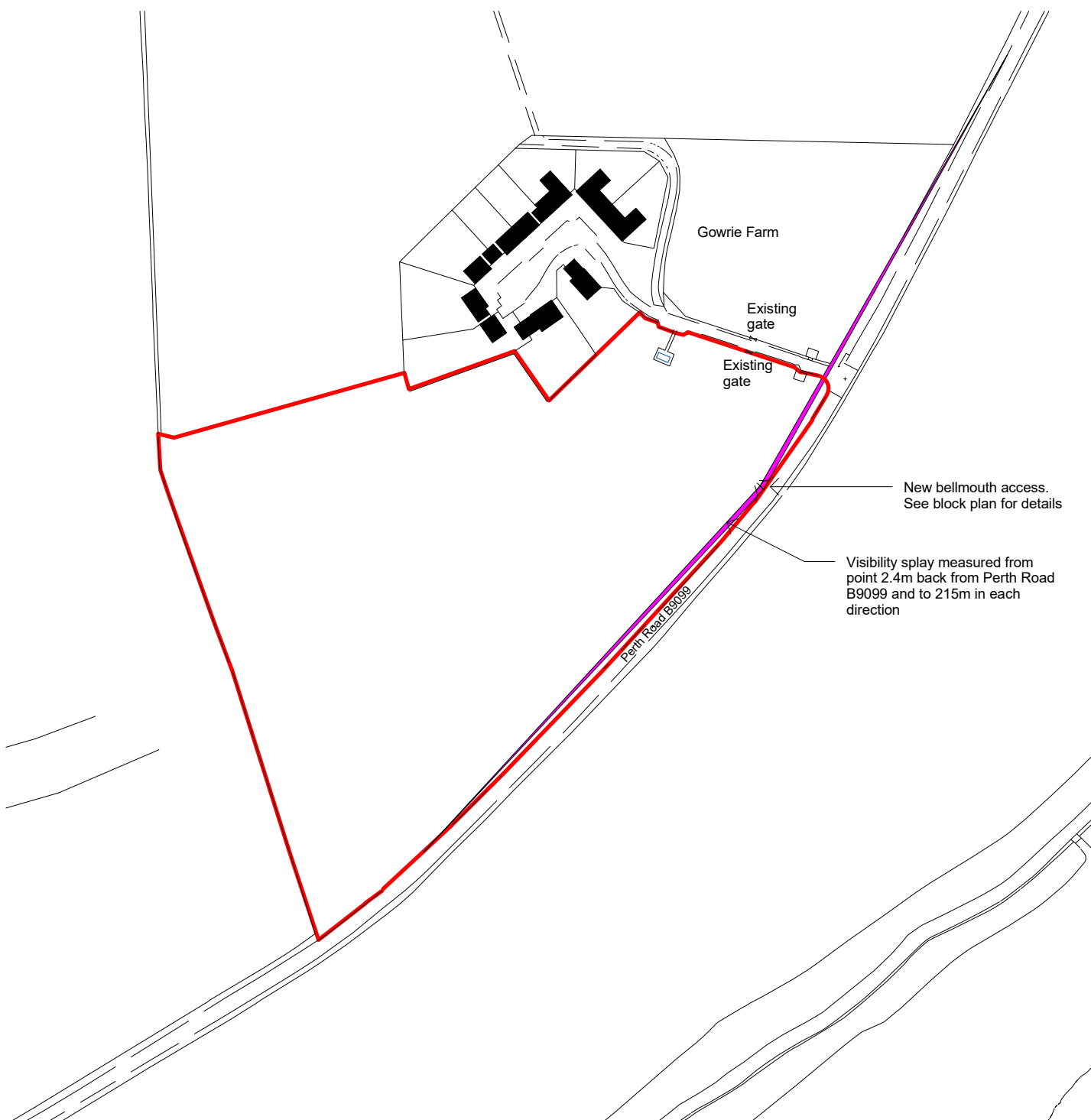
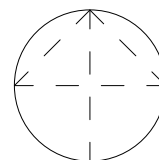
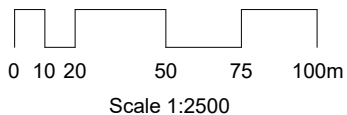


studio **EAST**

Scale (@ A4)	1 : 100
Project Number	1725
Date	May 18
PURPOSE OF ISSUE	
Planning	

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PROJECT

Smallholding, Orchard & Mobile Home
Harvest Brae, Stanley

CLIENT

Mr Neil

REV

A

Scale (@ A4)

1 : 2500

Project Number

1725

Date

May 18

PURPOSE OF ISSUE

Planning

DRAWING NUMBER:

PL-01

1887

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PERTH AND KINROSS COUNCIL

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c/o StudioEAST Chartered Architects
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Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 15th November 2018

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **18/01796/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 3rd October 2018 for permission for **Erection of cider/juice production building with pick your own facility and farm shop, siting of an accommodation unit (for a temporary period), erection of a polytunnel and formation of vehicular access, parking and associated works Land 100 Metres South Of 3 Gowrie Farm Stanley** for the reasons undernoted.

Interim Development Quality Manager

Reasons for Refusal

1. The proposed development is to be set within open farmland which does not have a satisfactory landscape which would not offer suitable landscape containment for the development proposed. In addition to this, the proposed business plan/model has not demonstrated comprehensively that there is a site specific resource or opportunity directly linked to what is proposed. To this end, the proposal is contrary to Policy ED3 (Rural Business and Diversification) of Perth and Kinross Council's adopted Local Development Plan 2014 which seeks to ensure (amongst other things) that new rural businesses are linked to a site specific resource or opportunity, and that all new proposals can be satisfactorily accommodated within the landscape capacity of the area concerned.

2. As a result of the isolated nature of the site, and the lack of a suitable landscape framework or containment which is capable of absorbing the development proposed, the proposal would result in an incongruous, isolated development. To this end, this proposal is contrary to Policy PM1A (Placemaking) of Perth and Kinross Council's adopted Local Development Plan 2014 which requires all new development to contribute positively, to the quality of the surrounding built and natural environment.
3. As there is a) not either a consented or established economic activity on the site and b) an identifiable site surrounding the proposed temporary residential unit, the temporary siting of the residential unit on this site is contrary to section (c) of Policy RD3 (Housing in the Countryside) of Perth and Kinross Council's adopted Local Development Plan 2014 and section 3.3 (economic activity) of the associated Housing in the Countryside Guide 2012. Both these policies only offer support for new housing associated with an economic activity when a) there is either a consented or an established economic activity in place and b) the proposal uses an identifiable site with long established boundaries which separate the site naturally from the surrounding ground.
4. The proposed siting of the residential accommodation, by virtue of what is proposed (i.e. residential accommodation on a greenfield site) and its isolated location, fails to accord with the remaining sections of Policy RD3 (Housing in the Countryside) of Perth and Kinross Council's adopted Local Development Plan 2014 and the associated Housing in the Countryside Guide 2012 that relate to Building Groups, Infill sites, Renovation or replacement of houses, Conversion or replacement of redundant non-domestic buildings and Development on rural brownfield land.
5. As it has not been fully demonstrated that the proposal would not adversely impact on neighbouring residential amenity, the proposal is potentially contrary to Policy EP8 of Perth and Kinross Council's adopted Local Development Plan 2014 which seeks to ensure that noise sensitive receptors are protected from new noise generating proposals.

Justification

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

Notes

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

Plan Reference

18/01796/1

18/01796/2

18/01796/3

18/01796/4

18/01796/5

18/01796/6

18/01796/7

REPORT OF HANDLING

DELEGATED REPORT

Ref No	18/01796/FLL	
Ward No	P5- Strathtay	
Due Determination Date	02.12.2018	
Case Officer	Andy Baxter	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Erection of cider/juice production building with pick your own facility and farm shop, siting of an accommodation unit (for a temporary period), erection of a polytunnel and formation of vehicular access, parking and associated works

LOCATION: Land 100 Metres South Of 3 Gowrie Farm, Stanley

SUMMARY:

This report recommends **refusal** of a detailed planning application for a number of mixed use commercial elements and the siting of a temporary residential accommodation unit associated with a new orchard/lavender/wild flowers plantation outside Stanley, 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: 17 October 2018 *(most recent, earlier visits occurred)*

SITE PHOTOGRAPHS



Views of the site, left - from the public road and right - looking at the larger apple trees planted at the NW corner.

BACKGROUND AND DESCRIPTION OF PROPOSAL

This planning application seeks to obtain a detailed planning consent for the erection of a new cider/juice production facility, which includes a small farm shop, pick your own facility, small polytunnel, new fencing, a new vehicular access and temporary living accommodation – all of which are associated with an *emerging* new fruit orchard/lavender plant enterprise in an existing agricultural field which is located to the north of the B9099 between Luncarty and Stanley.

This application is essentially a resubmission of a previously refused planning application for a similar proposal, with the principal differences being a change from a permanent dwelling to a temporary accommodation unit, the removal of a previously proposed small garage/store, the relocation of the proposed buildings further west, and a change to the vehicular access arrangements. Some modifications have also been made to the proposed areas of planting – however these are outwith the scope of planning control.

It is noted that the labelling of the main building on the plans has changed from 'cider shed' (on the previous proposal) to agricultural store – but it still appears to be the building where 'cider' and juice is produced so it is assumed that the primary purpose of this building remains to be the processing of fruit for cider/juice.

Prior to the determination of the previous planning application, the applicant planted a number of young trees (largely hedgerows) along the wider boundary of the site, and these still remain. In addition to those trees, in the intervening period since the previous refusal was issued (Feb 18), the applicant has gone on to plant further hedgerows along both the wider site boundaries, and also along internal boundaries and has also planted new fruit trees. The applicant states that approx. 4,300 beech/hornbeam and other native hedge species have been planted across the site since he took ownership.

In terms of the new apple trees, within the supporting statement the applicant has indicated that 200+ apple trees have been planted on the site, with a further 200 away to be planted during the next planting season. At the time of the site visit, there was a distinctly linear block of approx. 27/28 x 3 cropping trees, and two noticeable areas of less mature apple trees and soft fruit trees/plants present – all within the top portion of the site.

Within these three areas, there would be in excess of 200+ trees, however less than 100 of these would have offered a crop this year – namely those within the block of 3. Specific details of the quantity of this year's autumn's crop (apples and / or soft fruit) have not been included in the supporting information, only that some apples have been stocked.

Across the centre of the site – roughly running east to west, and along the northern and top section of the western boundary 1.8m-2m high deer fences

have been erected. The height of the fences and their distance from the public road is such that they do not require planning consent in their own right.

In terms of the proposed new buildings and structures, these are to be located in an open area to the south west of a small group of existing dwellings - in a casual 'L' arrangement. The location of this grouping has been moved further west, away from the existing buildings from the location which was shown in the previous planning application. Along the northern part of the 'grouping' would be the main cider shed and the temporary residential accommodation unit. The main shed measures approx. 18m in its length (east to west) with a width of 9m. A centrally placed roller shutter door would give access to the shed. Internally, the shed is shown as being divided up into a main area (presumably for cider production), a washing area, a kitchen and a small office. The main shed would have a 5m shallow pitched roof, and is to be finished with timber lining on their external walls, with a zinc roof.

The proposed temporary accommodation unit is proposed to the west of the main shed, and would offer living accommodation over one level only.

The proposed polytunnel would be located to the west of the other structures and measures 18.5m in its length (north to south) x 6m in width. No details of the means of fixings or the flooring of the tunnel have been submitted by the applicant, however it is presumed that the tunnel would be fixed to the ground with permanent fixings and would be onsite permanently.

To the south of the buildings, a new car parking area is proposed which will accommodate 15 parking spaces for employees and visitors.

Lastly, a new gravelled vehicular junction (and associated vehicular access) with the public road (to the south) is proposed to be formed. Unlike the previous proposal, it is intended that this new arrangement would be used in isolation, and not in combination with an existing access that exists to the west. No details of the proposed surface of the area between the new access, and the new parking area, or the parking area itself – have been provided.

In terms of the farm shop/pick your own elements, no specific building or area has been identified on the plans for this element, however it is assumed that these activities would be spread between the main building, the polytunnel and other temporary structures in an adhoc basis – similar to other pick your own farms.

The applicant has lodged a supporting statement, which indicates that the proposal remains largely the same as the one previously considered. Whilst there are some changes (as summarised earlier), the development as a whole does remain very similar to what was previously considered.

The planning statement also states that the previous business plan and supporting statement remain valid, and these have been resubmitted.

SITE HISTORY

A similar planning application (17/01917/FLL) for a mixed use development comprising erection of cider/juice production building with pick your own facility and farm shop, garage/store, dwellinghouse, polytunnel, deer fence and formation of vehicular access, parking and associated works was refused planning consent earlier this year under delegated powers. The applicant opted not to seek a review of that decision to the Council's Local Review Body.

PRE-APPLICATION CONSULTATION

A pre-application enquiry was made to the Council (17/00396/PREAPP) by the applicant. The response issued by the Council in reply highlighted the likely issues which would arise if a planning application was to be made.

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.

The Scottish Planning Policy 2014

The Scottish Planning Policy (SPP) was published in June 2014 and 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 application are,

- Paragraphs 74 - 83, which relates to Promoting Rural Development
- Paragraphs 92–108, which relates to Supporting Business & Employment

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

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

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

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

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

Policy ED3 - Rural Business and Diversification

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

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

- (a) The proposed use is compatible with the surrounding land uses and will not detrimentally impact on the amenity of residential properties within or adjacent to the site.
- (b) The proposal can be satisfactorily accommodated within the landscape capacity of any particular location
- (c) The proposal meets a specific need by virtue of its quality or location in relation to existing business or tourist facilities.

(d) Where any new building or extensions are proposed they should achieve a high quality of design to reflect the rural nature of the site and be in keeping with the scale of the existing buildings.

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

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

(g) Developments employing more than 25 people in rural locations will be required to implement a staff travel plan or provide on-site staff accommodation

Policy EP8 - Noise Pollution

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

Policy NE3 - Biodiversity

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

Policy 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.

Policy TA1B – Transport Standards and Accessibility (New Development Proposals)

All development proposals that involve significant travel generation should be well served by, and easily accessible to all modes of transport. In particular the sustainable modes of walking, cycling and public transport should be considered, in addition to cars. The aim of all development should be to reduce travel demand by car, and ensure a realistic choice of access and travel modes is available

Policy HE1B – Non-designated Archaeology

The Council will seek to protect areas or sites of known archaeological interest and their settings. Where development is proposed in such areas, there will be a strong presumption in favour of preservation in situ. Where, in exceptional circumstances, preservation of the archaeological features is not feasible, the developer, if necessary through appropriate conditions attached to the granting of planning permission, will be required to make provision for the survey, excavation, recording and analysis of threatened features prior to development commencing.

Proposed Perth and Kinross Local Development Plan 2 (LDP2)

Perth & Kinross Council is progressing with preparation of a new Local Development Plan to provide up-to-date Development Plan coverage for Perth & Kinross. When adopted, the Perth & Kinross Local Development Plan 2 (LDP2) will replace the current adopted Perth & Kinross Local Development Plan (LDP). The Proposed Local Development Plan 2 (LDP2) was approved at the Special Council meeting on 22 November 2017.

The representations received on the Proposed LDP2 and the Council's responses to these were considered at the Special Council meeting on 29 August 2018. The unresolved representation to the Proposed Plan after this period is likely to be considered at an Examination by independent Reporter(s) appointed by the Scottish Ministers, later this year. The Reporter(s) will thereafter present their conclusions and recommendations on the plan, which the Council must accept prior to adoption. It is only in exceptional circumstances that the Council can elect not to do this.

The Proposed LDP2 represents Perth & Kinross Council's settled view in relation to land use planning and as such it is a material consideration in the determination of planning applications. It sets out a clear, long-term vision and planning policies for Perth & Kinross to meet the development needs of the area up to 2028 and beyond. The Proposed LDP2 is considered consistent with the Strategic Development Plan (TAYplan) and Scottish Planning Policy (SPP) 2014. However, the outcome of the Examination could potentially result in modifications to the Plan. As such, currently limited weight can be given to

its content where subject of a representation, and the policies and proposals of the plan are only referred to where they would materially alter the recommendation or decision.

There are no policies or recommendations contained within the LDP2 which affects the recommendations of refusal.

OTHER COUNCIL POLICIES

Developer Contributions and Affordable Housing 2016

This policy outlines the Council's position in relation to Developer Contributions in relation to Primary Education, A9 upgrades and Transport Infrastructure as well as Affordable Housing provision.

Housing in the Countryside Guide 2012

This is the most recent expression of Council policy towards new housing in the open countryside and offers support for new housing in the open countryside in certain instances. One of those instances is new housing which is associated with an economic activity.

EXTERNAL CONSULTATION RESPONSES

PKHT have commented on the proposal and raised no objections subject to additional site evaluation work being undertaken prior to the erection of any buildings.

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

INTERNAL COUNCIL COMMENTS

Structures & Flooding have commented on the proposal and raised no objections or concerns in relation to flooding matters.

Environmental Health have commented on the proposal in terms of noise nuisance. Whilst previously they were content with the proposals, after reconsidering the proposal they are of the view that the proposal may have the potential to impact on existing residential amenity.

Transport Planning have commented on the proposal in terms of the proposed access arrangements and parking provision. Subject to conditions, (including visibility) they have raised no specific concerns at this stage.

Development Negotiations Officer has commented on the proposal and indicated that there is a requirement for Developer Contributions in relation to this development.

REPRESENTATIONS

No letters of representations have been received.

ADDITIONAL INFORMATION

Environmental Impact Assessment (EIA)	Not Required
Screening Opinion	Not Required
EIA Report	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Submitted
Report on Impact or Potential Impact	Various additional information including a Business Plan, Orchard Report and Planning Statement

APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan 2017 and the adopted Perth and Kinross Local Development Plan 2014.

In terms of other material considerations, consideration of the Council's Housing in the Countryside Guide 2012 and the Council's policy on Developer Contributions are both material considerations.

The sites previous planning history is also a material consideration.

Policy Appraisal

In terms of land use policies, as was the case with the previous planning application, the key policies are found within the Local Development Plan (LDP). Within the LDP, the site is located within the landward area of the plan where a number of policies would be relevant to this proposed mixed use development.

Policy ED3 of the LDP seeks to promote the expansion and diversification of existing rural businesses and offers support for new ones in suitable locations, whilst *PM1A* seeks to ensure that all new developments do not have an adverse impact on the environment in which they are located.

Policy RD3 is the LDP version of the Housing in the Countryside and offers support for new housing in the open countryside, subject to certain specific criteria being met and this policy should be read in conjunction with the supplementary guidance of 2012.

Policy EP8 of the LDP seeks to ensure that a new development that potentially generates noise nuisance does not adversely affect existing receptors, whilst *Policy TA1B* seeks to ensure that new developments that generate a significant amount of traffic / vehicular movements are accompanied by Transport Assessments and / or Green Travel plans (*when appropriate*).

For reasons stated below, I (still) consider the proposal to be contrary to *Policies RD3 and ED3* of the Local Development Plan at the present time.

Land Use

In terms of land use acceptability, this proposal is slightly unusual insofar as the principal part of the new business (which has now been advanced) does not constitute 'development' and thereafter does not require planning consent. It is the settled view of the Council that the planting of fruit trees and / or lavender plants with the principal purpose of taking / producing a crop does not require any planning permissions (as is the case here), as there is no change of use occurring and no 'development' taking place.

The applicant is aware of this position, and has planted approx. 200 apples trees across the site since the refusal was issued on the previous planning application. The same principles are applicable to soft landscaping i.e. the planting of trees for landscaping purposes, and in this regard the applicant has planted approx. 4000+ hedges across the site since taking ownership of the site. A significant portion of these, have been planted since the previous refusal.

However, the proposed buildings which are essentially required to process any fruit/lavender (as well as the other uses proposed) do require planning permission.

At the time of the previous planning application, there was no business either on site or off site, but one was proposed by virtue of the proposed fruit tree / lavender planting.

This position has now changed slightly.

In addition to the physical planting and erection of fences, the applicant has indicated in their supporting submission that apples from the orchard (onsite) and donations by local gardeners, and estates have enabled for 600 litres of apple juice to be 'laid down', and 500 lavender plug plants have been purchased, potted up and contracted out to overwinter in a nearby polytunnel off site. A cut flower growing area has been fenced off, ready to prepare ground for flower growing next year.

In addition to this, the applicant has indicated that detailed discussions are ongoing with an English craft cider maker, to blend the local apples (and / or juice) with English cider varieties to create a Harvest Brae bottled cider, and that this option is being explored until the applicant has the facility to produce and store home grown produce in reasonable quantities.

The applicant has also indicated that he is in discussions with the owner of an orchard in the Scottish borders to obtain a supply of traditional cider apples, with the aim of formalising a supply of Scottish cider apples for a number of years which would enable Harvest Brae to be marketed as being 100% Scottish. Lastly, 400 litres of cider apple juice has been purchased for blending with local apple juice.

Notwithstanding, the lack of a planning consent on the site, taking the aforementioned information from the applicant on face value, there would appear to be now be a *form* of business in operation – however it is very much in its infancy.

Despite the planting onsite, purchases for off-site growing and other advances on establishing the business, any fruit harvested (or imported) and / or lavender still can only be processed if the necessary infrastructure (and onsite accommodation) in place – which is essentially what is being applied for here.

The applicant has again indicated explicitly to the Council that the proposed business cannot function as intended without the proposed sheds, and that onsite accommodation is essential for onsite security, and to save on travel costs to and from the site. For this current submission, the applicant has taken on board some of the concerns previously raised about the appropriateness of a permanent dwelling on the site at the present time, and have opted to apply for temporary residential accommodation as an alternative solution.

The above scenario(s) does make the consideration of this planning application *challenging* for the Council, however ultimately the elements which require planning consent in their own right, must be assessed against the relevant Development Plan policies.

Policy ED3 of the LDP has been identified within the applicant's submission as being one of the key policies of relevance to this proposal, and I agree that it has significant relevance in relation to the commercial aspects. This policy states that the Council will give favourable consideration to the expansion of

existing businesses and the creation of new businesses and that there is a preference that this will generally be within or adjacent to existing settlements.

The policy goes on to say that outwith settlements, proposals may be acceptable where they offer opportunities to diversify an existing business or are related to a site specific resource or opportunity - provided that permanent employment is created or additional tourism or recreational facilities are provided or existing buildings are re-used.

Whilst there has been some material movement in both starting and then advancing it from what may have been in place at the time of consideration of the previous planning application, I still consider it difficult to take the view that the business is established based on what is present on site, and in absence of any evidence of actual returns, output or even audited accounts – none of which have been submitted for consideration. I'm therefore still of the view that this proposal relates more closely with a new business venture, and not an expansion or diversification of an existing business.

Notwithstanding this position, *Policy ED3* does offer some support for new businesses, which is aimed at encouraging new start-up businesses in locations which are considered suitable and sustainable, and importantly are linked to a site specific resource.

Within the applicant's business plan (not updated from the previous submission, but still relied upon), he has set out a number of proposed activities that he's proposing onsite, and which he considers to be complementary to one another.

These are,

a) Cider / Fruit Juice / Fruit production

Up to 7000 litres of craft Cider is envisaged to be produced each year with the remaining fruit being juiced or sold to pick your own customers, restaurants/retail outlets or converted into preserves and chutneys. The applicant intends having juicing and bottling facilities for customers to juice their freshly picked fruit on site which it is hoped will give an added experience to the customer, and an additional revenue stream for the business.

b) Visitor attraction/Pick your own fruit

The applicant intends to create a 'destination' for customers and users, which it is hoped will attract visitors in its own right. Orchard and lavender walks are to be created to allow visitors the opportunity to amongst other things enjoy a stroll through the orchard and lavender fields, take photographs and to try to escape the lavender maze, join in a treasure hunt and learn about apples and lavender from various notices along the walk. In addition to the walks and maze, the applicant intends to buy a rare breed collection of chickens (up to 30 chickens) which would be available for visitors to look at and purchase free range eggs.

c) Items for Sale

The applicant intends to sell a number of various items onsite, which are grown within the wider site. These include,

1. Pick your own Apples, Plums, and Saskatoons
2. Lass O Gowrie Cider– Cider with a significant Lass O Gowrie Apple content
3. Fruit Juices- apple and a blend of apple and berry juices
4. Dried fragrance Lavender wands/ sachets, lavender plants, culinary lavender, lavender oil
5. Jams and Chutneys produced using the Orchards fruit and culinary lavender
6. Free range eggs – from the 30 rare chickens

d) Fragrance, Medicinal and Culinary Lavender production

The applicant's supporting statement states that whilst there are no lavender Farms currently in Perthshire, there are a number of expanding successful lavender farms throughout Britain e.g. Dorset Lavender, Yorkshire Lavender (www.yorkshirelavender.com) and states that a national newspaper has indicated recently that the number of UK Lavender farms has more than doubled in the last eleven years. It is the view of the applicant that while lavender is still predominantly associated with the older generation the new trend is to use the visual impact of the crop to create visitor attractions where the fragrant uses of lavender are marketed and supplemented with increasing medicinal and culinary uses of different strains of lavender, and that ultimately there is a market to be had for a lavender plantation.

Further details of the applicant's intentions are outlined in the supporting statement, and also the business plan.

After reading the documents, it is clear that the applicant has high ambitions for the site, and envisages a number of different elements which in turn would create different revenue streams for the new business. Reading the updated business information, and seeing what is on site, the applicant has also committed a significant amount of time and financial resources to the project in advance of any planning permission being granted for key components. In addition to planting on site, additional stock has been purchased and is currently off site.

Nevertheless, it remains the case that everything is still largely proposed and the successful (or otherwise) of all the elements either collectively or cumulatively is still relevantly unknown and open to interpretation.

In support of application, the applicant has submitted a number of documents, including an orchard plan, design statement, a business plan, projected financial projections and labour justification details. Some of these reports now have updated appendixes, but most largely relate to the information submitted previously.

These documents suggest that the proposed business would have minimal income for the first 3 - 4 years, and it will take 3 years from the initial planting (of the orchard) to the first sizeable harvest. Reading the applicants supporting statement, an apple harvest was delivered this autumn but details of this are vague. It is however not uncommon for start-up businesses to have a small degree of cash flow / profit in their infancy.

In terms of employment opportunities, the applicant has indicated that once operational, the proposed business would generate sufficient working hours to require 1 full time employee throughout the year, 1 part time employee throughout the year to assist the full time employee and 2 part time employees during harvesting and apple pressing time. A breakdown of the projects projected working hours has been provided by the applicant. The applicant has indicated that the labour justification was prepared with input from John Hancox – known as the ‘appleman’ and he is regarded by many as being an expert in all things related to apples.

On face value, there does appear to be some evidence to support the idea of a new business on this site – if all the planned works are implemented and the projections come to fruition, but there remains some gaps in the business plan - such as the need to import stock within the first few years, and / or during barren seasons.

The difficulty for the Council in considering offering support for the proposal would be ensuring that all the aspects required (the majority of which do not require planning consent), and which require fairly significant investment with low initial returns – to be implemented, and then continued. Otherwise, the proposal would be explicitly contrary to Council policy as it would effectively relate to isolated sheds, and a residential unit (albeit a temporary one) which are not part of an active (or established) business/economic activity.

The applicant’s agent has suggested that the Council consider this approach, however at this point in time, I remain unconvinced that a restrictive condition which ties in the (proposed) commencement and operation of the business to the construction of the sheds/accommodation/polytunnel can be workable, enforceable or practical.

Notwithstanding the above, acceptable proposals under *Policy ED3* of the LDP also need to be linked to a site specific resource or opportunity.

The applicant has indicated within his supporting information that the sites physical characteristics and ground conditions make the site suitable for fruit growing. Whilst planning permission is not required for the planting of fruit trees, the applicant is using this as an argument for the buildings - which are required if the produce was to be processed / used onsite.

In my view, the physical characteristics of this particular site and the ground conditions, do not relate to a specific site resource as a large percentage of rural Perthshire would in my view have very similar characteristics, and

growing conditions. It is also the case that whilst an orchard report has been lodged by a consultant, the report does not contain evidence of any detailed, forensic analysis of the soil to demonstrate that this particular area of Perthshire is more advantageous for fruit/lavender growing than any another.

If the soil and the sites physical characteristics were to be considered as a site specific resource, the applicant would need to demonstrate that this area had physical characteristics that no other has, which in turn offers a unique potential or resource which the proposal is proposing to 'tap into' or use. In this case, I do not see any evidence within the papers to support this and to this end; it is my view that the soil and sites physical characteristics should be considered a site specific resource.

The applicant has also used the close proximity of the A9 being a site specific resource in terms of good access for visitors. Whilst this may be correct, the good connections associated with the A9 might be more suitable for proposals which are generating large amount of HGV traffic, as opposed to the intended movement of family cars. There would inevitably be some HGV movements associated with the proposed business, however based on the applicant's statement these are not envisaged to be significant – but, in the absence of a TS/TA, there is not any factual evidence to confirm the level of movements expected. What I would consider to be significant resource is the population of Perth; however this would not be site specific to this particular proposal, but a very generic resource for the rural area surrounding the site.

To this end, the business case aside, I consider there to be some conflict with this part of the *Policy ED3* as I do not consider the proposal to be linked to a site specific resource which is clearly identifiable.

Policy ED3 also states that new proposals must meet a number of specific criteria. One of those criteria is that the proposal can be satisfactorily accommodated within the landscape capacity of any particular location. The proposed block plan shows the proposed development (subject of this application) surrounded by blocks of plantations of fruit trees, lavender and bulbs– the majority of which are yet to be planted up.

The block plan also shows new landscaping along the edges, some of which has recently been planted. The wider field is large, and is very open with little in the way of site containment or landscape features.

The proposed new group of buildings and car parking would effectively sit in the centre of open field – albeit a field which the applicant intends to plant out. I therefore have concerns regarding the suitability of the site insofar as not being able to provide a suitable landscape setting which is capable of absorbing the development proposed. In addition, if anything, the movement of the buildings further west from the previous proposal would result in a more of a landscape impact than what was previously considered and I'm unsure of the exact reasoning for the movement away from the existing buildings to the east.

Collectively, for the above reasons, I consider the proposal to be contrary to the aims and requirements of *Policy ED2* of the LDP. I do fully appreciate the difficult, and perhaps frustrating position that the applicant is in, insofar as he has the ability (without the need for planning permission) to plant significant fruit trees/lavender (and has done so), but then has the dilemma that he knows that the business that he wishes to create cannot reasonably happen unless the associated infrastructure is in place to then process/market the raw product – which is key to the business.

As part of the proposal, a temporary residential unit is also proposed. This element has changed from the previous planning application when a permanent dwelling was proposed.

Whilst the residential accommodation unit is temporary, its acceptability still needs to be assessed against the requirements of the HITCG.

The proposed location of the dwelling is such that the only section of the HITCG which this proposal could reasonably be assessed against is section 3.3 which relates to new dwellings linked to an economic activity. Whilst I acknowledge that there is a group of buildings to the north east, this site is physically divorced and cannot reasonably be considered to be part of that group.

Both the HITCG and *Policy RD3* of the LDP offer some support for new dwellings which are linked to economic activity when the dwelling 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. Applicants must demonstrate to the satisfaction of the Council that there is a need for the house(s), and where the house is to be associated with a proposed economic activity, the construction of the house will not be permitted in advance of the development of the business.

To this end, as the business is not established I do not consider the siting of a mobile home on the site to be compliant with the Council's HITCG in terms of being linked to an established economic activity.

It is also the case that any proposals which are supported by section 3.3 of the HITCG (economic activity) must have an identifiable site with long established boundaries which must separate the site naturally from the surrounding ground (e.g. a dry stone dyke, a hedge at minimum height of one metre, a woodland or group of mature trees, or a slope forming an immediate backdrop to the site). The HITCG specifically states that the sub-division of a field or other land artificially, for example by new post and wire fences or newly planted hedges or tree belt in order to create the site, will not be acceptable.

The only established, identifiable site relevant to this proposal would be the wider field boundaries. The site (subject to the new development) has no established landscape features and is not considered to be an identifiable site

for the purposes of the HITCG. I would not consider the recently erected deer fencing to be established landscaped features.

To this end, I also consider the proposal to be contrary to *Policy RD3* of the Local Development Plan, and also the HITCG 2012 in relation to the new dwelling which is proposed.

Residential Amenity

It was the view of the Council previously that whilst there may be some noise generated from the processes proposed, and also additional traffic movements, it would be unlikely that these would result in the loss of residential amenity to a significant degree.

However, my colleagues in Environmental Health have reviewed the proposals again, and have identified a number of knowns which could potentially result in an impact on residential amenity. In the event of any approval being considered, further information relating to the following is required to be submitted and assessed,

- Details of the proposed processes, to include washing/processing of apples, production of apple juice, production of cider, the blending of cider and packaging and storage of products.
- Details of the machinery/equipment to be used in the process
- Details of the bottling process i.e. will it be hand bottled or an automated system
- Hours of operation
- Details of any mechanical ventilation or chilled storage
- Details of the layout of the production building (where produce will be cleaned, plant and equipment etc.
- Production capacity for cider and juice
- Details of livestock and their accommodation

Visual Amenity

In terms of the impact on the visual amenity, the proposed new buildings and new access would be extremely isolated, essentially positioned within an open field. The applicant is intending to increase the planting around the courtyard area, and the internal access and to introduce fruit trees and other landscaping in the southern part of the field, at the moment the location of the proposed shed, accommodation unit, polytunnel and the new access are all extremely open, with little in the way of natural containment or any degree of framework landscape.

It is also the case that the wider field is open and exposed to the public road to the south. I therefore consider the proposal to have the potential to result in a negative impact on the visual amenity of the area, and contrary to the views of the applicant's planning agent, would result in an incongruous development

in an open field, and in addition to raising issues with *Policy ED3* of the LDP, the proposal would therefore be contrary to *Policy PM1A* of the LDP - which states that development must contribute positively, to the quality of the surrounding built and natural environment.

Roads and Access

In terms of road related matters, I note that my Transport Planning colleagues have commented on the proposal, and have no objections to the proposal subject to suitable visibility splays being delivered (and maintained), however I have a number of observations.

A Transport Statement/ Assessment has not been submitted by the applicant in support of the planning application.

Whilst the scale of the development is not at the level which would ordinarily require a TS/TA, without such information it is difficult to quantify the level of vehicular visitor movements that would be generated on the basis of the projected visitor element to the facility, and the impact that it might have on the local road network. In addition to this, no details of movements associated with the movement of produce off site for sale at local shops, and the import of produce to restock supplies in the event of poor harvests have been submitted. It is therefore recommended that in the event of any approval, clarifications of these matters are sought at the appropriate time.

Drainage and Flooding

In terms of drainage and flooding matters I have no concerns.

My colleagues in the Structures and Flooding team have reviewed the proposal and have raised no concerns. I have no reason to offer a different view.

Impact on Bio-diversity

There are no known protected species associated with the application site, or the wider field. In any event, the creation of a fruit orchard, lavender plantations and wild flowers would have a positive impact on the local bio-diversity of the area as both areas attract and retain local wildlife.

Light Pollution

It is expected that there may be some external lighting as part of the development; however I'm not aware of any intentions to floodlight large areas of the wider field.

In my view, any need for external lighting would be centred around the proposed buildings and that such lighting could be adequately screened and aligned so that it will not impact on any residential amenity, and to minimise its impact from the public road to the south.

To this end, I have no concerns regarding light pollution issues.

Archaeology Issues

The PKHT have commented on the proposal and have identified the area has having the potential to be archaeologically sensitive. To this end, in the event of any approval being forthcoming a suitability worded condition should be attached to any permission.

Conservation Issues

The proposal does not affect any listed building or Conservation Area.

Developer Contributions

Affordable Housing

As the proposal is for the erection of a single dwelling, there is no requirement for any affordable housing provision.

Transport Infrastructure

The site lies within the catchment area for Transport Infrastructure. To this end, the proposal requires Transport Infrastructure contributions in relation to the new employment use.

The breakdown of the required transport infrastructure contributions are,

The main production building is identified as being used as a farm shop, but it is assumed that the shop element would be ancillary to its main use for cider production. As such the main building would be considered to fall under the employment use category and would be calculated at £11 per m² - which results in a contribution of £1,639.

In relation to the accommodation unit, as this is only for a temporary period of time it is exempt from contributing towards Transport Infrastructure. If the unit was to become permanent then a contribution would be required.

To this end, the total Transport Infrastructure contribution that would be required in the event of an approval would be £1,639 as per the memorandum from the Developer Negotiations Officer.

A9 Junction Improvements

The site lies outwith the catchment area for A9 junction improvements there is no requirement for any Developer Contribution in relation to this.

Primary Education

The local primary school is not operating at over 80% capacity, so there is no requirement for any Developer Contribution in relation to Primary Education.

Economic Impact

Due to the nature of the proposal, the development could have a potential positive impact on the local area. However, whilst the applicant has lodged supporting evidence in terms of their business model/projections the actual impact that this proposal would have is (at the moment) only projected and not in existence.

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to be contrary to the Local Development Plan 2014.

I have taken account of material considerations and find none that would justify overriding the adopted Development Plan, and on that basis the application is recommended for refusal.

APPLICATION PROCESSING TIME

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

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the planning application based on the following reasons,

- 1 The proposed development is to be set within open farmland which does not have a satisfactory landscape which would not offer suitable landscape containment for the development proposed. In addition to this, the proposed business plan/model has not demonstrated comprehensively that there is a site specific resource or opportunity directly linked to what is proposed. To this end, the proposal is contrary to Policy ED3 (Rural Business and Diversification) of Perth and Kinross Council's adopted Local Development Plan 2014 which seeks to ensure (amongst other things) that new rural businesses are linked to a site specific resource or opportunity, and that all new proposals can be satisfactorily accommodated within the landscape capacity of the area concerned.
- 2 As a result of the isolated nature of the site, and the lack of a suitable landscape framework or containment which is capable of absorbing the development proposed, the proposal would result in an incongruous, isolated development. To this end, this proposal is contrary to Policy PM1A (Placemaking) of Perth and Kinross Council's adopted Local Development Plan 2014 which requires all new development to contribute positively, to the quality of the surrounding built and natural environment.
- 3 As there is a) not either a consented or established economic activity on the site and b) an identifiable site surrounding the proposed temporary residential unit, the temporary siting of the residential unit on this site is contrary to section (c) of Policy RD3 (Housing in the Countryside) of Perth and Kinross Council's adopted Local Development Plan 2014 and section 3.3 (economic activity) of the associated Housing in the Countryside Guide 2012. Both these policies only offer support for new housing associated with an economic activity when a) there is either a consented or an established economic activity in place and b) the proposal uses an identifiable site with long established boundaries which separate the site naturally from the surrounding ground.
- 4 The proposed siting of the residential accommodation, by virtue of what is proposed (i.e. residential accommodation on a greenfield site) and its isolated location, fails to accord with the remaining sections of Policy RD3 (Housing in the Countryside) of Perth and Kinross Council's adopted Local Development Plan 2014 and the associated Housing in the Countryside Guide 2012 that relate to Building Groups, Infill sites, Renovation or replacement of houses, Conversion or replacement of redundant non-domestic buildings and Development on rural brownfield land.

- 5 As it has not been fully demonstrated that the proposal would not adversely impact on neighbouring residential amenity, the proposal is potentially contrary to Policy EP8 of Perth and Kinross Council's adopted Local Development Plan 2014 which seeks to ensure that noise sensitive receptors are protected from new noise generating proposals.

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

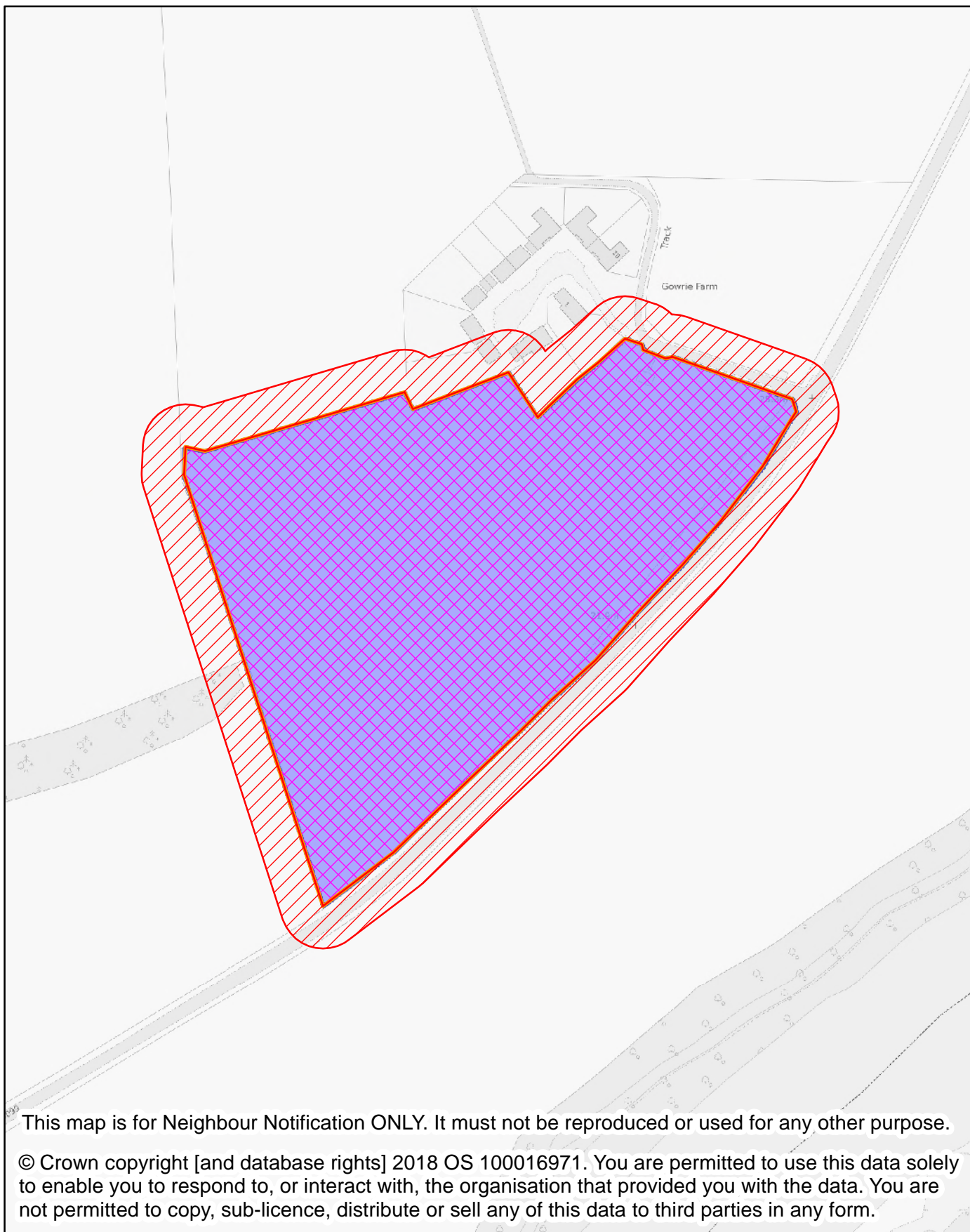
18/01796/1 - 18/01796/7 (inclusive)

Date of Report - 15 November 2018

Perth & Kinross Council

NEIGHBOUR NOTIFICATION

Location Plan showing planning application site

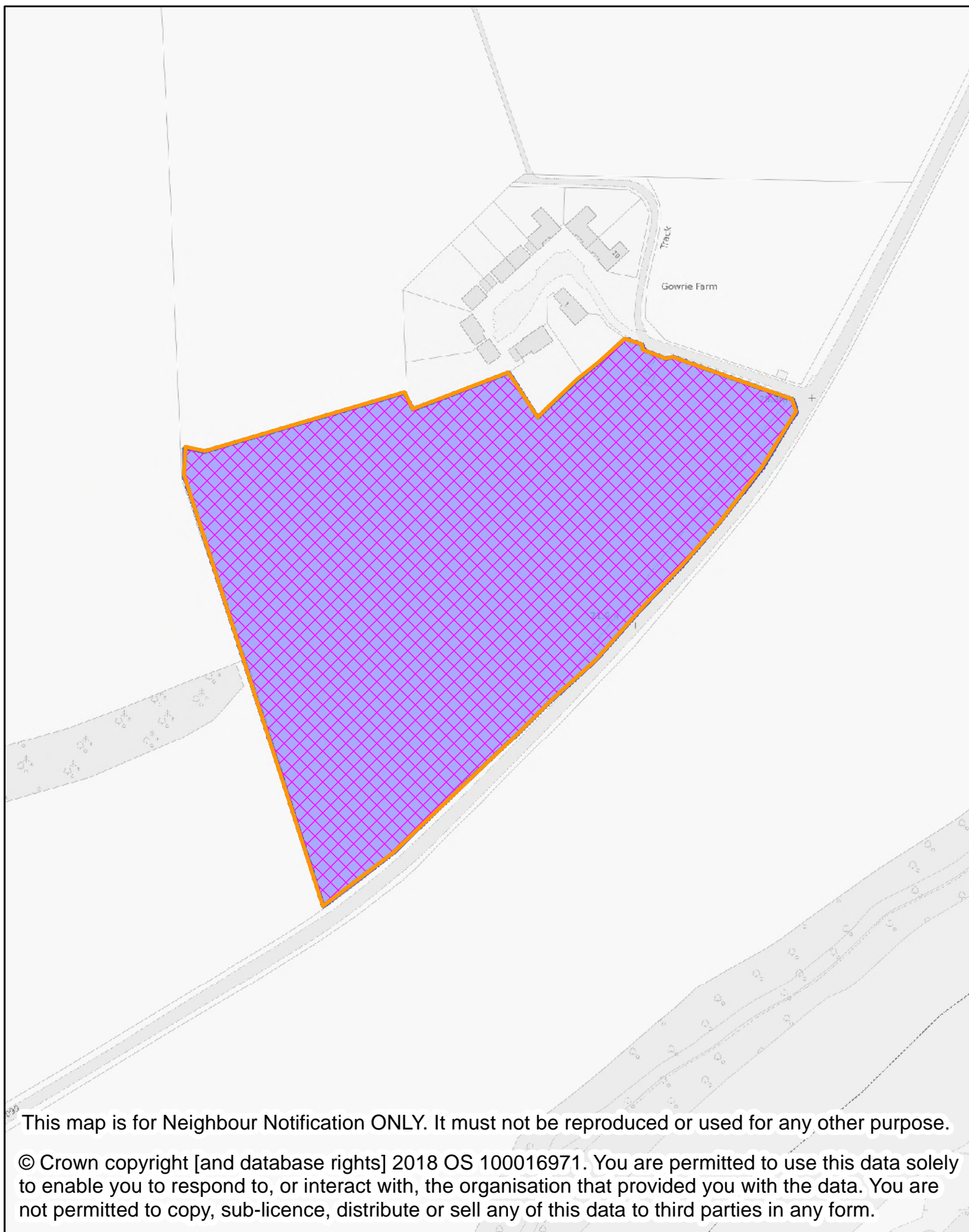


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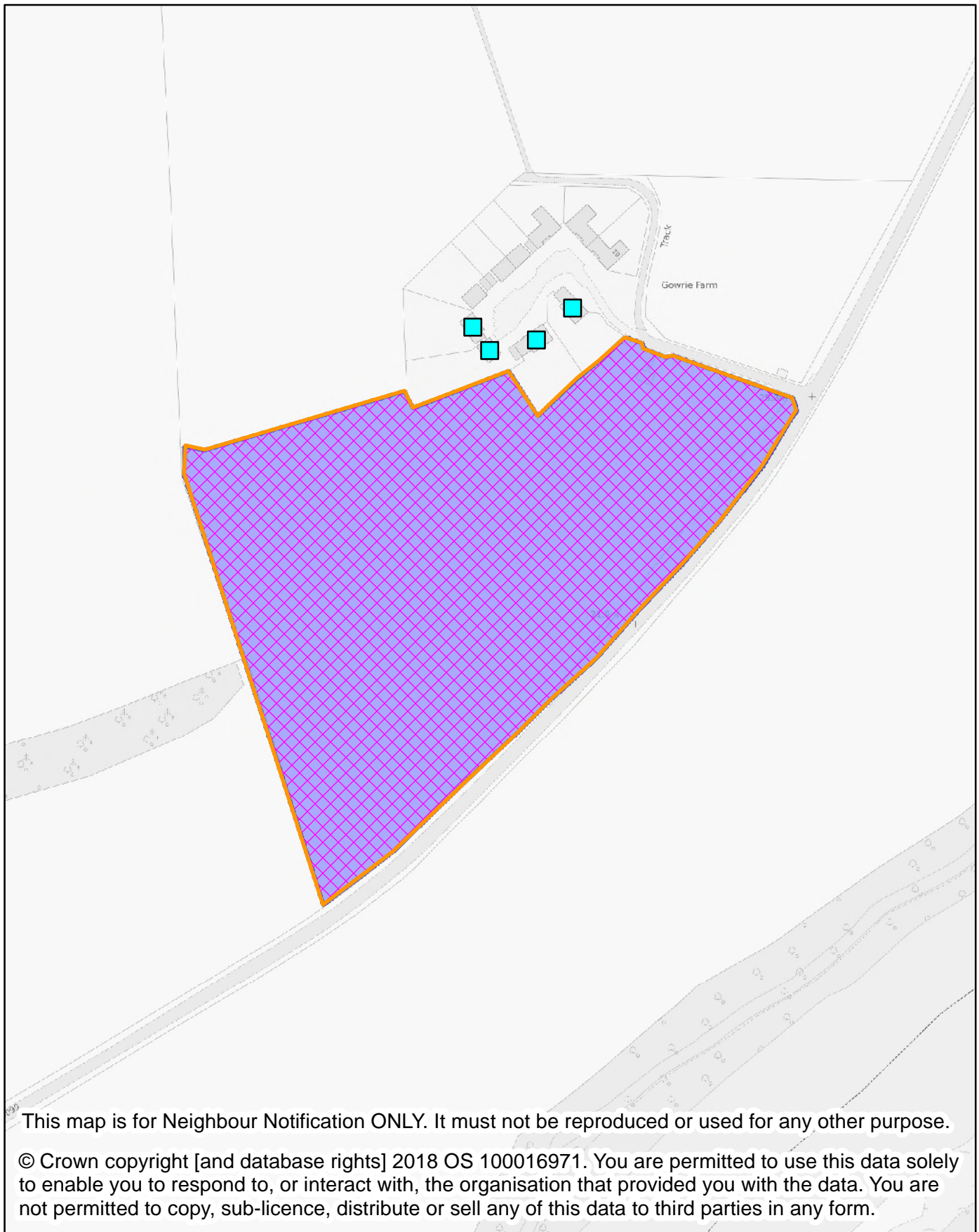
NEIGHBOUR NOTIFICATION

Location Plan showing planning application site



NEIGHBOUR NOTIFICATION

Location Plan showing planning application site



Perth and Kinross Council

List of Neighbours notified for 18/01796/FLL

4 Gowrie Farm
Stanley
Perth
PH1 4PP

1 Gowrie Farm
Stanley
Perth
PH1 4PP

3 Gowrie Farm
Stanley
Perth
PH1 4PP

2 Gowrie Farm
Stanley
Perth
PH1 4PP

Memorandum

To	Development Quality Manager	From	Regulatory Service Manager
Your ref	18/01796/FLL	Our ref	LA
Date	31 October 2018	Tel No	██████████

Housing & Environment

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

RE: Mixed use development comprising erection of cider/juice production building with pick your own facility and farm shop, site accommodation unit (for a temporary period), polytunnel and formation of vehicular access, parking and associated works Land 100 Metres South of 3 Gowrie Farm, Stanley for Mr James Neill

I refer to your letter dated 11 October 2018 in connection with the above application and have the following comments to make.

Recommendation

I do not believe that sufficient information has been provided to demonstrate that this is a suitable location for the proposed development.

Comments

This application includes the erection of a cider/juice production building, farm shop, garage/store, site accommodation and the keeping of chickens for egg production.

The cider/juice production building will be approximately 100 metres from the nearest residential properties and I am concerned that noise from the development has the potential to impact on residential amenity if not properly managed and controlled.

I would therefore request that the following additional information be provided before I am able to comment further;

Cider/Juice Production Building

- Details of the proposed process, to include washing/processing of apples, production of apple juice, production of cider, the blending of cider and packaging and storage of products.
- Details of any machinery/equipment to be used in the process
- Details of the bottling process i.e. will it be hand bottled or an automated system
- Hours of operation
- Details of any mechanical ventilation or chilled storage
- Plan showing the layout of the production building (where produce will be cleaned, plant and equipment etc.
- Production capacity for cider and juice

Mobile Home/Temporary Accommodation

I understand that this would be a 3 year permission for temporary site accommodation.

- Could you confirm whether this will be occupied as a main residence for the 3 years or only occupied on a seasonal basis?

Farm Shop and Garage/Store

- Details of where these buildings will be located on the site
- What will be stored in garage/store

Chickens for Egg Production

- No. of chickens to be kept at the premises
- Details of where they will be housed on the site

Once I am in receipt of this additional information, I will be able to comment further on the suitability of the site for the proposed development.



Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	18/01796/FLL	Comments provided by	Tony Maric Transport Planning Officer
Service/Section	Transport Planning	Contact Details	[REDACTED]
Description of Proposal	Erection of cider/juice production building with pick your own facility and farm shop, siting of an accommodation unit (for a temporary period), erection of a polytunnel and formation of vehicular access, parking and associated works		
Address of site	Land 100 Metres South Of 3 Gowrie Farm Stanley		
Comments on the proposal	I note that this application is a re-submission of a previous application (17/01917/FLL) that was refused on non-transport grounds. I therefore do not propose to restate my earlier comments here, except to state that I do not object to this proposal, provided the undernoted conditions are attached in the interests of pedestrian and traffic safety.		
Recommended planning condition(s)	<ul style="list-style-type: none"> • AR01 Prior to the development hereby approved being completed or brought into use, the vehicular access shall be formed in accordance with Perth & Kinross Council's Road Development Guide Type C, Figure 5.7 access detail. • AR03 Prior to the commencement of the development hereby approved, full visibility splays of 2.4m X 70.00m shall be provided to the left and right of the access measured between points 1.05m above the road level, insofar as the land is in the control of the applicant, and thereafter maintained. 		
Recommended informative(s) for applicant	The applicant should be advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.		
Date comments returned	06 November 2018		



To:	Andy Baxter, Planning Officer
From:	Sophie Nicol, Historic Environment Manager
Tel:	[REDACTED]
Email:	[REDACTED]
Date:	18 th October 2018

18/01796/FLL | Erection of cider/juice production building with pick your own facility and farm shop, siting of an accommodation unit (for a temporary period), erection of a polytunnel and formation of vehicular access, parking and associated works | Land 100 Metres South Of 3 Gowrie Farm Stanley

Thank you for consulting PKHT on the above application.

As per our memo in response to application 17/01917/FLL the development site is considered to have archaeological potential. Aerial photographic survey has revealed the cropmarks of what may represent prehistoric activity in the field to the south of Gowrie Farm. Photographed in the 1990s by the Royal Commission on the Ancient and Historical Monuments of Scotland's aerial photographic survey, the cropmarks may represent Later Iron Age settlement, including what's known as souterrain, a curved cellar-like storage facility usually attached to round-house. Further, in 2008, CFA Archaeology carried out an archaeological evaluation of the field to immediate south west of the development site. This preliminary investigation revealed significant archaeological remains, including a 'burnt mound'; utilised in prehistory for heating large quantities of water and so associated with cooking or bathing. The applicant has already planted bare root stock apple trees across a proportion of site, the methodology of which was in agreement with PKHT out with the planning system. However due to the permanency and scale of the proposed associated infrastructure works we recommend that archaeological evaluation at a proportion of 10% of an agreed area in consultation with PKHT should be undertaken in the first instance.

Therefore, if permission is granted for this mixed development, it is recommended that a negative suspensive condition for a programme of archaeological works is attached to consent to ensure the development does not destroy significant archaeological remains. The area to be evaluated will include the road, car parking area, building footprints, soakaway/ drainage and any works that are deemed appropriate by PKHT. This evaluation will inform a mitigation strategy, if required, to either preserve significant deposits within the development or for further archaeological works, to consist of the excavation, post-excavation analysis and publication of these deposits.

Recommendation:

In line with Scottish Planning Policy historic environment section (paragraphs 135-137 and 150) and policy HE1B of the Local Development Plan, it is recommended that the following condition for a programme of archaeological works be attached to consent, if granted:

HE25 *Development shall not commence until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of archaeological investigation which has been submitted by the applicant, and agreed in writing by the Council as Planning Authority, in consultation with Perth and Kinross Heritage Trust. Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented including that all excavation, preservation, recording, recovery, analysis, publication and archiving of archaeological resources within the development site is undertaken. In addition,*

the developer shall afford access at all reasonable times to Perth and Kinross Heritage Trust or a nominated representative and shall allow them to observe work in progress.

Notes:

1. **Should consent be given, it is important that the developer, or agent, contact me as soon as possible. I can then explain the procedure of works required and, if necessary, prepare for them written Terms of Reference.**
2. This advice is based on information held on the Perth and Kinross Historic Environment Record. This database of archaeological sites and historic buildings is regularly updated.

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	18/01796/FLL	Comments provided by	Euan McLaughlin
Service/Section	Strategy & Policy	Contact Details	Development Negotiations Officer: Euan McLaughlin [REDACTED]
Description of Proposal	Erection of cider/juice production building with pick your own facility and farm shop, siting of an accommodation unit (for a temporary period), erection of a polytunnel and formation of vehicular access, parking and associated works		
Address of site	Land 100 Metres South Of 3 Gowrie Farm, Stanley		
Comments on the proposal	<p>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.</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>Primary Education</p> <p>With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.</p> <p>This proposal is within the catchment of Stanley Primary School.</p> <p>Education & Children's Services have no capacity concerns in this catchment area at this time.</p> <p>Transport Infrastructure</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.</p> <p>The site is within the full transport infrastructure area. The proposal includes a single accommodation unit for a temporary three year period and a cider</p>		

	<p>production building of 149m².</p> <p>As the accommodation unit is only for a temporary period of time it is exempt from contributing towards Transport Infrastructure. If the unit was to become permanent then a contribution would be required.</p> <p>The cider production building is identified as being used as a farm shop but it is clear that this would be ancillary to its main use for cider production. As such it will be considered to fall under the employment use category and would be calculated at £11 per m².</p>
Recommended planning condition(s)	<p>Summary of Requirements</p> <p>Education: £0 Transport Infrastructure: £1,639 (149m² x £11= £1,639)</p> <p><u>Total: £1,639</u></p> <p>Phasing</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 prior to occupation.</p>
Recommended informative(s) for applicant	<p>Payment</p> <p>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.</p> <p>Methods of Payment</p> <p>On no account should cash or cheques be remitted.</p> <p>Scheduled within a legal agreement</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>NB: 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</p>

	<p>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>Other methods of payment</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>Bank Transfers All Bank Transfers should use the following account details; Sort Code: 834700 Account Number: 11571138</p> <p>Please quote the planning application reference.</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"> a) Your card details. b) Whether it is a Debit or Credit card. c) The full amount due. d) The planning application to which the payment relates. e) If you are the applicant or paying on behalf of the applicant. f) Your e-mail address so that a receipt may be issued directly. <p>Transport Infrastructure For Transport infrastructure contributions please quote the following ledger code: 1-30-0060-0003-859136</p> <p>Indexation</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>Accounting Procedures</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>
Date comments returned	24 October 2018

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	18/01796/FLL	Comments provided by	Lois Kelly
Service/Section	TES - Flooding	Contact Details	FloodingDevelopmentControl@pkc.gov.uk
Description of Proposal	Mixed use development comprising erection of cider/juice production building with pick your own facility and farm shop, site accommodation unit (for a temporary period), polytunnel and formation of vehicular access, parking and associated works		
Address of site	Land 100 Metres South Of 3 Gowrie Farm Stanley		
Comments on the proposal	No objection		
Recommended planning condition(s)	N/A		
Recommended informative(s) for applicant	PKC Flooding and Flood Risk Guidance Document (June 2014)		
Date comments returned	16/10/2018		

15th October 2018

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



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

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

Dear Local Planner

PH1 Stanley 3 Gowrie Farm Land 100M South Of
PLANNING APPLICATION NUMBER: 18/01796/FLL
OUR REFERENCE: 767970

PROPOSAL: Mixed use development comprising erection of cider/juice production building with pick your own facility and farm shop, site accommodation unit (for a temporary period), polytunnel and formation of vehicular access, parking and associated works

Please quote our reference in all future correspondence

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

Water

- There is currently sufficient capacity in the Perth Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Foul

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

The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission

has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Infrastructure within boundary

According to our records, the development proposals impact on existing Scottish Water assets.



The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team directly at service.relocation@scottishwater.co.uk.

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction.

Scottish Water Disclaimer

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

Surface Water

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

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

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

General notes:

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

Site Investigation Services (UK) Ltd

Tel: 0333 123 1223

Email: sw@sisplan.co.uk

www.sisplan.co.uk

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

Next Steps:

- **Single Property/Less than 10 dwellings**

For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre-Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

- **10 or more domestic dwellings:**

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

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

- **Non Domestic/Commercial Property:**

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

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

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

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

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

For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best

management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

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

Yours sincerely

Angela Allison

A solid black rectangular box used to redact the signature of Angela Allison.

Design Statement

Proposed Cider Shed, Orchard & Dwelling Harvest Brae, Stanley, Perthshire

Applicant: Mr J Neill

Planning Application Ref: -

Prepared: 29 October 2017

Revisions: -

studio | **EAST**
chartered architects

Prepared by:
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- 1.0 Introduction**
- 2.0 Business Development & Housing Requirement**
- 3.0 Design**
 - 3.1 Site & Topography**
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 - 3.3 Access & Parking**
- 4.0 Executive Summary**

1.0 Introduction

This report has been prepared to support an application for construction of a cider shed, apple orchard, lavender farm and single dwelling on land south of Gowrie Farm, Stanley to provide necessary accommodation for a new cider production business. Gowrie Farm which has been part developed in to a residential steading is located to the south of the village of Stanley.

The application site lies adjacent to the existing building group comprising of a courtyard steading complex for ten houses and an approved application site for 300 chalets and 20 touring caravan stances at Gowrie Quarry. The application site is approx. 37,928m².



Views from within existing site

2.0 Business Development and Housing Requirement

The business as a whole functions with a variety of different activities under operation. This forms part of a diverse business with varying requirements. The general scope of activities extends to:

- Maintenance of apple orchard
- Maintenance of Lavender farm
- Fruit harvesting
- Lavender harvesting for oil, fragrance and culinary uses.
- Cider production
- General maintenance of productive hedgerows and planting

The maintenance of the orchard and lavender farm provides a full time role for the care and welfare of the plants / trees alongside the provision of on-site security for both trees, equipment and produce associated with the business.

This will be a unique facility within the area which will not only benefit the family but also the rural economy.

3.0 Design

Concept

The brief for the single dwelling is based solely on providing a functional home required for the upkeep of the orchard.

Giving consideration to the rural nature of the site and its relationship to the existing building group of which it is an extension, the presiding concept has been to create a modern farm house within a courtyard setting of agricultural buildings. This presents a contemporary steading development which is well seated within its rural and agricultural context. The buildings are traditional in form and use a traditional material palette.

The main 'farmhouse' building is a one and a half storey building which accommodates the principle living areas and bedrooms above.

Location

The overall massing of the building is consistent with the existing building group and, due to the sloping site topography, has been positioned on the site to avoid permeation of the skyline whilst creating its own sense of space. The sloping site offers the opportunity to lessen the impact of a new building by setting it into the slope. This gives the building an overall low profile when viewed from the main road.

The development has been set back from the existing building group to avoid overshadowing whilst the planting of 850 new apple trees and lavender farm will screen the development when viewed from the Southerly main road and existing access road to the farm steading. When approached from the North, the development will be seen set within the slope of the site ensuring that the existing attractive views to the South are maintained.

Careful attention has been paid to the location of the shed in particular, to avoid the risk of odour from fermentation activities reaching the existing building group.

In addition it is noted that there are services serving the existing steading buildings on the Eastern corner of the site. There is a preference not to disrupt these and as such the building has been sited to avoid these costly or disruptive works.



Approach View from B9099



Approach View from Existing Access Road

In summary, the placement of the development ensures it's seamless amalgamation on the site and associated building group.

The proposed dwelling is of a high design quality which will greatly enhance the overall amenity of this building group and proudly demonstrate a 21st century exemplar for a modern orchard.

Materials

The new dwelling is designed to be contemporary with rural form and style, matching the vernacular, while maintaining the use of traditional and common materials typically found within the area, such as:

- Untreated batten on board larch cladding
- Zinc roofing

This will reflect the varying material palate of the area and present a modern appearance.

Drainage & Services

Foul drainage will be serviced by a new septic tank with a clear water outflow to a soakaway. It is also intended that surface water drainage will be connected to a new soakaway. There is ample space within the site to accommodate these facilities. Design of this will be carried out in full detail by the project engineer, once engaged. Details can be submitted in response to a pre-commencement condition.

3.1 Site & Topography

The site extends to approx. 37,928m² and is owned by the applicant. The site is gently sloping from the North of the site towards the B9099 in the South.

Pre-application enquiries were submitted in June 2017. These sought a response on the proposed arrangement and location of the development and a positive response was received.

The site itself is defined by distinct fenced boundaries as well as the B9099 road to the South and the adjacent steading development. The proposal seeks to reinforce the existing boundaries with the addition of specimen tree and hedgerow planting (which will support the business operations) and post & wire fencing to match existing.

The site boundaries, as now proposed along with new planting such as a new orchard and other native / specimen tree planting and hedgerow , create a definable site and respect the existing boundary lines of neighbouring properties. This would neatly close off the wider building group.

3.2 Sustainable Development

The proposed development, as a whole, will present the opportunity for a holistic sustainable lifestyle with living and working taking place on site and a limited dependence on the requirement for travel to work requirements.

The new dwelling which is proposed for the family will be designed as an ultra-low carbon building exceeding the current standards for thermal performance and sustainability. This will present an exemplar approach to this method of construction and its integration in to a wholly sustainable live-work ethos. The following technologies and sustainable design principles are to be incorporated into the scheme:

- Southerly orientation, away from over-shadowing, to benefit from passive solar gains all year round
- High performance windows
- Air Source Heat Pump for domestic hot water services
- Solar panels to off-set electricity use
- Mechanical ventilation and heat recovery system
- Ultra-low u-values and high performance timber frame construction for air-tightness

3.3 Access & Parking

The site will be accessed via a new gateway off the B9099 road. This will provide a means of access away from the existing building group to ensure the existing access road is not affected by the new public traffic requirements to the orchard and lavender farm. This ensures the additional traffic requirements will not jeopardise road or pedestrian safety, either on the track or at its junction with the main carriageway.

This existing entrance area will be further defined by new post and wire fencing which will be continued around the site and used to further reinforce the boundaries and containment of the site.

The site includes for the provision of 15nos. visitor parking spaces with a large courtyard for private parking provision and agricultural vehicle operations. There is a provision for all vehicles to be able to manoeuvre within the site and leave in a forward gear.

The car parking and manoeuvring areas will be generally finished in a gravel layer with a tarmac bell mouth formed to the new track.

4.0 Executive Summary

- This report has been prepared to support an application for construction of a cider shed, apple orchard and single dwelling on land South of Gowrie Farm, Stanley to meet the business and maintenance requirements for cider production development.
- The presiding concept has been to create a modern farm house within a courtyard setting of agricultural buildings. This presents a contemporary steading development which is well sited within its rural and agricultural context. The building is traditional in form and uses a traditional material palette.
- The proposed development, as a whole, will present the opportunity for a holistic sustainable lifestyle with living and working taking place on site and a limited dependence on the requirement for travel for both work needs.
- The new dwelling which is proposed for the family will be designed as an ultra-low carbon building exceeding the current standards for thermal performance and sustainability.
- The site extends to approx. 37,928m² and is gently sloping from the North of the site to the adjacent road to the South.
- Pre-application enquiries were submitted in June 2017. These sought a response on selection of the proposed location of the development and a positive response was received.
- This site has been particularly identified due to its proximity to the established building group at Gowrie Farm with established boundaries to the South and North West.
- A deliberate landscaping scheme is to be employed throughout the site. This will serve the sustainable lifestyle of the occupants, enhance the overall bio-diversity of the site and provide appropriate levels of screening and privacy for existing and proposed residents.

Perth office

Strutt & Parker
5 St John Street
Perth
PH1 5SP
Telephone 01738 567892
perth@struttandparker.com
struttandparker.com



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

Direct dial: 01738 783352
Email: john.wright@struttandparker.com
Our ref: JAW/AC

27 October 2017

F.A.O Mr Andrew Baxter

Dear Mr Baxter,

PERTH & KINROSS, STANLEY, LAND 100m SOUTH OF GOWRIE FARM, PH1 4PP (KNOWN BY THE APPLICANT AS "HARVEST BRAE").

"THE CREATION OF AN ORCHARD, ERECTION OF A FRUIT PROCESSING SHED (WITH ANCILLARY PICK YOUR OWN AND SALE OF PRODUCE), POLYTUNNEL, AND A DWELLING, FORMATION OF ACCESS, PARKING AND OTHER ASSOCIATED WORKS".

PLANNING SUPPORTING STATEMENT ON BEHALF OF THE APPLICANT.

On the 16th June 2017 a pre-application request (Ref: 17/00396/PREAPP) was submitted to the Council in respect of the above proposed development in accordance with the Councils Supplementary Guidance "Housing in the Countryside". A response was received from Mr Andrew Baxter on the 8th of August setting out the Councils position, and this application is submitted pursuant to that response, and providing the additional detail and information requested.

We understand, from the Pre-Application Response, that the Orchard and other planting associated with this development would not require consent. Therefore, the matters for determination under this application are the Fruit Processing Shed (and ancillary pick your own and sale of produce), Polytunnel, Dwelling House, parking, access, fencing and other engineering works.

THE PROPOSAL

The site is located to the north of the B9099, equidistant between Stanley and Luncarty, adjacent to a steading development of 10 houses, and a recently consented tourism development at Gowrie Quarry (300 chalets and 20 touring caravans). The site rises gradually from a low point adjacent to the B9099 to a high point on the northern boundary providing an optimum location, and growing conditions, for the orchard.

Our client has undertaken significant investigation and research in to the potential for an Orchard and Cider making facility in this location, and the market for such a produce prior to embarking on this application. The outcome of that research (including engagement with Scottish apple growing expert Mr John Hancox, known as "The Apple Man") has been that the site is not only perfectly suited to this use (in terms of soil type, soil quality, orientation and local climate) but also benefits from an historic connection with Perthshire's apple growing heritage.

The proposal is supported by a Business Plan (which contains commercially sensitive information, should be treated as Confidential, and is not for public viewing either on the planning file, or on the Public Access system) demonstrating the viability of the proposed development (not requiring funding, but LEADER and Food Processing Grant funding are being applied for which will help add to the viability), the permanent and part time employment opportunities generated in the locality, the labour requirement and the need for a





permanent on site presence. The proposals also provides for “pick your own fruit” which will also add a recreational/tourism resource/opportunity for local people and visitors to pick their own apples and either make their own cider/produce or have it processed on site for them, there will be an ancillary retail element to the proposal to enable the sale of produce on site.

A Cider Shed is proposed, with a polytunnel and a house formed in south facing courtyard, centrally located within the site and the orchard (which is currently being planted) to provide shelter from the prevailing (west) wind, but also to maximise passive solar gain, minimise any landscape and visual impact, and the impact on the outlook from Gowrie Farm Steading as well as any potential odour impact on adjacent housing at Gowrie Steading. The siting has also been influenced by the existence of a private foul water system and soakaway drain serving Gowrie Farm Steading, but also with a view to achieving a satisfactory landscape fit as demonstrated in the Design Statement (and visualisations of the completed development) prepared by Studio East Chartered Architects. The Design Statement provides details of the proposed materials for the buildings, and plans and elevations of the structures proposed demonstrating a high quality development sensitively located on site.

Due to the value of the crops planted, and the potential for it to be eaten by Deer etc., a Deer Fence 2mtrs high, is proposed on the boundaries (with the exception of the boundary with Gowrie Farm Steading, which will remain as it is) with native trees and hedgerows planted to form the boundary to the orchard. The sustainability of the operation, the maintenance requirements of the orchard, the value of the crop planted, the value of the equipment on site, and the type of product produced and stored on site, there is a need for a permanent onsite presence requiring a house as part of the proposal as demonstrated in the Business Plan provided. As alluded to in the Officers pre-application response, and discussions, if a temporary housing solution is considered more appropriate we have provided plans and elevations for the proposed temporary dwelling, however, would appreciate if the proposed new house details could be approved now, with an appropriate trigger point for it to be built (3 years would appear reasonable in this case) would be happy to provide details of the temporary solution for consideration.

CONTEXT

The Local Development Plan (Feb 2014) Proposals Map identifies this site as lying within the countryside outwith the settlement boundary. The site lies to the north of, but outwith a Pipeline Consultation Zone.

We have researched the databases of Historic Environment Scotland, SEPA, and SNH and whilst there are some minor features of local archaeological interest, we do not see any designations, or restrictions, that would preclude development in principle, and the site is not identified as being at risk of flooding from Surface Water, Rivers or the Sea. The buildings would be located on Grade 3.2 agricultural land (not prime for the purposes of planning but ideal for apple growing).

LOCAL DEVELOPMENT PLAN POLICY

The Local Development Plan (Feb 2014) remains the adopted Policy base for determining this application, and whilst a new plan is in preparation, the Proposed Plan will not be published for consultation until December with an Examination in to unresolved objections during 2018 meaning that little if any weight should be attributed to the emerging Policies until the Examination Report is received.

Policy PM1A requires development to contribute positively to the quality of surrounding built and natural environment. We believe that the proposal, as depicted in the Design Statement and detailed plans provided achieves this and will deliver not only a high quality development, but a significant environmental/ecological enhancement in the locality.

Policy PM1B requires all development to meet a number of criteria. Whilst some of these are not relevant to this scale of development the Design Statement clearly describes the design approach to this, the use of materials, and the siting of the development providing long range views from public vantage points to inform consideration of the proposal.

Policy PM2 requires development of certain scale to be supported by a Design Statement. As this proposal falls within one of the thresholds, a Design Statement has been prepared and is submitted with this application.

Policy PM3 deals with “Infrastructure contributions” and states that planning permission will only be granted where contributions towards essential infrastructure, which are reasonably related to the scale and nature of the proposed development, are secured where necessary by legal agreement (we will determine whether a S75 Legal Agreement to secure payment is required on receipt of the Planning Gain request from the Council).

Policy ED3 deals with “Rural Business and Diversification” and states that, the Council will give favourable consideration to the expansion of existing businesses, and the creation of new ones in rural areas. There is a preference that this will generally be within or adjacent to existing settlements. Sites outwith settlements may be acceptable where they offer opportunities to diversify an existing business or are related to a site specific resource or opportunity. This is provided that they will contribute to the local economy through the provision of permanent employment, or visitor accommodation, or additional tourism or recreational facilities, or involves the re-use of existing buildings.

The Business Plan submitted demonstrates the viability of the business, and the commitment of the applicant to develop the business (the investment in which has already begun with the planting of hedging and boundary planting with the Orchard being commenced immediately on receipt of a favourable response to this application to enable the coming growing season to be capitalised upon) and the site specific resource (which confirms that this use could not reasonably be located within a settlement or an allocated employment area). The Business Plan demonstrates the contribution of the business both in terms of full time and part time positions to the local economy. The facility will also provide both tourism and recreational opportunities (potentially enhancing the attractions available to occupiers of the adjacent Chalet development) to local people and visitors alike allowing a new market (not currently in existence in the area) to be exploited.

Whilst the proposal necessitates a new dwelling house, this is not to support the financial viability of the proposal, rather in response to the specific needs of the business in terms of maintenance of the orchard, but also security for the equipment and produce on site.

Policy ED3 requires all proposals to meet all of the following criteria:

- a) The proposed use is compatible with the surrounding land uses and will not detrimentally impact on the amenity of residential properties within or adjacent to the site.
- b) The proposal can be satisfactorily accommodated within the landscape capacity of any particular location.
- c) The proposal meets a specific need by virtue of its quality or location in relation to existing business or tourist facilities.
- d) Where any new building or extensions are proposed they should achieve a high quality of design to reflect the rural nature of the site and be in keeping with the scale of the existing buildings.
- e) The local road network must be able to accommodate the nature and volume of the traffic generated by the proposed development in terms of road capacity, safety and environmental impact.
- f) Outwith settlement centres retailing will only be acceptable if it can be demonstrated that it is ancillary to the main use of the site and would not be deemed to prejudice the vitality of existing retail centres in adjacent settlements.



- g) Developments employing more than 25 people in rural locations will be required to implement a staff travel plan or provide on-site staff accommodation.

We are of the view that this proposed use is entirely compatible with the surrounding land uses, and has been designed and located on site to have the minimum impact on the landscape, but also the amenity of neighbouring houses adjacent to the site. This is demonstrated in the Design Statement, plans and elevations (including the proposed materials) and visualisations submitted with this application.

The site is well located between two settlements and in a popular tourist area of Perth & Kinross (with additional provision proposed immediately adjacent to the site), and will enhance the tourist offering of the area by providing an additional resource not currently available, and capitalising on the popularity of small scale micro production such as this.

We believe that there is a site specific resource in this location (south facing slope, high quality land, free draining soil, and possible origin of the Lass O Gowrie variety (according to a Scottish apple expert Mr John Hancox) which allows for a new and exciting market to be exploited whilst also reintroducing this variety to its location of origin, and providing a visitor attraction (ancillary fruit picking & sales/ cider tasting/making tours etc.) and opportunities for further diversification in the future.

The proposal will facilitate 1 x full time positions and 2+ part time positions with other seasonal positions during harvest (it should be noted, that due to the plant species the harvest will be over an extended period extending the duration of the seasonal employment opportunities) and further employment opportunities as the business establishes and expands. The level of employment at this site will not exceed the 25 stated in Policy triggering a Travel Plan to be submitted.

The applicant has discussed this proposal with Tony Maric of Perth & Kinross Council Roads Department and it has been confirmed that there is adequate visibility, and has confirmed that a "Type C" access would be sufficient for the proposed development. Ultimately, we believe that there is adequate capacity in the local road network for this proposal and we are not anticipate receiving an objection on transport grounds.

Policy RD3 deals with "Housing in the Countryside" and is supported by Supplementary Guidance. It states that the Council will support proposals for the erection, or creation through conversion, of single houses and groups of houses in the countryside which fall into at least one of the following categories:

- a) Building Groups.
- b) Infill sites.
- c) New houses in the open countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance.
- d) Renovation or replacement of houses.
- e) Conversion or replacement of redundant non-domestic buildings.
- f) Development on rural brownfield land.

We believe that this proposal complies with the requirements of part (c) of the Policy and 3.3(a) of the Supplementary Guidance relating to Economic Activity.

We acknowledge that, where the house is required in association with a proposed economic activity, construction of the house will not be permitted in advance of development of the business. Whilst this is accepted, it is essential in determining whether to make the initial investment purchasing and planting the orchard and other trees and developing the business that the owner has the comfort that he will be able to live on site and build the house proposed in the enclosed plans (both temporary and permanent) once the business is established (it would be helpful if you could clarify what the trigger point would be for



“establishment” of the business – we believe that 3 years would not be unreasonable to enable the establishment of the business). There is however, a danger with an extended period of temporary accommodation which could impact visitors perception of the quality of the enterprise which we would be keen to avoid.

Given the significant investment in tree stock and planting at the outset, but also in terms of equipment, but also fermenting cider etc. on site, these could be subject to theft (highly marketable equipment) or destruction (intentionally, or unintentionally) which would have the potential to jeopardise the success of the operation, particularly in the early years of operation. We believe that there is a security risk, but also other operational elements of the business (maintenance and sustainability etc.), which justify the on-site presence of the owner from the outset. The owner currently lives in Aberfeldy and the inability to live on site will add cost to the enterprise, and significantly detract from the sustainability of the proposal (in terms of his travel to work) and its viability (in terms of the cost of travelling to and from the site), particularly during the early establishment of the business.

It should be borne in mind when considering this proposal, that the planting of this many trees is something which the Council and Scottish Government are in favour of, and will bring with it significant biodiversity enhancements (particularly for nesting birds, bees, and invertebrates) to an agricultural field currently lacking in biodiversity.

CONCLUSION

We believe that this exciting proposal complies with the Policies of the LDP, and associated SG, and should receive your support. We look forward to receiving your decision on this proposal. If you have any queries on the application, they should be directed to the applicant/agent in the first instance.

Yours sincerely,

John Wright BSc (Hons) MRICS
Associate Partner

Harvest Brae

Business Plan

23rd Oct 2017

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Overview

Harvest Brae is a horticultural business combining an Apple Orchard and Lavender Farm.

There are many benefits of combining both crops.

1. Areas of the field that are possibly too steep for apple production are ideally suited to lavender
2. Lavender plants will attract and provide nectar/ pollen for bees outside apple blossom time
3. Agricultural equipment e.g. tractor, mower, trimmers are the same for both crops.
4. Key harvesting times are different for Apples and Lavender therefore the workload is spread throughout the year
5. The combination of apple blossom and lavender flowers will provide striking views which will be marketed to generate visitor numbers for the pick your own fruit facility

Background

Apple Orchard

Perthshire has been growing apples for over 800 years.

What was a thriving apple industry began to decline in the early part of the 20th century.

Due to the advent of bulk refrigerated transport and supermarkets desire for standardised products throughout the year what was a thriving apple industry began to decline in the early part of the 20th century.

The modern consumer is now aware that a local, seasonal, reasonably priced, quality product has benefits for the environment and frequently tastes better than standardised mass produced supermarket varieties.

It is a positive sign that supermarkets are now selling odd shaped fruit and highlighting when local produce is available.

Craft Cider like microbreweries and artisan Gin have undergone a dramatic and continuing increase in popularity with the public.

Lavender Farm

The business owners previously lived in Banchory which used to have a lavender farm that was started in 1946 and had at its peak 25,000 visitors per year. Deeside Lavender was unfortunately closed in 1986 when the fields were sold to make way for a supermarket. (Google Deeside lavender)

Site

The 9 acre site, purchased from CKD on the 7th April 2017 was once part of Gowrie Farm. The field is ideally suited to growing fruit and lavender as it has good quality well drained soil on a south facing slope with two steep banks. (See Horticulturalist report)

It is well connected being close to the A9 and within 5 minutes' drive of Perth. Main location code 89/706/0038. Land Parcel Identifier NO/10218/31387

As consumers become aware of Perthshire's apple growing heritage the connection between Gowrie Farm and the Lass O'Gowrie apple variety will be a valuable marketing asset as will the lavender farms ability to generate visitors to the site.

Mission statement

Harvest Braes mission is to get everyone in Perthshire talking about its products and visitor experience. Be it maintaining the heritage of apple growing in Perthshire or the creation of a lavender growing tradition we shall continue through Product, Process and People development strive to consistently provide top quality produce and experiences.

Business activities

The business has a number of complimentary activities

- Cider / Fruit Juice / Fruit production,
- Fragrance, Medicinal and Culinary Lavender production
- Visitor attraction/ pick your own facility

Cider / Juice Production

The belief that Scottish Cider production is a viable business is demonstrated by other Scottish Cider Producers e.g. Thistly Cross began in 2008 by selling via local farmers markets and now sells to national supermarket chains and internationally.

Also the Cairn O'Mohr Winery which began producing Cider in 2009 has expanded its Cider production to over 25,000 litres last year and that limit was reached because they could not source more local apples.

Scottish cider producers suffer from a shortage of apples therefore there is an opportunity to supply apples in large quantities to existing Scottish cider producers

Lavender Production

While there are no lavender Farms in Perthshire, there are an expanding number of successful lavender farms throughout Britain e.g. Dorset Lavender, Yorkshire Lavender (www.yorkshirelavender.com) and as reported in The Telegraph in 2016 'the number of UK Lavender farms more than doubled in the last eleven years'

While Lavender is still predominantly associated with the older generation the new trend is to use the visual impact of the crop to create visitor attractions where the fragrant uses of lavender are marketed and supplemented with increasing medicinal and culinary uses of different strains of lavender.

Visitor attraction/Pick your own fruit

To attract visitors, a combined orchard and lavender walk will be created to allow visitors the opportunity to amongst other things enjoy a stroll through the orchard and Lavender fields, take photographs, try to escape the lavender Maze, join in a treasure hunt and learn about apples and lavender from notices along the walk.

In addition to the visual impact of the lavender and apple trees a rare breed collection of chickens (up to 30 chickens) will be available for visitors to look at and purchase free range eggs.

Car parking will be provided on a gravelled courtyard (see layout drawing on page 14).

The facility to provide juicing and bottling of customers freshly picked fruit gives an added experience to the customer and an additional revenue stream for the business.

The adjacent field being converted to a holiday park with 300 Chalets adds to the potential for direct selling to tourists and locals.

Products for sale

1. Pick your own Apples, Plums, and Saskatoons

Saskatoons (Juneberry) a 'super food'. It is a blueberry like fruit with a distinctive taste indigenous to America and Canada where it is widely grown. The fruit is currently only commercially grown in one place in the UK (there are no commercial producers in Scotland). The berry can be eaten on its own, in breakfast cereals, yogurts in smoothies and garnishes See juneberries.co.uk

2. Lass O Gowrie Cider– Cider with a significant Lass O Gowrie Apple content

3. Fruit Juices- apple and a blend of apple and berry juices

4. Dried fragrance Lavender wands/ sachets, lavender plants, culinary lavender , lavender oil

5. Jams and Chutneys produced using the Orchards fruit and culinary lavender

6. Free range eggs

Orchard production

The orchard will initially be planted with over 850 apple trees. Conservatively each tree will produce 20Kgs of apples per year which totals 17 tonnes of apples per year. Plums and Saskatoons will add another 7 tonnes of produce.

Up to 7000 litres of craft Cider will be produced each year with the remaining fruit being juiced or sold to pick your own customers, restaurants/retail outlets or converted into preserves and chutneys.

Apple Type	fruit	# of trees
Lass O'Gowrie	Apple	100
Bloody Ploughman	Apple	50
Katy	Apple	300
Red Devil	Apple	300
Charles Ross	Apple	100
Victoria- Plum	Plumb	50
Smokey	Saskatoon	300

Lavender production

To ensure the best suited culinary, fragrance and oil producing lavender varieties are selected for propagation 700 one year old lavender plants will be purchased. These initial plants will be:

Lavender Type	type	# of plants
Hidcote	Fragrant	100
Munstead	Culinary	100
Little Lottie	Culinary	100
Grosso	Oil	100
Seal	Fragrant	100
Folgate	Cut and dried	100
Royal Velvet	Cut and dried	100

These plants will be propagated by taking an average of ten cuttings per plant. By year three this will have generated, 700 4 year old plants and 7000 3yr old plants (plus numerous 2 year old plants). To account for propagation losses and plant productivity increasing with age the table on page 19 has pessimistically assumed 1000 propagation losses and ignored the 700 4yr old plants.

Marketing / Selling

Marketing will be an important aspect to the company's success, and will in the first instance concentrate on educating the public regarding Perthshire's apple heritage and generating consumer interest in Perthshire lavender.

A digital marketing campaign will be actively pursued via a web page and blog detailing the progression of the orchard and lavender garden from inception to production as well as specifically promoting Apple and pick-your-own Days

All marketing activities shall emphasis Quality and local heritage.

Once produce is available, Advertisements will be placed on Heartland radio and in local publications e.g. The Quair magazines, Pitlochry life, Perth Advertiser

Tourist offices and hotels in Perthshire shall be supplied with flyers detailing Harvest Braes attractions.

We shall follow other successful craft businesses and attend Local farmers markets at Perth, Pitlochry and Aberfeldy. Occasional local large one off events e.g. Atholl highland games may be attended.

Select outlets (local drink emporiums, delicatessens & restaurants) will be approached to stock products once the brand names have been established and production quantities require additional retail outlets. Medium and smaller size villages shall be restricted to one outlet.

It is hoped that by continuing to be involved in apple events e.g. Holyrood Apple Day, as well as the uniqueness of the Perthshire lavender farm in Scotland, Radio, TV and Newspapers will provide some feature articles.

Benefits for local people and businesses

Employment

A 48 week year at 40hrs per week equates to 1920 working hours per year. From a review of the required work (see page15) it can be seen that there is a requirement for 2881 hours to be worked per year. If all activities could be organised so that the workload was stable and sequential throughout the year there would be a requirement for one and a half people to carry out all the activities.

Even though the plant types and varieties have been selected with workload levelling in mind some tasks must be done concurrently e.g. Apple harvest and juicing. This means that another part time employee will be required to meet peak demand for three months of the year.

The business shall therefore employ:

- One full time employee throughout the year
- One part time employee throughout the year to assist the full time employee
- Two part time employees during harvesting and apple pressing time

Increase in local business activity

- The anticipated turnover of £90k per year will primarily be spent in the local community
- The initial capital investment of £126k, (see page 16) to set up the orchard, will predominantly be spent in Scotland with a significant percentage being spent within the local business community.
- The purchase and erection of a Scotframe kit house will also require £135k to be spent in the Scottish/local business community
- By providing an enjoyable experience for tourists and locals it is realistic to predict that there will be an increase in tourist activity which will have a positive knock on effect to other tourist attractions

SWOT (strengths, weaknesses, threats, opportunities)

Strengths

- Extensive research on plant selection and orchard planning
- South facing slope with good well drained soil,
- central location with good access to A9
- Marketing of local heritage. E.g. *Lass O' Gowrie* and *The Bloody Ploughman apple* varieties. The orchard is located on what was once Gowrie farm and may even have been where the Lass O Gowrie variety originated
- *Lass O Gowrie Cider* has been trademark registered
- *Perthshire Lavender* has been trademark registered
- Being the first lavender attraction in Scotland is good for generating publicity

Weaknesses

Poor initial cash flow

- This business will be personally financed with no bank loans or mortgages
- From initial planting to first sizeable harvest will be 3 years. The business will therefore have minimal income for the first 3 - 4 years. The Cash flow analysis demonstrates that the proposed investment of £126k is sufficient for all capital costs in setting up the business, i.e. purchasing plants, erecting the Cider Shed, purchasing production and transport equipment. It should be noted however that to preserve cash flow reserves the high value cider processing equipment e.g. cider press, juice pasteuriser etc. amounting to £18k will not be purchased until the end of year two.
- The first three years running costs will be £15k per annum (see pg. 20) and will in the first 24 months be met from existing personal reserves. The following 12 months running costs will be met from income generated from an existing unconnected rental property.
- LEADER and Food Processing Grants will be applied for. The business has taken a pessimistic stance and assumed no money will be received therefore any monies received will automatically benefit the businesses cash flow.
- As a contingency for unforeseen costs or increase in quoted prices, failure to meet deadlines, our current home will be sold. The sale of the existing home will generate an anticipated £180k, therefore transferring onto site will, after the new house build costs of £135k release approximately £45k for any contingencies.

Seasonal Non-productive periods

- Due to the seasonal nature of agriculture there is a three month period when full time employment in either fruit / lavender production or cider/juice making activities will not be possible (Jan, Feb, March). The following activities will therefore be carried out in Jan, Feb and March to ensure the business is focused and prepared for the coming year(s)
 - Producing Dried lavender Wands and sachets
 - Bottling Cider
 - Attend Aberfeldy, Pitlochry and Perth farmers markets
 - Maintenance of buildings, and equipment
 - Business development strategy and administration tasks –accounts, legislation, training
 - Holiday

Lack of experience

- Two local horticulturists have been extensively involved in the planning of the orchard and Lavender farm
- I am an active member of the Scottish Apple Producers Group. The group is a collection of existing apple producers and technical experts whose aim is to re-establish orchards to Scotland and increase commercial apple production by sharing best practice. It is a not for profit organisation with a cumulative 100 + years of lessons learned in orchard management.
- Successful business experience has been gained whilst I was a business partner in a hairdressing business and more recently being a self-employed Engineer
- My partner grew up on a smallholding and therefore has extensive experience in smallholding activities and has access to parental guidance / assistance if required
- My partner has worked in food processing for 10 years and retail businesses for 5 years
- While experienced in small scale cider making I have been offered assistance from cider producers who have years of experience in producing large craft quantities
- Perth Tay Landscape Partnership workshops in Orchard Planning, Fruit Tree Pruning, Fruit Tree Pollination and Apple pests and disease courses have been completed
- Ongoing involvement with local horticulturists

Opportunities

Existing

- Based on market research and Thistly Crosses dramatic expansion from zero in 2008 to being an exporter and supplier of supermarkets in 2015 there is room for additional local (and national) craft cider.
- There is existing demand for apples from Scottish cider producers
- The public understand that Apple juice is a healthy alternative to soft drinks. (If there is a requirement to reduce the % of sugar in the fruit juice other beverage suppliers practice of adding carbonated water could be followed)
- There are no other Lavender Farms/ Gardens in Perthshire.
- The location between an expanding Perth and Stanley as well as the creation of a holiday park next door produces a large increase in the potential customer base and therefore a good business opportunity.

Mid-term (5 years)

- Increase plant numbers by propagating lavender and apple trees to utilise more of the available land
 - 600 lavender plants at one meter plant spacing with 2 meters between rows occupies 0.15 of an acre
 - 6000 lavender plants will occupy approximately 1.5 acre
 - 850 apple trees at 3 meter spacing and 3 meters between rows occupies 2 acres
- Explore the possibility of cooperation between complimentary local enterprises e.g. honey producers, ice cream makers, bakers
- National distribution of Cider/ Fruit Juice
- Increased Business cooperation between Scottish Apple Producers re marketing and production facilities

Long term (10 years)

- Diversify into the production of a high value apple Brandy akin to Whisky
- Subject to demand purchase another field suitable for lavender and apple growing so that additional quantities of goods can be intensively produced

Risk Mitigation (threats)

Disease

- Continuous monitoring and if required selection of suitable chemical treatments and pruning
- Different types and varieties of plant are to be grown
- A key factor in selecting the fruit plants are there resistance to diseases

Pests

- Deer and rabbit fencing will be erected to prevent deer and rabbits entering the orchard
- Each tree will be staked and guarded against rabbit/ vole predation

Weather

- By using local horticulturists knowledge and the discovery of the types of varieties used in Banchory lavender fields seven different types of lavender will be selected for propagation
- Local varieties of fruit trees with proven ability to withstand climatic conditions or varieties that have demonstrated their ability to thrive in Scotland have been selected
- Minimal water irrigation may be required in rare drought times
- Wind damage will be reduced with the planting of native Alder trees and productive shrub plants e.g. Dog rose, blackcurrant, gooseberries, elderberry
- Water logged fields will not occur due to slope and existing drainage features
- Frost shall not linger as the field is sloped facing the sun

Theft

- There have been incidents of young tea plants stolen within Perthshire. See the Courier and Advertiser of February the 7th 2017. It is also understood that the adjacent land is to be developed with the erection of 300 holiday chalets which potentially could increase the likely hood of theft. The loss of newly planted trees would have a critical impact on future profitability as would excessive scrumping. It is essential therefore that a deer fence is erected and a person is seen to be working the land.

Poor harvest

- Selecting different varieties of Lavender, Apples and Fruit will reduce the overall risk of having a poor harvest
- Correct pruning stabilises year on year Apple yield
- Leaf analysis will ensure the fruit trees are in optimum condition

Excessive workload at harvest time

- Harvest time will vary from year to year depending on the weather and variety of plant however generally speaking Saskatoons will be harvested in early July, lavender in August, and Apples in September
- Selected Apple trees are early, mid and late harvesters to best level out the workload during apple harvest time
- During apple picking time one full time worker and two part time workers will be employed
- Woofers/part time workers may be available
- The majority of trees will be on dwarf root stock to prevent the need for ladders and quicken collection times
- The number of pick-your-own fruit days will be monitored to balance out workload

- Pasteurised fruit juice can be stored for up to two years
- Certain varieties of apple can be stored for 8 weeks prior to being processed without any appreciable degradation of quality. Cold storage can extend this to 12 weeks.

Inability to sell produce

- A flexible approach has been adopted whereby fruit can be sold or converted to juice, cider, vinegar, or turned into apple jelly, chutneys
- While the types of lavender have been selected for specific uses e.g. fragrance or oil production there is a degree of overlap between each so if one product is unpopular the lavender can be used to supplement a more popular product (excluding culinary use as this is quite specific)
- The provenance of the Lass o Gowrie and Bloody Ploughman Apple will be a marketing advantage in the local area
- Local delicatessens have indicated they would be willing to stock local juice, cider and preserves
- Scottish cider producers suffer from a lack of apples and are willing to purchase Scottish apples. Clyde Valley Cider have already offered to purchase apples at £250 per tonne. Other cider makers offer the general public 25p per Kilo so there is the possibility they would offer more for large quantities of high quality apples

Inability to attract visitors

- An annual advertising budget of £2500 has been allocated for the creation of flyers which will be displayed in local tourist offices and magazine adverts.
- By taking the best features of other lavender Farms i.e. nature walks, mazes, and adding in an apple orchard there is no reason to suspect that visitors will not attend.
- Being unique in Scotland should increase the public's interest

Not profitable

- Costs- A comprehensive list of Set up and operational costs have been established via quotes from appropriate businesses and input from the Scottish Apple Producers group.
- Production volumes - Horticultural experts conservatively estimated that:
 - The Fruit trees will on average provide 20kg of Apples, 30kg of Plums, 5kg Saskatoons,
 - Depending on the variety of lavender harvested 6 lavender plants will produce 15ml of essential oil, or 180 grams of culinary lavender or 18 dried flower bunches
- Various Sales Revenue scenarios have been assessed (see attached pages 17 to 19). Selling prices at the lower end of the applicable range have been selected to provide a worst case scenario. It should be noted however that the produce will be high craft quality and will therefore be marketed and priced towards the higher end of the stated price range.
 - From reviewing other Scottish Craft Cider producers and Farmers Markets the selling price for a 330ml bottle of cider or fruit juice is between £2.50 and £3.20. I have therefore used the middle price of £2.75
 - As production increases some of the juice and cider will be sold to retail outlets. I have utilised a reduced wholesale selling price of £1.90 per 330ml bottle to review the businesses economics.
 - The Pick your own fruit selling price has been based on ASDA per kilo prices. This is lower than most other pick your own businesses
- Combining the lavender and Orchard revenue streams shows that the businesses annual turnover of £91k is generated from a £63k cost base which results in a pre-tax profit of £28k (a margin of 30%) (see page 18)
- Additional processes e.g. pressing and bottling of customer pick your own fruit would generate additional revenue streams.
- Additional income will be generated from the sale of surplus eggs at £2.50 per dozen

Macro political/ economics/ Brexit

- Should fruit import tariffs / inspections be reduced following Brexit the potential negative impact of fruit oversupply from abroad will reduce prices however a key marketing feature of Lass O'Gowrie Cider is its local heritage therefore any negative impact should be minimised
- At this point exports are not a feature of Lass O Gowrie Cider however Thistly Cross does export 22% of its produce abroad with 12 % going to America and it is expected that this will continue or potentially increase therefore there is not expected to be any additional competition for Lass O Gowrie Cider
- The possibility of a reduced manpower supply following Brexit is somewhat mitigated by using the Pick-your-Own model

House Requirement

The new house is required to be constructed for Security, Horticulture, Animal Welfare and Risk Management reasons.

Security

Due to the security concerns stated below the establishment of a permanent onsite presence is critical for the operation of the business.

- Following the purchase of the land the owner of the field has been advised that the adjacent land (Gowrie quarry) is to be developed, in the later part of this year, with the erection of 300 holiday chalets. Having that many tourists next door increases the likelihood of losing newly planted trees and excessive scrumping. Scrumping being defined as 'stealing apples from someone else's tree or orchard'.
- Thefts of young tea plants reported in the Courier and Advertiser on February the 7th 2017 demonstrate the need for individuals to be on site to deter thieves
- Due to the fermentation process of craft cider large quantities of drinkable cider will be held in 1000 litre tanks within the Cider Shed.
- Cider may also be stored in old whisky and brandy casks to provide an alternative flavour.
- In the future Apple Brandy may be stored/ matured in the Cider Shed
- Most of the equipment that is to be held in the Cider Shed has a high value, is easily moveable and highly saleable
- a single inquisitive person could unintentionally ruin 1000s of litres of cider or juice by e.g. removing a stopper and breaking its air tight seal

Horticulture

- The ability to propagate Lavender and Saskatoons in a polytunnel makes them economically attractive crops. The seeds and cuttings require to be germinated and brought on for the first year within a polytunnel which makes continuous control of humidity, soil moisture and pests /diseases critical.

Animal Welfare

- 30 rare breed chickens will need to be let out in the morning and locked up at night to prevent predation and egg collection

Risk Management

- The selling of the business owners' current house and construction of a new house on site shall release approximately £45k. This additional £45k is as demonstrated in the cash flow analysis not necessary for the running of the business but it is an essential part of the risk mitigation strategy for the business owners.

Summary

While Perthshire is famous for its fruit growing heritage the specifics of this business are uniquely favourable because of a combination of advantages

- The field is south facing with good well-draining soil
- It is located within 5 minutes' drive from Perth
- It has a high heritage value as the field is located on what was part of Gowrie Farm and it is possible that the Lass O'Gowrie apple variety originated on that farm.
- The business has obtained 'Lass O Gowrie Cider' as a trade mark (number UK00003188828) which will enable marketing to generate local interest.
- The business has applied for and is in the later stages of the approval process for the trademark 'Perthshire Lavender' (number UK00003258575)
- A 300 chalet holiday park is about to open next to the site which will bring a large number of potential pick-your-own as well as juice and cider customers
- The owner of the field is a member of the Scottish Apple Producers which is a recently formed group of apple producers with the aim of re-establishing orchards to Scotland and increase commercial apple production by sharing best practices.
- The opportunity to exploit the steep slope sections with Lavender means all the land can actively contribute to the business
- The above advantages when properly utilised shall generate an annual turnover for the orchard and lavender business of £91k with a cost base of £63k resulting in a pre-tax profit of £28k (a margin of 30%)
- Future planting will improve the efficiency of production as the equipment will be available and the trees and lavender will be grown from existing stock therefore requiring minimum additional expenditure.

<u>Workload Hours</u>				
Apple and Plumb trees				Hours
• Training (tying and shaping branches) 900 trees @ 10mins per tree = 150 hrs				150
• Thinning (removing excess flowers and apples) 900 trees @ 15mins per tree = 225 hrs				225
• Harvesting (675 trees due to pick your own) @ 15mins per tree = 170 hrs				170
• Winter pruning 900 trees @ 10 mins per tree =150 hrs				150
Saskatoons				
• Prune 300 bushes @ 10min per bush = 50 hrs				50
• Harvest 150 bushes due to pick your own @5mins per bush =12 hrs				12
Juice and Cider making (Total juice 10,682 litres, split 50% cider 50% juice)				
• Washing 15,260 kg of fruit @ 500kg/hr=30hrs				30
• Chopping @500kg/hr=30hrs				30
• Pressing @ 300kg/hr =51 hrs				51
• Bottle washing (10682 litres in 330 ml bottles =32000 bottles) 500/bottles hr = 53hrs				53
• Filling @100l/ hr =106 hrs				106
• Capping 32,000 bottles at 4 seconds/bottle =35 hrs				35
• Labelling 32,000 bottles at 5 seconds/bottle =44hrs.				44
• Pasteurising juice each load of 100 bottles takes 10 mins to load and 10 min to unload therefore 53 hrs				53
• Cider/ juice making i.e. checking/ testing / cleaning / racking /blending 100hrs				100
Lavender processing				
• Harvesting @90 sec per bush (6000 bushes) =150hrs				150
• Drying and tying 1500 fragrant bunches @2min each = 50 hrs				50
• Culinary 30g boxes 1950 @5mins each= 162hrs				162
• Oil 325 15ml bottles @10mins each = 54hrs				54
General maintenance				
• Grass cutting @ 1 day per fortnight between May and Oct = 13.5 days 108hrs				108
• Weeding @ 1 day per fortnight between April and January = 19.5 days 156hrs				156
• Perimeter Hedge cutting 3 days per year 24hrs				24
• Equipment and buildings 2 days per month =192 hrs				240
Selling				
• 30 farmer market days =240hrs				
• Pick your own over .August, Sept, Oct.= 14 weeks. full coverage over weekends i.e. 28 days =224hrs				224
Business				
• Bookkeeping/ admin 2 days per month=192 hrs				192
Transportation and equipment set up times				
• to account for transporting produce from field to processing area and setting up equipment + 10%				
Total hours work				2881

Orchard Costs (inc VAT)	Cost	from
plant costs		
Lass o Gowrie	1000	John Hancox
Bloody ploughman	232	FAST
Red Devil	1395	FAST
Katy	1395	FAST
Charles Ross	1395	FAST
various	450	appletreeman
saskatoons	800	appletreeman
Lavender	900	fairweathers nursery
Alder and shelter trees	1311	hedges direct
cane /root compound	1026	hedges direct
tree protection		
deer and rabbit fence	9200	df fencing
tree rabbit guard and small stake	3244	green tech - stake and plastic mesh ties- scot plant
10ft tree stakes	4977	FAST
weed suppressant membrane	1375	pro tec ebay
pegs for suppressant	330	gardners dream ebay
fertilizers/ soil treatment	50	
agricultural equipment		
tractor/quad bike	2000	ebay
grass cutting tool-mower	250	ebay
irrigation	300	waterirrigation.co.uk drip line 14mm x 100m
petrol trimmer	175	
post insertion tools	70	
spray equipment	170	
orchard ladder	270	vigo
picking buckets with harness	124	sfequip.com
field trailer	150	ebay
wooden 'potato' boxes	250	ebay/ gum tree or make own
hand pallet truck	202	pallettrucksuk.co.uk
Van	10000	
polytunnel	1500	second hand
cider equipment (Inc. VAT)		
washer	750	
masher	630	spiedel apple mill 91202
press	4685	Voran 100P2
food grade liquid pumps	250	vigo press Rover Novax 1500lts/hr
food grade hoses clips etc	250	
ibc containers	825	DVC used
bottle washing	930	vigo ltd 2 head with pump & tank
bottle drainer	100	vigo ltd drainer tree
bottle filling	1113	s1 vigo press 4 head
bottle caps	154	
bottle capping	528	vigo ltd
pasteurising equipment	5160	vigo press
labells	413	b2b (on line company)
labelling equipment	460	vigo hand operated
crates	650	50 crates = 1000 bottles ebay
measuring equipment	150	tester.co.uk for kern
cleaning equipment , spray heads?	250	
pressure washer	450	karcher
compressor and air reciever	300	
Lavender Still		
Lavender still	500	internet design
Barn (Inc VAT)		
Septic tank	4000	
electric	2000	
water	1500	including tap in field
cost of barn	26160	Robertsons
foundations	2256	"
erection	6480	"
planning	1764	"
SER Certificate	1020	"
concrete floor	7080	"
gas heater	136	clarke devil
storage racks	150	
storage racks	1033	3jcsales
lights	500	
toilets	150	wickies
sink / benches	600	
oven	1500	
fridges	700	
chicken pens		
chickens	300	10 at £30 each
chicken coup	500	moveable
Road access	5000	
Total	£125,918	

Selling via pick your own / farmers markets --- 3rd year after planting i.e. first large harvest									
Plant Variety	Number of trees	Produce (@ 10kg per tree)	Allocated to pick ur own kgs	Allocated to preserves kgs	Income from pick ur own *	kgs remaining for juice	litres of juice / cider @70% juice extraction	Income from selling cider/ juice **	
Lass O Gowrie	100	1000	200		£360	760	532	£4,389	
Bloody Ploughman	50	500	250		£450	210	147	£1,213	
Katy	300	3000	249		£448	2711	1898	£15,656	
Red Devil	300	3000	2250		£4,050	710	497	£4,100	
Charles Ross	100	1000	400		£720	560	392	£3,234	
victoria Plum	50	1	0		£0	0	0	£0	
Smokey-Saskatoon	400	1	0		£0	0	0	£0	
Totals		8502	3349		£6,028	4951	3466	£28,592	
Income from preserves ***		£1,650							
Income from Pick ur own		£6,028							
Income from juice & cider		£28,592							
Income from Lavender		£11,239							
Total income		£47,509	for this scenario the costs of sales are £34,165 which gives a profit of £13,344 or 28% of turnover						
* apples @£1.80 per kg, plums at £2.00 per kg, Smokey at £10.00 Per kg Note prices are equivalent to ASDA									
** juice / cider at £2.75 per 330ml bottle									
*** preserves at £2.75 per 330 g jar									
Will need 1675 pick your own customers taking 2kgs of fruit									
Will need to sell 10400 bottles of cider/juice									
Will need to sell 606 jars of preserves									

Selling via pick your own / farmers markets and delicatessens / shops -- year 5									
Plant Variety	Number of trees	Produce (@ 20kg per tree)	Allocated to pick ur own kgs	Allocated to preserves kgs	Income from pick ur own *	kgs remaining for juice	litres of juice / cider @70% juice extraction	Income from selling cider/ juice **	
Lass O Gowrie	100	2000	200	75	£360	1725	1208	£6,883	
Bloody Ploughman	50	1000	250	75	£450	675	473	£2,693	
Katy	300	6000	240	75	£432	5685	3980	£22,683	
Red Devil	300	6000	2220	75	£3,996	3705	2594	£14,783	
Charles Ross	100	2000	400	75	£720	1525	1068	£6,085	
Victoria Plum	50	@30kg 1500	525	75	£1,050	900	630	£3,591	
Smokey-Saskatoon	400	@5kg 2000	900	55	£8,325	1045	732	£4,170	
Totals			4735	505	£15,333	15260	10682	£60,887	
Income from preserves ***		£3,409							
Income from cider& juice		£60,887							
income from pick ur own		£15,333							
income from Lavender		£11,239							
TOTAL INCOME		£90,868							
total costs are £62,660 which gives a profit of £28,208 or 31% on turnover									
* apples @£1.80 per kg, plums at £2.00 per kg, Smokey at £9.25 Per kg Note prices are equivalent to ASDA									
** juice / cider at £1.90 per 330ml bottle									
*** preserves at £2.25 per 330 g jar									
Will need 2367 pick your own customers taking 2kgs of fruit									
Will need to sell 32046 bottles of cider/juice									
Will need to sell 1515 jars of preserves									

Selling lavender plants and processed product -- year three										
Lavender Plant Variety	number of mature plants	number of 1 yr old plants sold	income from plant sales *	number of dried flowers/ fragrance sachets	**income from dried flowers/ fragrance sachets	number of 15ml essential oil bottles produced	***income from essential oil sales	number of culinary lavender 30g boxes produced	****income from culinary lavender	total lavender income
fragrance	2000	50	£149.50	1500	£2,990					
oil	2000	50	£149.50			325	£2,925			
culinary	2000	50	£149.50					1950	£4,875	
	6000									
Totals		150	£449	1500	£2,990	325	£2,925	1950	£4,875	£11,239
Total Income	£11,239	the above figures are based on a propagation rate of 10 per parent plant and not selling any mature plants until year three production volumes are based on available 3 and 4 year old plants								
*plants sold at £2.99 each										
** dried flowers fragrance sachets sold at £3.00 each. (it takes one plant to produce three bunches of dried flowers or fragrance sachets. An estimated 1500 dried bunches/ sachets will be sold per year the remainder of the plants will be used to maintain the visual impact of the farm)										
*** essential oil sold at £9.00 per 15ml. (it takes 6 plants to produce 15ml)										
**** culinary lavender sold at £2.50 per 30g (it takes 1 plant to produce 30g of lavender)										

Business Costs- No harvest				
wages				
full time			8000	1 full time
part time			3000	1 part time
Telephone			100	
Internet				
web page			400	
Rates				
building			0	agricultural building
water				
sewage				
Taxes				
Alcohol Duty			0	£40.38 per 100 litres at 7.5%abv
				stay below 7000 litres to opt out of alcohol duty
Fuel				
electricity			100	
gas bottles			100	if gas is used to bake / make preserves
diesel/petrol			150	
Orchard Maintenance				
fences			0	
fertilizers			300	
sprays			400	if required trying to not use pesticides
foilage/soil tests			200	£20 per test
Maintenance Agricultural Equipment				
Tractor/ Quad			100	
Building			0	
Van maintenance/mot			0	
Van road tax			0	estimate ford transit
Van fuel			500	19p / mile
Maintenance Factory Equipment				
press/masher/washer			0	
kitchen oven etc			0	
Packaging				
bottles			0	vigo press 330 ml clear @18.5p per bottle
lids/caps			0	10629 caps at 0.14p each
labels			0	labels 100mm (w) x 80mm (h) 4 colours .04p each
boxes			0	
bags			0	
crates			0	£13 per crate
Professional Fees				
accountant			750	
horticulture experts			750	
bank			0	free for first two years
Association subscriptions			0	
Insurances			200	
Marketing / Advertising				
flyers			0	
magazines			0	
signage			0	
stationery			50	
Farmer market fees			0	£50 per market, (30 per year)
Raw Materials				
yeasts			0	If required
cider testing chemicals			0	
cleaning chemicals			0	
absorbic acid			0	1kg =£20.83 with dosage of 0.5g per litre
			£15,100.00 total running costs	

Business Costs- year 3 harvest			
wages			
full time		9000	1 full time
part time		4000	2 part time
Telephone		400	
Internet			
web page		400	
Rates		3000	estimate
building			
water			
sewage			
Taxes			
Alcohol Duty		0	£40.38 per 100 litres at 7.5%abv
			stay below 7000 litres to opt out of alcohol duty
Fuel			
electricity		800	
gas bottles		500	if gas is used to bake / make preserves
diesel/petrol		150	
Orchard Maintenance			
fences		100	
fertilizers		300	
sprays		400	if required trying to not use pesticides
foilage/soil tests		200	£20 per test
Maintenance Agricultural Equipment			
Tractor/ Quad		100	
Building		100	
Van maintenance/mot		1000	
Van road tax		230	estimate ford transit
Van fuel		1900	10000 miles at 19p / mile
Maintenance Factory Equipment			
press/masher/washer		50	
kitchen oven etc		50	
Packaging			
bottles		1970	vigo press 330 ml clear @18.5p per bottle
lids/caps		15	10629 caps at 0.14p each
labels		40	labels 100mm (w) x 80mm (h) 4 colours .04p each
boxes		300	
bags		100	
crates		130	£13 per crate
boxes		600	2000 small carton boxes for lavender
labels		500	lavender labels
Professional Fees			
accountant		750	
horticulture experts		750	
bank		100	free for first two years
Association subscriptions		100	
Insurances		500	
Marketing / Advertising			
flyers		1000	
magazines		1500	
signage		700	
stationery		250	
Farmer market fees		1500	£50 per market, (30 per year)
Raw Materials			
yeasts		300	If required
cider testing chemicals		100	
cleaning chemicals		250	
absorbic acid		30	1kg =£20.83 with dosage of 0.5g per litre
		£34,165	total running costs

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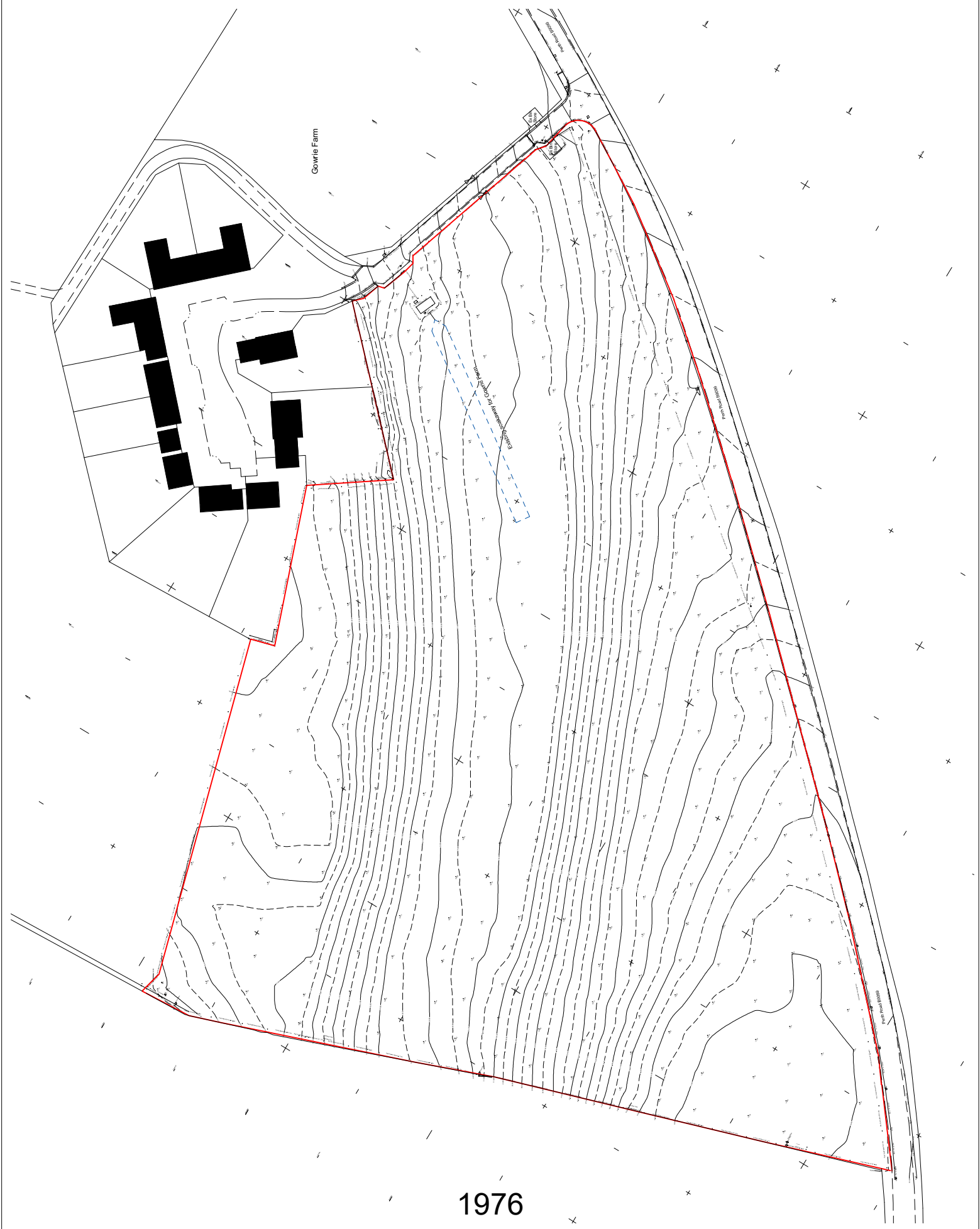
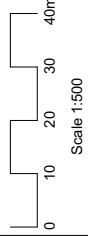


1975



No.	Description	Date
studio EAST		
Client	Mr Neil	
Project	PL-06	
Cider Shed, Orchard & Dwelling		
Sheet	PERSPECTIVES	
Scale (@ A3)		
Project number	1725	
Date	Sept 17	
Purpose of Issue	Design	
Drawn by	NG	
King James VI Business Centre, Edinburgh, Scotland, UK T: 017 238 4723 E: neil@studio-east.co.uk		

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No. Description Date



Client Mr Neil

PL-09

Project Oiler Shed, Orchard & Dwelling
Harvest Brae, Stanley

Sheet EXISTING BLOCK PLAN

Scale 1:500

Project number 1725


Date Sept 17

Purpose of Issue Planning

Drawn by NG

King James VI & Bruce's Castle, Fraserburgh, Perth and Kinross
10/10/2020 14:00:00


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Scale 1:500

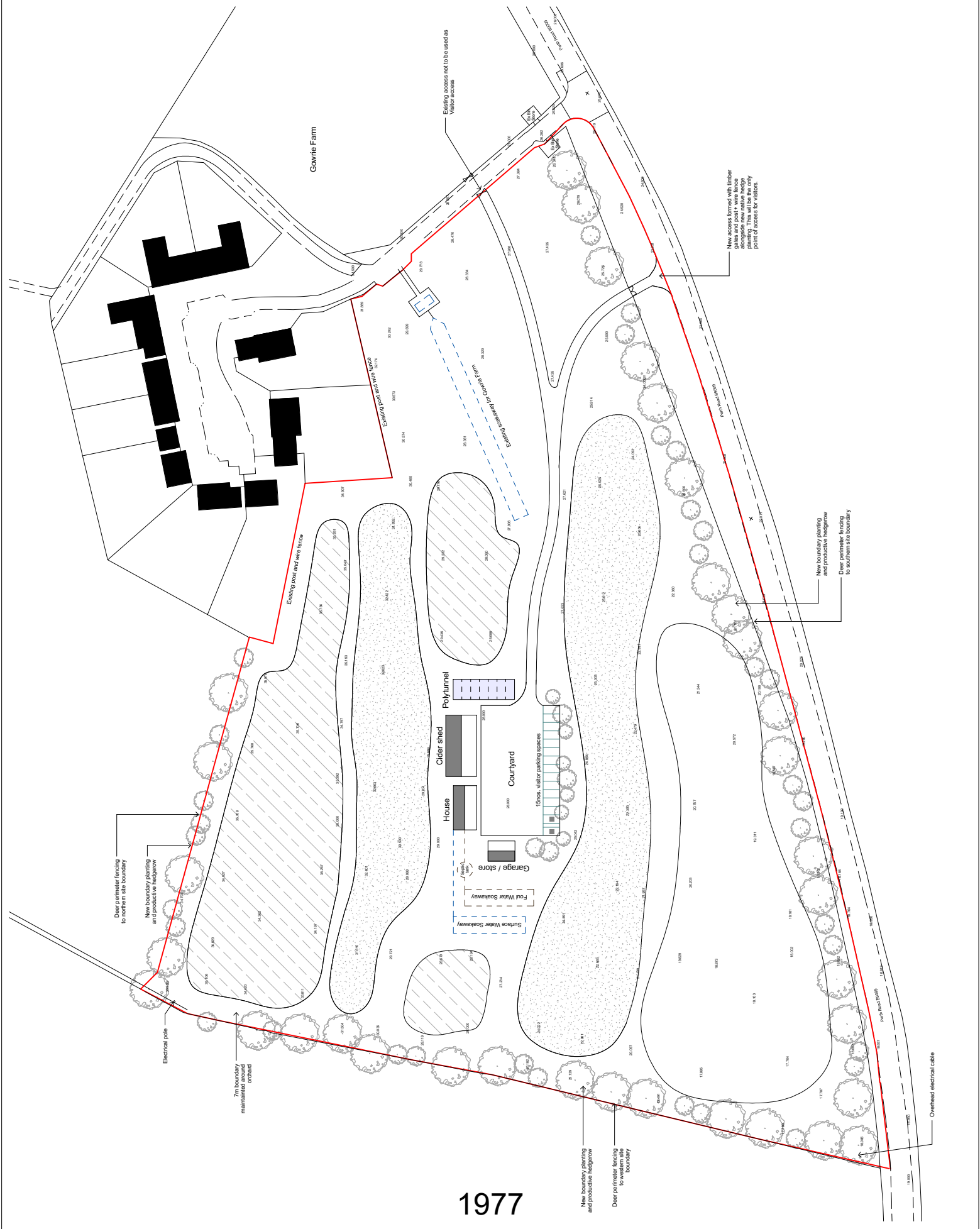
0 10 20 30 40m

Key:

 Apple / Saskatoon Orchard

 Lavender

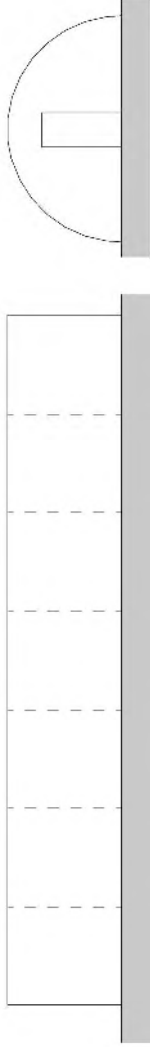
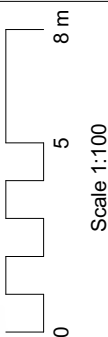
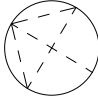
 Room for expansion



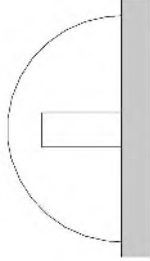
No.	Description	Date
studio EAST		
Client	Mr Neil	
Project	Older Shed, Orchard & Dwelling Harvest Brae, Stanley	
Sheet	PROPOSED BLOCK PLAN	
Scale	1:500	
Project number	1725	
Date	Sept 17	
Purpose of Issue	Planning	
Drawn by	NG	

King James VI & Elizabeth I, Fife, Perth, Angus & City
10/10/2020 1:500

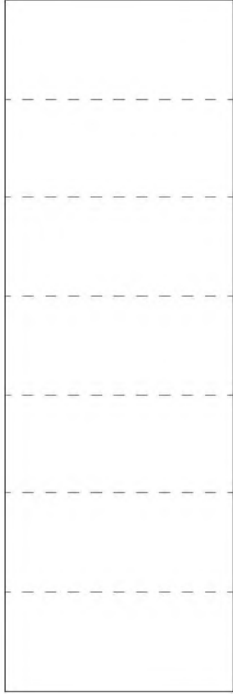
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East & West Elevations
1 : 100



North & South Elevations
1 : 100



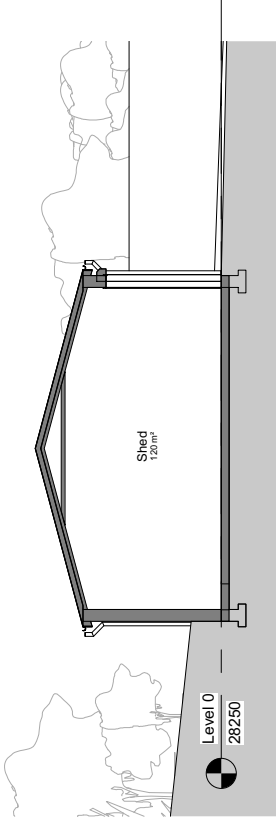
Polytunnel Floor Plan
1 : 100



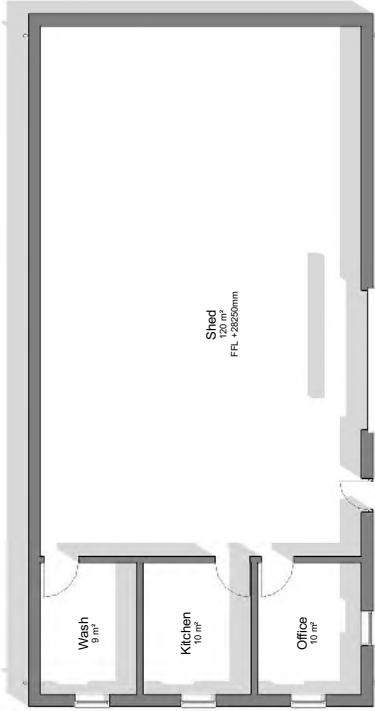
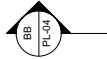
Cider Shed West Elevation
1 : 100



Cider Shed East Elevation
1 : 100



Section BB
1 : 100



Cider Shed - Floor Plan
1 : 100



Cider Shed North Elevation
1 : 100

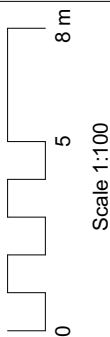
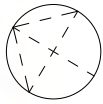


Cider Shed South Elevation
1 : 100

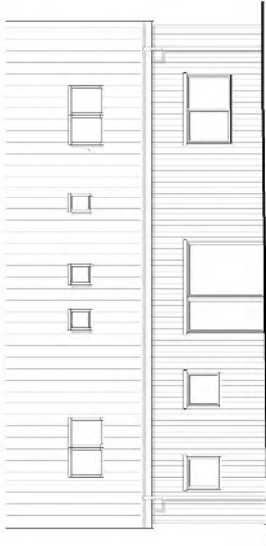
No.	Description	Date
studio EAST		
CLIENT	Mr Neil	
PROJECT		
Cider Shed, Orchard & Dwelling		
Harvest Brae, Stanley		
TITLE		
CIDER SHED & POLYTUNNEL		
SCALE (@A2)	1 : 100	
PROJECT NUMBER	1725	
DATE	Sept17	
PURPOSE OF ISSUE	Planning	
DRAWN BY	NG	
King James VI Business Centre, Ffionton Rd, Perth, PH2 8DY t: 01738 472060 e: hello@studio-east.co.uk		

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House design by
scotframe
timber frame | homes



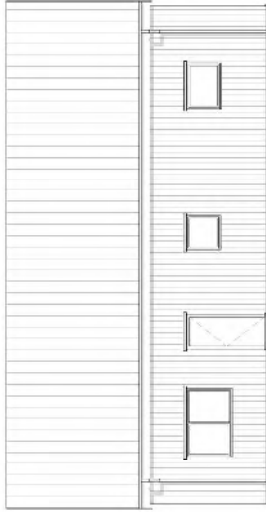
No.	Description	Date
studio EAST		
CLIENT	Mr Neil	
PROJECT	PL-03	
Cider Shed, Orchard & Dwelling Harvest Brae, Stanley		
TITLE	HOUSE DRAWINGS	
SCALE (@A2)	1 : 100	
PROJECT NUMBER	1725	
DATE	Sept 17	
PURPOSE OF ISSUE	Planning	
DRAWN BY	NG	
King James VI Business Centre, Farnon Rd, Perth, PH2 8DY t: 01738 472060 e: hello@studio-east.co.uk		



House - South Elevation
1 : 100



House - East Elevation
1 : 100



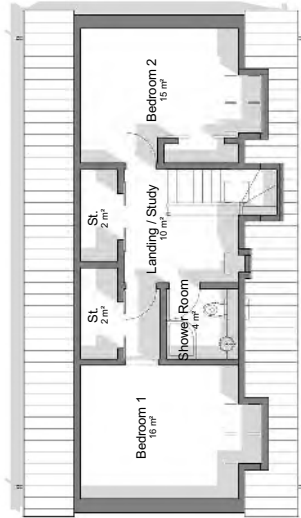
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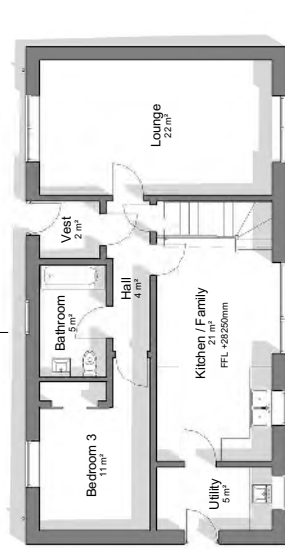
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Materials:

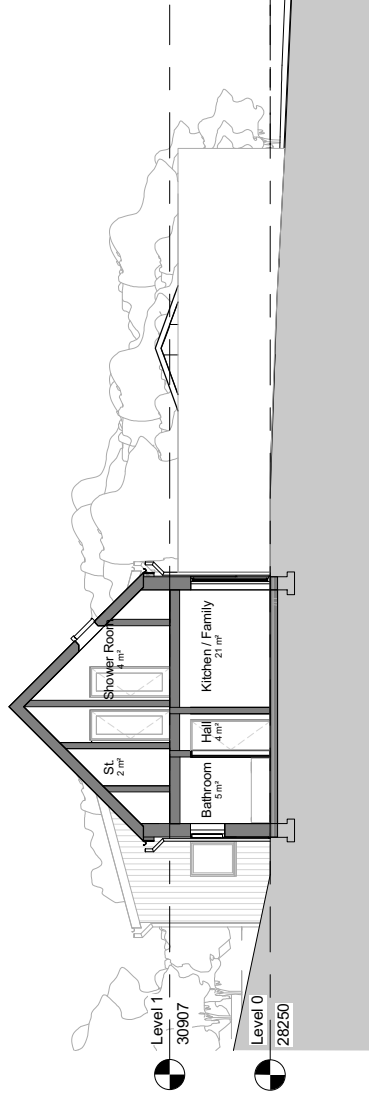
- Walls
Timber batten on board cladding
- Roof
Zinc standing seam
- Windows/Doors
Grey timber
- Grey Velux roof windows
- Rainwater Goods
uPVC gutters & downpipes (black)



Level 1
1 : 100

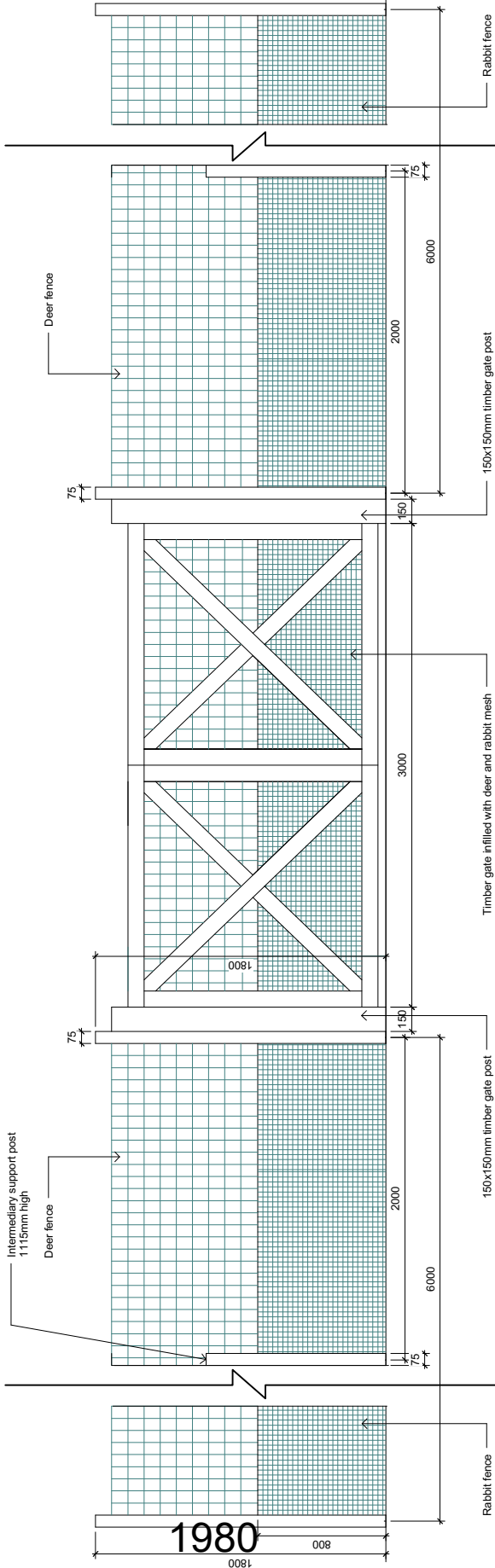
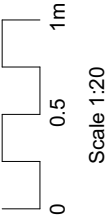


House - Level 0
1 : 100



Section AA
1 : 100

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No. Description Date

studioEAST

CLIENT Mr Neil

PL-10

PROJECT
Cider Shed, Orchard & Dwelling
Harvest Brae, Stanley

TITLE

FENCE / GATE DRAWINGS

SCALE (@A2) 1:20

PROJECT NUMBER 1725

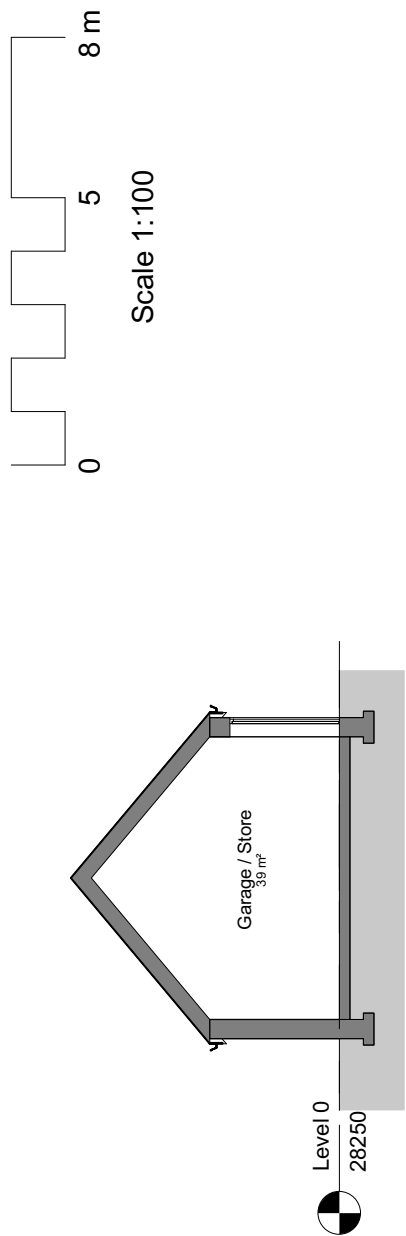
DATE Sept17

PURPOSE OF ISSUE Planning

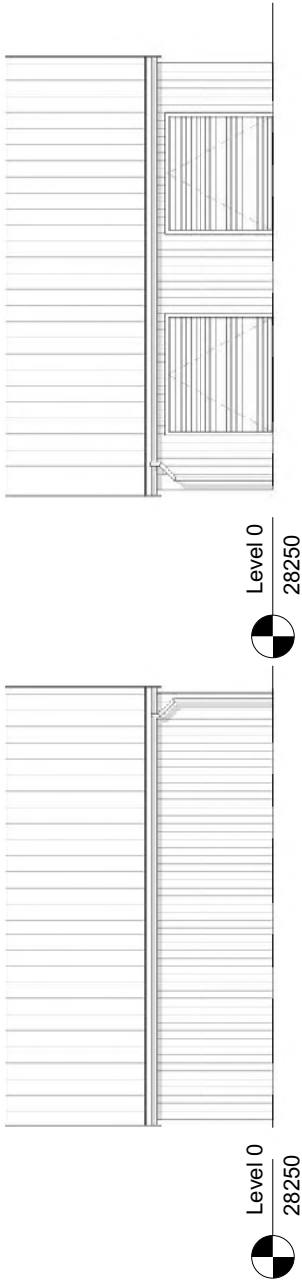
DRAWN BY NG

King James VI Business Centre, Ffion Rd, Perth, PH2 8DY
t: 01738 472060 e: hello@studio-east.co.uk

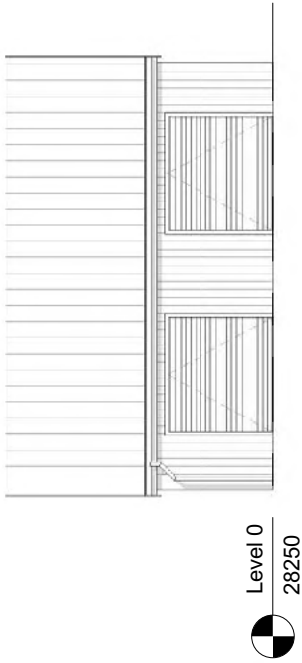
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 - Roof
Zinc standing seam
 - Doors
Grey timber
 - Rainwater Goods
uPVC gutters & downpipes (black)



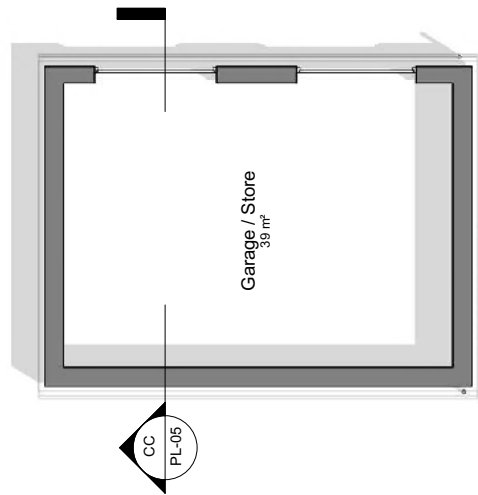
Section CC
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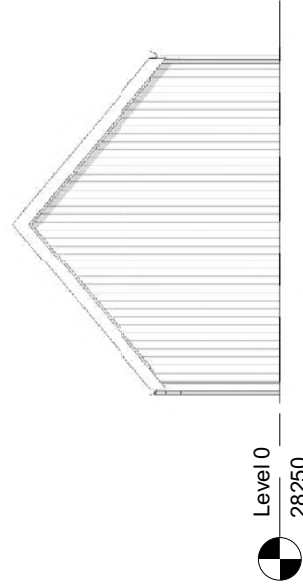
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1 : 100



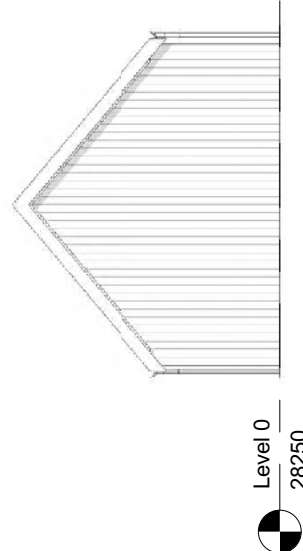
East Elevation.
1 : 100



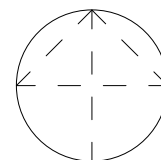
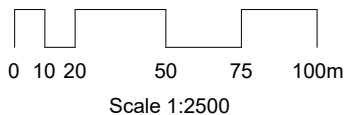
Garage Floor Plan
1 : 100



North Elevation.
1 : 100



South Elevation.
1 : 100



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PROJECT

Cider Shed, Orchard & Dwelling
Harvest Brae, Stanley

CLIENT

Mr Neil

REV

Scale (@ A4)

1 : 2500

Project Number

1725

Date

Sept 17

PURPOSE OF ISSUE

Planning

DRAWING NUMBER:

PL-01

1982

King James VI Business Centre, Friarton Rd, Perth, PH2 8DY
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PERTH AND KINROSS COUNCIL

Mr James Neill
Atholl House
Upper West Flat
Atholl Terrace
Aberfeldy
Perthshire
PH152DQ

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 21st February 2018

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **17/01917/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 November 2017 for permission for **Mixed use development comprising erection of cider/juice production building with pick your own facility and farm shop, garage/store, dwellinghouse, polytunnel, deer fence and formation of vehicular access, parking and associated works Land 100 Metres South Of 3 Gowrie Farm Stanley** for the reasons undernoted.

Interim Development Quality Manager

Reasons for Refusal

1. The proposed development is to be set within open farmland which does not have a satisfactory landscape to offer a suitable landscape containment. In addition to this, the proposed business plan/model has not demonstrated comprehensively that there is a site specific resource or opportunity directly linked to what is proposed. To this end, the proposal is contrary to Policy ED3 (Rural Business and Diversification) of Perth and Kinross Council's adopted Local Development Plan 2014 which seeks to ensure (amongst other things) that new rural businesses are linked to a site specific resource or opportunity, and that all new proposals can be satisfactorily accommodated within the landscape capacity of the area concerned.

2. As a result of the isolated nature of the site, and the lack of a suitable landscape framework or containment which is capable of absorbing the development proposed, the proposal would result in an incongruous, isolated development. To this end, this proposal is contrary to Policy PM1A (Placemaking) of Perth and Kinross Council's adopted Local Development Plan 2014 which requires all new development to contribute positively, to the quality of the surrounding built and natural environment.
3. As there is a) not either a consented or established economic activity on the site and b) an identifiable site surrounding the proposed dwelling, the erection of a new dwelling on this site is contrary to section (c) of Policy RD3 (Housing in the Countryside) of Perth and Kinross Council's adopted Local Development Plan 2014 and section 3.3 (economic activity) of the associated Housing in the Countryside Guide 2012. Both these policies only offer support for new housing associated with an economic activity when a) there is either a consented or an established economic activity in place and b) the proposal uses an identifiable site with long established boundaries which separate the site naturally from the surrounding ground.
4. The proposed dwelling, by virtue of what is proposed (i.e. a new build dwelling on a greenfield site) and its isolated location, also fails to accord with the remaining sections of Policy RD3 (Housing in the Countryside) of Perth and Kinross Council's adopted Local Development Plan 2014 and the associated Housing in the Countryside Guide 2012 that relate to Building Groups, Infill sites, Renovation or replacement of houses, Conversion or replacement of redundant non-domestic buildings and Development on rural brownfield land.

Justification

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

Notes

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

Plan Reference

17/01917/1

17/01917/2

17/01917/3

17/01917/4

17/01917/5

17/01917/6

17/01917/7

17/01917/8

17/01917/9

17/01917/10

17/01917/11

REPORT OF HANDLING

DELEGATED REPORT

Ref No	17/01917/FLL	
Ward No	P5- Strathtay	
Due Determination Date	16.01.2018	
Case Officer	Andy Baxter	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Mixed use development comprising erection of cider/juice production building with pick your own facility and farm shop, garage/store, dwellinghouse, polytunnel, deer fence and formation of vehicular access, parking and associated works

LOCATION: Land 100 Metres South Of 3 Gowrie Farm Stanley

SUMMARY:

This report recommends **refusal** of a detailed planning application for a number of commercial elements and erection of a dwelling associated with a new orchard/lavender plantation outside Stanley, 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: Various, last on 14 February 2018

SITE PHOTOGRAPHS



View of the site from the public road, the existing residential development can clearly be seen.

BACKGROUND AND DESCRIPTION OF PROPOSAL

This planning application seeks to obtain a detailed planning application for the erection of a new cider/juice production facility, which includes a small farm shop, pick your own facility, garage/store, small polytunnel, new fencing, a new access and a new dwelling – all of which are associated with a new fruit orchard/lavender plant enterprise in an existing agricultural field that is located to the north of the B9099 between Luncarty and Stanley.

At the time of the report writing, no fruit trees had been planted onsite, however the applicant has indicated that he has purchased circa 200 apple trees, and these would be planted imminently for this season's crop. The applicant has however recently planted young trees along the boundary of the site – as can be seen from the pictures above and these have been protected with plastic collars.

In terms of the proposed new buildings and structures, these are to be located in an open area to the south west of a small group of existing dwellings - in a 'n' courtyard arrangement. Along the northern part of the 'n' grouping would be the main shed and the proposed dwelling. The main shed measures approx. 18m in its length (east to west) with a width of 9m. A centrally placed roller shutter door would give access to the shed. Internally, the shed is shown as being divided up into the main cider/juice production area, a washing area, a kitchen and a small office. The main shed would have a 5m shallow pitched roof.

The proposed dwelling will be located to the west of the main shed, and would offer living accommodation over two levels with the upper level contained within the roof space via the use of rooflights. The design of the dwelling is such that it has a fairly narrow floor plan, which results in a fairly steep pitched roof.

The proposed polytunnel would be located to the east of the 'n' and measures 18.5m in its length (north to south) x 6m in width. No details of the means of fixings or the flooring of the tunnel have been submitted by the applicant, however it is presumed that the tunnel would be fixed to the ground with permanent fixings and would be onsite permanently.

On the eastern side of the courtyard arrangement is the proposed garage/store which will measure 6m x 8m, and will be accessed via double doors. The height of this building would be just less than 5m in height with a pitched roof. No details have been lodged by the applicant as to whether this building is for domestic use, a commercial use or a mix of both. Within the applicant's submission reference is made to storage and refrigeration of produce, however it is noted that no refrigeration details have been identified either in the main shed or the smaller store/garage.

The dwelling, main shed and garage/store will all be finished with timber lining on their external walls, with a zinc roof.

To the south of the proposed building, a new car parking area is proposed which will accommodate 15 parking spaces for employees and visitors.

Along the boundary of the wider field, the applicant proposes to erect a new perimeter fence of approx. 1.8m in height which would be a combination of rabbit fencing at its lower level and deer fencing for the higher part. The principal purpose of the fence would be to provide security for the fruit trees in the yet to be established orchard.

Lastly, a new vehicular junction (and associated vehicular access) with the public road to the south is proposed to be formed, and it is intended that this new arrangement would be used in combination with an existing access to the west.

In terms of the farm shop/pick your own, no specific building or area has been identified on the plans for this element, however it is assumed that these activities would be spread between the permanent buildings, the polytunnel and other temporary structures in an adhoc basis – similar to other pick your own farms.

SITE HISTORY

None relevant to this proposal.

PRE-APPLICATION CONSULTATION

A pre-application enquiry was made to the Council (17/00396/PREAPP) by the applicant. The response issued by the Council in reply highlighted the likely issues which would arise if a planning application was to be made.

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.

The Scottish Planning Policy 2014

The Scottish Planning Policy (SPP) was published in June 2014 and 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 application are,

- Paragraphs 74 - 83, which relates to Promoting Rural Development
- Paragraphs 92–108, which relates to Supporting Business & Employment

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

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

live, work, study and visit, and where businesses choose to invest and create jobs.”

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

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

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

Policy ED3 - Rural Business and Diversification

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

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

- (a) The proposed use is compatible with the surrounding land uses and will not detrimentally impact on the amenity of residential properties within or adjacent to the site.
- (b) The proposal can be satisfactorily accommodated within the landscape capacity of any particular location
- (c) The proposal meets a specific need by virtue of its quality or location in relation to existing business or tourist facilities.
- (d) Where any new building or extensions are proposed they should achieve a high quality of design to reflect the rural nature of the site and be in keeping with the scale of the existing buildings.
- (e) The local road network must be able to accommodate the nature and volume of the traffic generated by the proposed development in terms of road capacity, safety and environmental impact.
- (f) Outwith settlement centres retailing will only be acceptable if it can be demonstrated that it is ancillary to the main use of the site and would not be deemed to prejudice the vitality of existing retail centres in adjacent settlements.

(g) Developments employing more than 25 people in rural locations will be required to implement a staff travel plan or provide on-site staff accommodation

Policy EP8 - Noise Pollution

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

Policy NE3 - Biodiversity

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

Policy 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

Developer Contributions and Affordable Housing 2016

This policy outlines the Council's position in relation to Developer Contributions in relation to Primary Education, A9 upgrades and Transport Infrastructure as well as Affordable Housing provision.

Housing in the Countryside Guide 2012

This is the most recent expression of Council policy towards new housing in the open countryside and offers support for new housing in the open countryside in certain instances. One of those instances is new housing which is associated with an economic activity.

EXTERNAL CONSULTATION RESPONSES

Stanley & Kinclaven Community Council have commented on the proposal and offered a 'neutral' comment. Whilst not objecting to the principle of the development, they have raised some issues with the impact that the proposal would have on the local road network in terms of vehicular movements.

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

National Grid Plant Protection Team were consulted on the proposal and have made no specific comment.

INTERNAL COUNCIL COMMENTS

Perth & Kinross Area Archaeologist has commented on the proposal and raised no objections to the proposal, but have highlighted the need for an archaeological condition in the event of an approval being issued.

Transport Planning have commented on the proposal in terms of access and parking provision, and subject to conditions have no objections to the proposal.

Developer Negotiations Officer has commented on the proposal and indicated that a Developer Contribution in relation to Transport Infrastructure is required.

Environmental Health has commented on the proposal in terms of noise and odours and have raised no objections.

Structures and Flooding have commented on the proposal and have raised no objection to the development in terms of flooding or drainage issues.

REPRESENTATIONS

Fifteen letters of representation have been made, including one comment from the Community Council which is a 'neutral' comment. The other 14

representations are objecting to the proposal. The main issues raised within the letters of representations are,

- Contrary to Development Plan Policy
- Flooding Risk
- Inappropriate Land Use
- Light Pollution
- Noise Pollution
- Out of Character with the Area
- Road Safety Concerns
- Traffic Congestion

These issues are addressed in the main section below.

ADDITIONAL INFORMATION

Environmental Impact Assessment (EIA)	Not Required
Screening Opinion	Not Required
EIA Report	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Submitted
Report on Impact or Potential Impact	Various additional information including a Business Plan, Orchard Report and Planning Statement

APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan 2017 and the adopted Perth and Kinross Local Development Plan 2014.

In terms of other material considerations, consideration of the Council's Housing in the Countryside Guide 2012 and the Council's policy on Developer Contributions are both material considerations.

Policy Appraisal

In terms of land use policies, the key policies are found within the Local Development Plan (LDP). Within the LDP, the site is located within the landward area of the plan where a number of policies are relevant to this

mixed use development. *Policy ED3* of the LDP seeks to promote the expansion and diversification of existing rural businesses and offers support for new ones in suitable locations, whilst *PM1A* seeks to ensure that all new developments do not have an adverse impact on the environment in which they are located.

Policy RD3 is the LDP version of the Housing in the Countryside and offers support for new housing in the open countryside, subject to certain specific criteria being met and this policy should be read in conjunction with the supplementary guidance of 2012.

Lastly, *Policy EP8* of the LDP seeks to ensure that a new development that potentially generates noise nuisance does not adversely affect existing receptors.

For reasons stated below, I consider the proposal to be contrary to *Policies RD3 and ED3* of the Local Development Plan at the present time.

Land Use

In terms of land use acceptability, this proposal is slightly unusual insofar as the principal part of the new business which is being advanced does not require planning consent. Notwithstanding some of the comments that have been made within the letters of representations, it is the case that the planting of fruit trees and / or lavender plants with the purpose of taking a crop thereafter does not require any planning permissions (in this instance), as there is no change of use occurring.

However, the proposed buildings which are required to process the fruit/lavender (as well as the other uses proposed) do require planning permission. It would also be the case that the formalisation of community walks/mazes would also constitute a change of use away from agricultural land, which would require a formal change of use.

At the moment, there is no business either on site or off site, but one is proposed by virtue of the proposed fruit tree / lavender planting – which I understand is to occur imminently. However, the fruit and lavender can only be processed to what the applicant wishes to do with the products if he has the required infrastructure (and onsite accommodation) in place – which is essentially what is being applied for here.

The applicant has indicated explicitly to the Council that the proposed business cannot function without the proposed sheds, and that the dwelling is essential for onsite security and to save on travel costs to and from the site.

I understand that the applicant presently resides in the Aberfeldy area of Perthshire.

The above scenario does make the consideration of this planning application somewhat *challenging* for the Council, however ultimately the elements which require planning consent in their own right, needs to be assessed against the relevant Development Plan policies.

Policy ED3 of the LDP has been identified within the applicant's submission as being one of the key policies of relevance to this proposal, and I agree that it has significant relevance in relation to the commercial aspects. This policy states that the Council will give favourable consideration to the expansion of existing businesses and the creation of new businesses and that there is a preference that this will generally be within or adjacent to existing settlements. The policy goes on to say that outwith settlements, proposals may be acceptable where they offer opportunities to diversify an existing business or are related to a site specific resource or opportunity - provided that permanent employment is created or additional tourism or recreational facilities are provided or existing buildings are re-used.

It is the case that this proposal relates to a new business, and not an expansion or diversification of an existing business.

The applicant has alluded within the supporting statement that they have a knowledge and interest in the activities which are proposed, but they do not have an existing business (either on site or elsewhere) in existence comparable to what is proposed.

However, *Policy ED3* does offer some support for new businesses, which is aimed at encouraging new start-up businesses in locations which are considered suitable and sustainable, and importantly are linked to a site specific resource.

Within the applicant's supporting statement, he has set out a number of proposed activities that he's proposing onsite, and which he considers to be complementary to one another.

These are,

a) Cider / Fruit Juice / Fruit production

Up to 7000 litres of craft Cider is envisaged to be produced each year with the remaining fruit being juiced or sold to pick your own customers, restaurants/retail outlets or converted into preserves and chutneys. The applicant intends having juicing and bottling facilities for customers to juice their freshly picked fruit on site which it is hoped will give an added experience to the customer, and an additional revenue stream for the business.

b) Visitor attraction/Pick your own fruit

The applicant intends to create a 'destination' for customers and users, which it is hoped will attract visitors in its own right. Orchard and lavender walks are to be created to allow visitors the opportunity to amongst other things enjoy a stroll through the orchard and lavender

fields, take photographs and to try to escape the lavender maze, join in a treasure hunt and learn about apples and lavender from various notices along the walk. In addition to the walks and maze, the applicant intends to buy a rare breed collection of chickens (up to 30 chickens) which would be available for visitors to look at and purchase free range eggs.

c) Items for Sale

The applicant intends to sell a number of various items onsite, which are grown within the wider site. These include,

1. Pick your own Apples, Plums, and Saskatoons
2. Lass O Gowrie Cider– Cider with a significant Lass O Gowrie Apple content
3. Fruit Juices- apple and a blend of apple and berry juices
4. Dried fragrance Lavender wands/ sachets, lavender plants, culinary lavender, lavender oil
5. Jams and Chutneys produced using the Orchards fruit and culinary lavender
6. Free range eggs – from the 30 rare chickens

d) Fragrance, Medicinal and Culinary Lavender production

The applicant's supporting statement states that whilst there are no lavender Farms currently in Perthshire, there are a number of expanding successful lavender farms throughout Britain e.g. Dorset Lavender, Yorkshire Lavender (www.yorkshirelavender.com) and states that a national newspaper has indicated recently that the number of UK Lavender farms has more than doubled in the last eleven years. It is the view of the applicant that while lavender is still predominantly associated with the older generation the new trend is to use the visual impact of the crop to create visitor attractions where the fragrant uses of lavender are marketed and supplemented with increasing medicinal and culinary uses of different strains of lavender, and that ultimately there is a market to be had for a lavender plantation.

Further details of the applicant's intentions are outlined in the supporting statement, and also the business plan. After reading the documents, it is clear that the applicant has high ambitions for the site, and envisages a number of different elements which in turn would create different revenue streams for the new business.

Nevertheless, everything is proposed and the successful (or otherwise) of all the elements either collectively or cumulatively is open to some interpretation.

In support of the planning application, the applicant has submitted a number of documents, including an orchard plan, a business plan, projected financial projections and labour justification details.

These documents suggest that the proposed business would have minimal income for the first 3 - 4 years, and it will take 3 years from the initial planting

(of the orchard) to first sizeable harvest. It is however not uncommon for start-up businesses to have a small degree of cash flow / profit in their infancy.

In terms of employment opportunities, the applicant has indicated that the proposed business would generate sufficient working hours to require 1 full time employee throughout the year, 1 part time employee throughout the year to assist the full time employee and 2 part time employees during harvesting and apple pressing time. A breakdown of the projects projected working hours has been provided by the applicant, however the author of the labour justification report/data is unknown, so it is not clear if this has been carried out by a suitably qualified person(s).

On face value, there does however appear to be some evidence to support the idea of a new business on this site – if all the planned works are implemented and the projections come to fruition, but there are some gaps in the business plan - such as the need to import stock within the first few years, and / or during barren seasons.

The difficulty for the Council in considering offering support for the proposal would be ensuring that all the aspects required (the majority of which don't require planning consent), and which require fairly significant investment with low initial returns – to be implemented, and then continued. Otherwise, the proposal would be contrary to Council policy as it would effectively relate isolated sheds, and a dwelling which are not part of an active (or established business/economic activity). The applicant's agent has suggested that the Council consider this approach, however at this point in time, I remain unconvinced that a restrictive condition which ties in the (proposed) commencement and operation of the business to the construction of the sheds/dwelling/polytunnel can be workable, enforceable or practical.

Notwithstanding the above, acceptable proposals under *Policy ED3* of the LDP also need to be linked to a site specific resource or opportunity.

The applicant has indicated within his supporting information that the sites physical characteristics and ground conditions make the site suitable for fruit growing. Whilst planning permission is not required for the planting of fruit trees, the applicant is using this as an argument for the buildings - which are required if the produce was to be processed / used onsite.

In my view, the physical characteristics of this particular site and the ground conditions, do not relate to a specific site resource as a large percentage of rural Perthshire would in my view have very similar characteristics, and growing conditions. It is also the case that whilst an orchard report has been lodged by a consultant, the report does not contain evidence of any detailed, forensic analysis of the soil to demonstrate that this particular area of Perthshire is more advantageous for fruit/lavender growing than any another.

If the soil and the sites physical characteristics were to be considered as a site specific resource, the applicant would need to demonstrate that this area had physical characteristics that no other has, which in turn offers a unique

potential or resource which the proposal is proposing to 'tap into' or use. In this case, I do not see any evidence within the papers to support this and to this end; it is my view that the soil and sites physical characteristics should be considered a site specific resource. I also note that this has been raised within the letters of representations as an area of concern.

The applicant has also used the close proximity of the A9 being a site specific resource in terms of good access for visitors. Whilst this may be correct, the good connections associated with the A9 might be more suitable for proposals which are generating large amount of HGV traffic, as opposed to the intended movement of family cars. There would inevitably be some HGV movements associated with the proposed business, however based on the applicant's statement these are not envisaged to be significant. What I would consider to be significant resource is the population of Perth; however this would not be site specific to this particular proposal, but a very generic resource for the rural area surrounding the site.

To this end, the business case aside, I consider there to be some conflict with this part of the *Policy ED3* as I do not consider the proposal to be linked to a site specific resource which is clearly identifiable.

Policy ED3 also states that new proposals must meet a number of specific criteria. One of those criteria is that the proposal can be satisfactorily accommodated within the landscape capacity of any particular location. The proposed block plan shows the proposed development (subject of this application) surrounded by blocks of plantations of fruit trees and lavender – which are yet to be planted up.

The block plan also shows new landscaping along the edges, some of which has recently been planted. The wider field is large, and is very open with little in the way of site containment or landscape features.

The proposed new courtyard group of buildings and car parking would effectively sit in the centre of open field – albeit a field which the applicant intends to plant out. I therefore have concerns regarding the suitability of the site insofar as not being able to provide a suitable landscape setting which is capable of absorbing the development proposed.

Collectively, for the above reasons, I consider the proposal to be contrary to the aims and requirements of *Policy ED2* of the LDP. I do fully appreciate the difficult, and perhaps frustrating position that the applicant is in, insofar as he has the ability (without the need for planning permission) to plant significant fruit trees/lavender, but then has the dilemma that he knows that the business that he wishes to create cannot reasonably happen unless the associated infrastructure is in place to then process/market the raw product – which is key to the business.

As part of the proposal, a new dwelling is also proposed.

The proposed location of the dwelling is such that the only section of the HITCG which this proposal could reasonably be assessed against is section 3.3 which relates to new dwellings linked to an economic activity. Whilst I acknowledge that there is a group of buildings to the north east, this site is physically divorced and would not reasonably be considered part of that group.

Both the HITCG and *Policy RD3* of the LDP offer some support for new dwellings which are linked to economic activity when the dwelling 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. Applicants must demonstrate to the satisfaction of the Council that there is a need for the house(s), and where the house is to be associated with a proposed economic activity, the construction of the house will not be permitted in advance of the development of the business.

To this end, as the business is not established the proposal for a new dwelling on the site is contrary to the Council's Housing in the Countryside Policies without any consideration of the need for the dwelling, or the labour justification/business plan being analysed further.

During discussions with the applicant, he has suggested that a temporary consent for residential accommodation, whilst not ideal, may be workable to allow for an onsite presence to be established when the business was starting, and in the process of growing. As a permanent dwelling has been shown, it would not in my view be appropriate to condition the removal of this (solid) structure to be replaced by a temporary static caravan/chalet but the applicant could if they wished apply separately for this. It would however remain the case that any temporary accommodation would need to be linked to an existing or consented activity, and at the moment neither are in place.

It is also the case that any proposals which are supported by section 3.3 of the HITCG (economic activity) must have a identifiable site with long established boundaries which must separate the site naturally from the surrounding ground (eg a dry stone dyke, a hedge at minimum height of one metre, a woodland or group of mature trees, or a slope forming an immediate backdrop to the site). The HITCG specifically states that the thee sub-division of a field or other land artificially, for example by post and wire fence or newly planted hedge or tree belt in order to create the site, will not be acceptable.

The only identifiable site relevant to this proposal would be the wider field boundaries. The site (subject to the new development) has no established landscape features and is not considered to be an identifiable site for the purposes of the HITCG.

To this end, I also consider the proposal to be contrary to Policy RD3 of the Local Development Plan, and also the HITCG 2012 in relation to the new dwelling which is proposed.

Residential Amenity

Within the letters of representations a concern has been raised that the proposal would have a direct impact on the day to day residential amenity of the occupiers of the small residential grouping located to the north east of the site.

Whilst there may be some noise generated from the processes proposed, and also additional traffic movements, it is unlikely that these would result in the loss of residential amenity to a significant degree. My colleagues in Environmental Health have reviewed the proposals and have no objection, subject to standard compliance conditions to control noise levels and I have no reason to offer a different view.

Visual Amenity

In terms of the impact on the visual amenity, I note that a number of concerns have been raised within the letters of representation. However, several objections appear to refer to the loss of their own private view - as opposed to the impact on the visual amenity of the area - which is not a planning consideration.

What is however a planning consideration is how a development looks in the context of the area in which it located.

As stated above, the proposed new courtyard and new access would be extremely isolated, essentially positioned within an open field. The applicant is intending to plant around the courtyard area and access with new fruit trees and landscaping along the boundaries, however at the moment the site of the shed/dwelling etc and the new access is wide open, with no containment or framework landscape.

It is also the case, that the wider field is relevantly open and exposed to the public road to the south. I therefore consider the proposal to have a negative impact on the visual amenity of the area, and would result in an incongruous development in an open field, and in addition to raising issues with *Policy ED3* of the LDP, the proposal would also be contrary to *Policy PM1A* of the LDP, which states that development must contribute positively, to the quality of the surrounding built and natural environment.

Roads and Access

In terms of road related matters, I note that my Transport Planning colleagues have commented on the proposal, and have no objections to the proposal subject to suitable visibility splays being delivered (and maintained), however I have a number of observations.

A Transport Statement/ Assessment has not been submitted by the applicant in support of the planning application.

Whilst the scale of the development is not at the level which would ordinarily require a TS/TA, without such information it is difficult to quantify the level of vehicular visitor movements that would be generated on the basis of the projected visitor element to the facility, and the impact that it might have on the local road network. In addition to this, no details of movements associated with the movement of produce off site for sale at local shops, and the import of produce to restock supplies in the event of poor harvests.

Drainage and Flooding

In terms of drainage and flooding matters I have no concerns.

I do note that within the letters of representations a concern has been raised that the area is liable to flood and development on this area could affect other areas, however my colleagues in the Structures and Flooding team have reviewed the proposal and have raised no concerns. I have no reason to offer a different view.

Impact on Bio-diversity

There are no known protected species associated with the application site, or the wider field. In any event, the creation of a fruit orchard and lavender plantations would have a positive impact on the local bio-diversity of the area as both areas attract and retain local wildlife.

Light Pollution

Within the letters of representations concerns have been raised regarding the impact that new external lighting might have on the area in terms of light pollution. It is expected that there may be some external lighting as part of the development; however I'm not aware of any intentions to floodlight large areas of the wider field.

In my view, any need for external lighting would be centred around the proposed buildings and that such lighting could be adequately screened and aligned so that it will not impact on any residential amenity, and to minimise its impact from the public road to the south.

To this end, I have no concerns regarding light pollution issues.

Archaeology Issues

The PKHT have commented on the proposal and have identified the area has having the potential to be archaeologically sensitive. To this end, in the event of any approval being forthcoming a suitability worded condition should be attached to any permission.

Developer Contributions

Affordable Housing

As the proposal is for the erection of a single dwelling, there is no requirement for any affordable housing provision.

Transport Infrastructure

The site lies within the catchment area for Transport Infrastructure. To this end, the proposal requires Transport Infrastructure contributions in relation to both the proposed dwelling and the new employment use.

The breakdown of the required transport infrastructure contributions are,

The residential building has a contribution of £3,549.

In terms of the remaining commercial buildings it is considered that the garage/store could be considered as part of the residential property, so no contribution will be required for this new floor area. The cider production building is identified as being used as a farm shop, but it is assumed that the shop element would be ancillary to its main use for cider production. As such the main building would be considered to fall under the employment use category and would be calculated at £11 per m² - which results in a contribution of £1,639.

To this end, the total Transport Infrastructure contribution that would be required in the event of an approval would be £5,188 as per the memorandum from the Developer Negotiations Officer.

A9 Junction Improvements

The site lies outwith the catchment area for A9 junction improvements there is no requirement for any Developer Contribution in relation to this.

Primary Education

The local primary school is not operating at over 80% capacity, so there is no requirement for any Developer Contribution in relation to Primary Education.

Economic Impact

Due to the nature of the proposal, the development could have a potential positive impact on the local area. However, whilst the applicant has lodged supporting evidence in terms of their business model/projections the actual impact that this proposal would have is (at the moment) only projected and not in existence.

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to be contrary to the Local Development Plan 2014.

I have taken account of material considerations and find none that would justify overriding the adopted Development Plan, and 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.

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the planning application based on the following reasons,

- 1 The proposed development is to be set within open farmland which does not have a satisfactory landscape to offer a suitable landscape containment. In addition to this, the proposed business plan/model has not demonstrated comprehensively that there is a site specific resource or opportunity directly linked to what is proposed. To this end, the proposal is contrary to Policy ED3 (Rural Business and Diversification) of Perth and Kinross Council's adopted Local Development Plan 2014 which seeks to ensure (amongst other things) that new rural businesses are linked to a site specific resource or

opportunity, and that all new proposals can be satisfactorily accommodated within the landscape capacity of the area concerned.

- 2 As a result of the isolated nature of the site, and the lack of a suitable landscape framework or containment which is capable of absorbing the development proposed, the proposal would result in an incongruous, isolated development. To this end, this proposal is contrary to Policy PM1A (Placemaking) of Perth and Kinross Council's adopted Local Development Plan 2014 which requires all new development to contribute positively, to the quality of the surrounding built and natural environment.
- 3 As there is a) not either a consented or established economic activity on the site and b) an identifiable site surrounding the proposed dwelling, the erection of a new dwelling on this site is contrary to section (c) of Policy RD3 (Housing in the Countryside) of Perth and Kinross Council's adopted Local Development Plan 2014 and section 3.3 (economic activity) of the associated Housing in the Countryside Guide 2012. Both these policies only offer support for new housing associated with an economic activity when a) there is either a consented or an established economic activity in place and b) the proposal uses an identifiable site with long established boundaries which separate the site naturally from the surrounding ground.
- 4 The proposed dwelling, by virtue of what is proposed (i.e. a new build dwelling on a greenfield site) and its isolated location, also fails to accord with the remaining sections of Policy RD3 (Housing in the Countryside) of Perth and Kinross Council's adopted Local Development Plan 2014 and the associated Housing in the Countryside Guide 2012 that relate to Building Groups, Infill sites, Renovation or replacement of houses, Conversion or replacement of redundant non-domestic buildings and Development on rural brownfield land.

Justification

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

Informatives

None.

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

17/01917/1 - 17/01917/11 (*inclusive*)

Date of Report - 21 February 2018

Perth and Kinross Council

List of Neighbours notified for 17/01917/FLL

4 Gowrie Farm
Stanley
Perth
PH1 4PP

1 Gowrie Farm
Stanley
Perth
PH1 4PP

3 Gowrie Farm
Stanley
Perth
PH1 4PP

2 Gowrie Farm
Stanley
Perth
PH1 4PP

Neighbours Comments

Stanley And District Community Council (Neutral)

Comment submitted date: Mon 08 Jan 2018

This representation has been submitted by letter or email and will be available to view in the documents tab as soon as possible, provided that the content is suitable for publication

Mr Craig McKenzie (Objects)

Comment submitted date: Thu 07 Dec 2017

Further to previous comments submitted on the development I wish to add that there is no existing business on this site to the building of a temporary dwelling is not suitable for this area. In addition the size of the land in question is not of sufficient size for a successful orchard development and will probably require the transport of external materials to the site increasing traffic and pollution in the local area.

Comment submitted date: Wed 22 Nov 2017

My family and I moved to Gowrie Farm just over 2 years ago looking for open space, fresh air and a quieter lifestyle that living in the countryside brings. Having lived in a built up area of Perth before, Gowrie Farm offers the perfect compromise between being in the countryside but still close enough to the main amenities that the city of Perth brings.

Having looked at this proposed development, and living at 3 Gowrie Farm, we are the ones most affected by this development.

I echo the concerns of fellow residents regarding the increased traffic and noise that this development will bring. The current access road is dangerous enough as it is without installing another one merely a few hundred yards away as per the plans submitted.

From a personnel point of view our main concern is the visual impact that this development will bring. Currently we have almost panoramic views from my garden and rear of the property offering fantastic view across the valley and hills in the distance. This was one of many reasons why we chose this house along with the large garden and open undeveloped land.

Further concerns focus on the change of use from agricultural to business use. Issues such as future expansion should the business take off and also what would happen should the business fail. If the land use has been changed once, what is to stop it being changed again to allow a large housing development being built? What assurances can be provided that this will never happen and also that the business can not keep adding additional houses and buildings as it grows.

Finally there is the financial impact of this development. There is the real potential that house prices in Gowrie Farm will decrease as one of the key attractions of being surrounded by undeveloped countryside will have been removed.

I look forward to hearing of further developments of this application and reassurances from the issues raised.

Mrs Agnes Urquhart (Objects)

Comment submitted date: Wed 06 Dec 2017

I purchased the property at Gowrie farm with the understanding that the surrounding fields were arable land and therefore would not be developed at the time of purchase this was reiterated to myself and my neighbours had this not been the case I would have reconsidered purchasing my property as it would not have met the criteria I was looking for, I fear that if this development goes ahead my quality of life will change. I am under the impression after speaking with professionals that the land is not suitable to sustain a cider orchard business and that raw materials would need to be transported in thus increasing the flow of traffic to and from the development i also am unhappy with the proposal to build a property and wonder if this would be the start of more to be built in due time. The proposed development would increase traffic congestion increase pollutions and increase the volume of strangers in the area due to pick your own and the farm shop.

Mrs Katarzyna Kwiatek (Objects)

Comment submitted date: Tue 05 Dec 2017

This development will change the local area significantly and we will no longer enjoy the open field landscape that we currently have, which was one of the main reasons for our move here. Our privacy will be infringed upon and we fear of the road safety implications that the extra traffic and new access road will bring. I don't think the development is suited to the site.

Mr Gregor Thexton (Objects)

Comment submitted date: Tue 05 Dec 2017

I have several concerns about the proposed development. I am a resident at Gowrie Farm Development and have direct line of site over most of the proposed development.

Our privacy will be greatly invaded upon. The nature of the development (commercial and tourism) mean that there will be a constant flow of strangers around, which will be looking directly upon us, both from the development itself and also when walking around the orchard. Inevitably there will also be traffic entering the Gowrie Farm Development no matter how well the new entrance is signposted, which will further reduce privacy and present an additional security risk. It will also increase the accident risk within the development itself, especially with young children playing around.

Road safety will be further reduced on an already busy, fast and dangerous road. Increased traffic gives increased risk and this development by nature will increase traffic volumes to the area significantly. The proposed new entrance would further add to the accident risk and use of the current access road is not fit for purpose.

Light pollution will be increased in the area, from not only buildings but also outside areas, which would need to be lit for public health and safety reasons. This would be totally out of character for the area.

Air pollution would increase from the processing (fermentation etc) of produce and also from storage of waste produce. There would certainly be smell and air quality may also be affected.

Noise pollution would increase as a result of the development. Increased traffic, heavy goods vehicles, on site machinery and also noise from groups of people.

The development is on prime agricultural land, the footprint of which is quite large. This will limit agricultural production in the future. This is not necessary given the proposed processing could be done on a more suitable non-greenfield site.

The scale of the development will not sit proportionately within the setting and if permission were to be granted, then future expansion (which is likely if it were to be a success) would only add to the problem.

The site is not suited to a processing and tourism facility and the building of a dwelling house should not be considered a "necessary" bolt-on for "security reasons". There are many industrial buildings in the country, with high value goods and machinery inside, but that does not warrant a house to be built beside them. Suitable insurance and surveillance deterrents are normal.

I don't believe this is a suitable site for the plans proposed given the reasons stated above.

Mr iain Webster (Objects)

Comment submitted date: Mon 04 Dec 2017

Concerns over road access.light pollution. Dwelling house.

Mr Alastair Bews (Objects)

Comment submitted date: Sat 02 Dec 2017

The housing development at Gowrie Farm was set out in accordance with the original farm development preserving the appearance of the area. A development as outlined in this application flies in the face of the original requirement set out by the planning authority and would be an unsightly mass. The Gowrie Farm housing is low density and even as such the access and egress onto the public road is a difficult junction and requires great care to negotiate safely. If traffic volumes were to increase the junction would be hazardous in its present configuration. It would lead to delays and possible queueing traffic which if this was to happen on the public road, on which traffic travel very quickly, would be a tail end shunt waiting to happen. The road indicated by the applicant as a service entrance would have a high incidence of heavy goods vehicle use. The road, presently maintained at the residence expense, would quickly deteriorate. Road wear is directly proportional to vehicle weight on a squaring factor of axle weight which means one HGV travelling over a piece of road equates to 100 cars use. I feel that the impact caused by such a development as applied for constitutes an unacceptable impact on the quality of life and resource to the residents of Gowrie Farm that it should be rejected. In my opinion this location is signally unsuitable for the development as propose.

Mr Steven Barrie (Objects)

Comment submitted date: Sat 25 Nov 2017

Firstly I have a concern that planting has already commenced on the site before planning permission has been granted. The entrance into the development is unsafe as it currently stands with frequent line of site issues. Planting on the verge and increased traffic to and from the site would increase the difficulty for residents coming in and out of Gowrie Farm whether or not the proposed business had a new road or utilized the road in Gowrie Farm. The proposed road is only a short distance from the existing road which in itself causes a danger. The proposal notes a new road near the existing entrance which would increase the problems due to the amount of traffic heading in and out. whether there is a separate road or not there is the possibility of extra traffic coming into our development and causing wear and tear on a road which us as residents have to maintain. The business would cause light pollution in an area which enjoys no street lighting. As the business is planning on pick your own, cider production and a farm shop this will cause a huge increase in noise, not to mention the possibility of members of the public wandering around the houses to walk across the fields whilst they are out for the day. There is a possibility of this business expanding or worse a change of use being issued for the land. The Gowrie Site development does not have good water pressure and I am concerned that this development will impact greatly on this. The Gowrie Farm development also has no mains waste and is serviced by a septic tank. Lastly the lovely open green belt in which we live will be altered.

Mrs Kathryn Burden (Objects)

Comment submitted date: Sat 25 Nov 2017

The proposed development impacts on the Gowrie Farm development in many way. Firstly the entrance into the development is unsafe as it currently stands with frequent line of site issues. Planting on the verge would totally block this line of site. The proposal notes a new road near the existing entrance which would increase the problems due to the amount of traffic heading in and out. If the new road was not granted the business would presumably want to use our entrance which is not possible. The road is not made to the standard which could take heavy plant during construction and commercial vehicles, not to mention we as residents maintain this road. whether there is a separate road or not there is the possibility of extra traffic coming into our development and not appreciating children may be out playing or animals resting. All residents are aware OF this and drive appropriately. Strangers would not afford our children and animals this safety. The business would cause light pollution which would severely affect those of us who moved to this development to ensure we had no street lighting. As the business is planning on pick your own, cider production and a farm shop this will cause a huge increase in noise, not to mention the possibility of members of the public wandering around the houses to walk across the fields whilst they are out for the day. This raises safety concerns again for children who can presently happily play within these fields. Farm shops have become very popular and I have a high concerns that this business has the possibility of growing fast in an area which cannot support this. Lastly the aesthetics of the development will be altered by this business. Lastly I have a concern that planting has already commenced on the site!

Peter Hemmings (Objects)

Comment submitted date: Fri 24 Nov 2017

This representation has been submitted by letter or email and will be available to view in the documents tab as soon as possible, provided that the content is suitable for publication

Louise Romotowski (Objects)

Comment submitted date: Fri 24 Nov 2017

This representation has been submitted by letter or email and will be available to view in the documents tab as soon as possible, provided that the content is suitable for publication

Mrs Marjory Souter (Objects)

Comment submitted date: Thu 23 Nov 2017

I echo my husbands comments and in addition: I would not wish this proposed projects customers or commercial traffic using our access road. Also the light pollution from the the compound would have an impact on our outlook. I have concerns if planning is granted that this could be used to lead to building additional houses at a later date. This could affect the value of our development.

Mr David Souter (Objects)

Comment submitted date: Thu 23 Nov 2017

We moved here just over 3 years ago for the peaceful country side and open views looking over the tay and perth. The proposed plans would impact our outlook as well as increase traffic congestion and the noise that the construction and running of this development will bring. Our road is dangerous enough, without the addition of another access so near which is proposed for a commercial purposes. We were advised this site was greenbelt and thus would not be suitable for such a project.

Mr norman dickson (Objects)

Comment submitted date: Wed 22 Nov 2017

This application has serious Road Safety concerns as the proposed entrance is on a bend on a fast stretch of road and is proposed to be less than 100 metres from Gowrie Farm entrance.

With the proposed nature of the Planning Application there would be vastly increased traffic accessing the proposed new entrance from the public.

There would be serious Traffic concerns!!

The site is also "green belt" and not suitable for such a project.

Mr lorna dickson (Objects)

Comment submitted date: Wed 22 Nov 2017

Firstly we moved to this area on the understanding that it was a green belt area with no light pollution Gowrie farm has no street lights and no lighting at all ,how can a business run with no lights as this is a green belt area ?

The proposed access on the Gowrie straight for customers to the fruit picking business would be on the bend part of the Gowrie straight and only 100 metres from residents access point which we as residents have had to pay for reflective pillars to highlight the already secluded entrance to our driveway as the developer did not build the slip rd as per the original development plans . We have already had a few accidents at this entry point to our driveway at gowrie farm due to it being concealed,The fruit farm are proposing a similar access point on a bend. 100 yards away

3yrs ago one of our residents had the courier newspaper involved due to lack of grass cutting of our verge on the Gowrie straight being a dangerous hazard .we have contacted the council regarding the issues we have with our line of vision pulling out onto the Gowrie straight.How would we then see past lorries ,trackers and agricultural equipment on an already hazzardous line of vision

The fruit farm then want to have an access point on our driveway across the field to the business and dwelling house.we as residents association are liable for the upkeep of this rd and any extra traffic would put a strain on our rd and we cannot pay for somebody elses damage to our road or afford our road to be out of action being the only road to our homes also across the proposed field second entrance runs our french drain which takes the water from the field (which is higher than our land needs a run off for water)behind our houses to the run away . Any failure for that drain to work would result in a sheet of ice in the winter on a steep hill running onto the main rd for our vehicles and flooding into the area which is where our septic tank for the Gowrie farm homes is housed .

how would the business owners police this rd to stop people deciding to nip out if the other blunt entrance to the proposed development is busy or vehicles of any weight running over the top of our french drain.

There are no street lights anywhere in this area again as it is a green belt area so how do they propose to keep the public safe using an entrance onto a main rd or using the gowrie farm residents entrance damaging our french how can you police who uses that entrance or exit should the other one onto the main road be congested.We have a sign on the bend of the gowrie straight to warn people of the concealed entrance already due to residents fearing their safety as we have brought up so many times due to overgrown grass verge .

lastly i moved to this small rural development for its quiet solitude i do not want people coming up the road into our dead end courtyard parking cars ,asking for directions as the road is ours to maintain and pay for also each house is allocated 2 spaces in their driveway there is no space for any additional vehicles as we only have a turning circle in our dead end .in our title deeds we are told we must not run a business from our homes any business would cause congestion to fellow neighbours/residents of Gowrie farm .



Plants with Purpose & Appletreeman



**Orchard Report
for
Mr. James Neill
Aberfeldy.**

By Andrew Lear
www.plantsandapples.co.uk

Background

The Client has recently purchased a parcel of agricultural land amounting to nearly 10 acres between Luncarty and Stanley in Perthshire.

It is proposed here that this land be used to produce cider apples for a new Scottish heritage apple cider business.

The site was visited on 2nd February, a mild but damp morning.

Site Characteristics

The field is adjacent to the Luncarty to Stanley road, the B9099, and is currently permanent pasture. It has most recently been grazed by sheep. Adjacent to the field in question to the west is the old workings of a sand and gravel quarry.

A septic tank and soak away is situated in the north-west corner, taking waste from the new Gowrie Farm development.

The field is made up of south facing slopes with 3 relatively flat terraces running west to east, interspersed by steep banks. The lowest point is in the far south-west corner.

Soil Structure

The upper terrace, to the north is very stony, the middle terrace has 30cm of topsoil before much stone is reached, the bottom terrace near the road has a deeper stone free loam.

Organic matter content appears high, as expected under permanent grass, and worms relatively plentiful. Despite relatively high rainfall in the last week, no standing water could be seen anywhere. The field adjoining to the west has a patch of rushes, a sign of poor drainage.

Herbivores

A hare was seen on a site visit, and there are many rabbit runs and gaps in the fences. A fox spat was seen. No deer signs were seen, but adjacent woodland and scrubby area around the quarry would suggest they are in the vicinity.

Access to site

A gateway exists half way up the Gowrie Farm Road. There are also an old gateway half way up the western fence.

Security

The site is adjacent to the B9099. The perimeter is approximately 300m by 200m by 150m by 50m, making the site roughly triangular, the short side to the north east. This adds up to almost 700m of fencing: it is mostly complete around the whole site, and varies from poor stock fencing, to some rabbit fencing, to fairly good stock fencing along the road. It is almost non-existent near the Gowrie Farm House gardens.

It is doubtful whether sheep could be kept in or out of this field in its present state, and certainly not deer and rabbits. There are many holes, which would not present too much difficulty for a lamb to escape through.

The gates also do not function particularly well.

Services

There is a mains water point and sheep trough in the far north-west corner of the site.

Business Plans

It has been proposed that a commercial cider orchard be planted and a business set up to supply Scottish Heritage Cider to the public. To make a single variety bottled cider which does on the face of it seem to be a good starting point and a good marketing tool as no-one else is doing it in Scotland.

This is without doubt a good time to set up a commercial orchard as there is a lot of interest in good quality locally produced crops at markets.

There is in fact no strong history of growing cider varieties in Scotland, at least not in the written record. Cider varieties exhibit particular properties of high tannins, and rated according to their bitterness, sharpness, or relative sweetness. How many of the French and West Country Cider Apple varieties would fare well in Scotland is unknown, though several reports of productive cider trees have come to our attention. The idea of a blend of cider and heritage varieties has a lot to commend it.

There is a big advantage of growing a crop which does not need to be perfect in appearance and thus avoiding a lot of grade outs as in the dessert apple industry. There is however a big risk in putting "all one's eggs in one basket", and thus unable to enter the dessert market if the cider one fails. Direct selling of Scottish Grown fruit at markets is one possibility, but the quality would need to be high. There are moves to set up a "Scottish Grown" label which the client would be able to apply to join.

We have very successfully made a small quantity of cider from a variety of cookers and desserts, and there is some evidence this would upscale to a commercial business. Cairn O'Mohr and others have successfully made cider

from various types of fruit, mostly cookers from the Carse of Gowrie. And there are several other cider producers in Scotland, though in most years all struggle to get enough Scottish-produced apples.

Growing to supply these existing businesses is one option that could be looked into on a contract basis. There are also a number of similar orchard enthusiasts looking to start in 2017/18, so the idea of a collective may well be on the cards. Getting together to share equipment and other resources is indeed a prospect already being looked into. Contacts with these people can be provided.

The Clyde Valley Orchard Group have set up a mobile juicing unit, and at their base in Lanark have the facilities to pasteurize apple juice. They may very well be open to hiring out their facilities and we would recommend this option for the business.

The main problem is the cost of picking. As apples generally have a low value, labour is inevitably the major cost. So, any method which reduces the labour cost is to be welcomed. Growing on very dwarf rootstocks helps, as ladders etc. are not needed and pruning is kept to a bare minimum.

We would encourage the client to visit commercial orchards in the south and in Scotland, such as Craigie Farm in Kirkliston*.



Young M9 trees at Craigie Farm, Kirkliston

Sharing of cold store facilities in Perthshire may be looked into. Attending the Soft Fruit open days at James Hutton Institute* may open up suitable avenues here. We recommend the client visits the local orchards at Dunkeld and Elcho Castle etc. to familiarize himself with types of trees. Tay Landscape Partnership * has been working with ourselves to run a series of orchard related workshops in 2017, through which skills and pruning techniques can be acquired.

Cider apples were traditionally produced on very tall trees planted at wide spacings. This is now being superseded by trees on an M9 stock planted at less than 1 m spacings. A larger MM106 tree would potentially produce more fruit, but take up more space and entail more labour to prune. An orchard of dwarfing M9 trees would potentially produce more fruit per hectare.



MM106 semi-vigorous trees



The harvest from mm106 trees at Elcho castle



A cold store of quality Scottish dessert apples

Other Options

There is an orchard in Yorkshire which rents out trees to customers, who have access to a proportion of the fruit on their tree each year. I have not visited this enterprise myself to see how the sponsorship system works, but maybe the good people of Perthshire might support such an idea?

Intercropping

A slightly wider spacing of trees may facilitate an underplanting of a secondary crop, or agroforestry / multicropping. A farm in Newburgh is undercropping a new orchard with barley. Soft fruit or even tea bushes come to mind as another possibility.

Orchard Plans

The soil depth and structure through out this site appears sufficient for the growing of fruit trees. Concerns as to the sand and gravel content were not realized in the trial pits taken over the whole site. However, stones were in abundance just below the surface ranging in size from 10cm downwards on the *top terrace (north- west corner)*. *This was also in evidence over the fence, which was ploughed and sown with a crop.*

The first steep slope below this also showed a high gravel content, but the large flat terrace ranging in width from 20m in the west to 40m in the north-east exhibited a good 30cm plus of good organic top soil.

The next slope shows more gravel deposit again, and yet improves considerably in the bottom terrace near the road. The soil here is dark, organic and a good spade's depth, with no gravel. And surprisingly well drained after all the recent rain.

Analysis has shown the pH to be 5.7, slightly acid, and though well within the limits for good fruit growing, an application of 500gms ground lime per sq. m. is advised in the planting hole to improve the availability of nutrients.

As an aside, Blueberries and other acid soil lovers will be happy with this acidity. Intercropping is one avenue that could be explored to improve the return from this site.

Shelter

The field is exposed on all sides, though partially sheltered from the north by the housing and the slope. Westerly winds may be an issue, and the planting of rows of Alder on the perimeter is advised. This will give protection to pollinating insects and lessen the risk of wind damage to fruit and flowers. *This must be planted at the outset, weeded, guarded and maintained.*

The slope is advantageous in carrying away cold air down towards the River Tay.

Planting Plans

We would advise planting a fair proportion of dwarf trees on this exceptionally good south facing site in addition to the semi-vigorous trees ordered.

The spacing for mm106 needs to be at least 3 metres.

At Gowrie Farm, this would suggest planting in lines down the slopes, a north-south direction, a situation better for machinery access on the steeper areas. The central terrace is of most value; this has a width of between 20m and 40m and is approximately 300m long., and can accommodate a more dwarfing tree.

We suggest planting the taller Lass O' Gowrie, in one large block/s for ease of management, on the upper slope at a wide spacing of 3m by 4m; this would also provide some shelter from the north for rows of M9 trees on the central level areas at 2 x 4m.

This spacing facilitates the aim for the rows to match for easy access up the entire field between trees. All these trees need to be individually staked, and have an individual mulch mat around the base to control weeds. Note, a 2m by 4m row spacing would entail 1,250 trees per hectare. 833 trees per hectare are needed for a 3m by 4m spacing, not allowing for access for machinery etc. (<http://www.fao.org/docrep/T0122E/t0122e08.htm>).

There are economies of scale the more trees you buy from wholesalers. Prices can be down to 7 or 8 pounds. The availability of Scottish heritage varieties at these rates is unlikely.

Dwarf trees are likely to start producing in their first or second year, and producing well by 5 years. MM106 and larger will take 6 to 10 years to really get going. Trees can be bought as maidens, i.e. 1 year old, or older. The older trees will also produce sooner.

Staking is essential throughout the life of these trees. It is best to go for creosoted tall stakes from Belgium. FAST Ltd. and others can supply.

There would be no option to allow sheep into this site unless the trees are individually guarded. This is costly, and we would advise buying a mower as soon as the trees are planted and forego any stock access.

Trees need to be planted into clean weed-free soil, and maintained so there after. Applying for a spraying certificate PA6 is advised. (see: SRUC)*

Soil fertility is less important if foliar feeding or fertigation is used. Having leaf tissues tested regularly by FAST Ltd.* in Kent will enable you to keep the trees in tip-top condition through out the year.

Varieties

For this enterprise to succeed, the planting of suitable stock is essential.

One hundred Lass O Gowrie apple trees have already been ordered from an English nursery. These have been grafted on semi-vigorous stock last August (2016) and thus will be available winter 2017. This delay in planting will delay production. Thus this enterprise can not be up and running until at least autumn 2019 with these trees.

This variety does not have any reported commercial cider characteristics, usually referred to as bitter, sharp or combinations, and was barely mentioned in John Butterworth's 'Apples In Scotland'".

The trees at the National Collection at Brogdale Farm, were extracted from Tynninghame Gardens in East Lothian in 1949, so likely genuine material. Described by Joan Morgan as tall, ribbed, sharp, juicy, and with a delicate flavour, so not without merit. It is however an early apple, ready by mid-September, and tends to go soft quickly. Certainly, it will never match up to supermarket requirements.

It flowers relatively early (day 8), but has a fair amount of vigour. It is quite a pretty spotted apple, small to medium sized. There is an example of a tree at Elcho Castle, near Perth, and has been sold by local nurseries around Scotland for the last 30 years.



Lass O Gowrie Apples

Regular pruning would be needed to keep these trees under control on mm106 rootstock.

Other possible Scottish varieties to use for juicing / cider, could include Thorle Pippin, Oslin, and Thomas Jeffrey, which produces a very pretty striped apple. It is possibly synonymous with a Gloucestershire Cider variety. Two year old trees on M26 produced fruit this year in my nursery.

Curiously, not a single specialist cider apple was noted in Butterworth's survey of Scottish Apples, although it is known that a number of English cider varieties have been planted in various orchards and gardens in Scotland recently, and some have been noted to be doing very well such as Somerset Redstreak. Productivity is the key, and for a homemade cider, a mix of cookers and eaters can make a very nice cider. Cairn O' Mohr Winery basically use what is available locally, very few of which have a high tannin content that is the hallmark of a good cider variety.

In our experience, Lass O Gowrie is productive from a young age, and makes an excellent pink fruit jelly. It seems to exhibit an element of tip bearing, but further investigation is necessary to confirm this. This would have repercussions on the pruning method. It may be partially self-fertile, in any case cross-pollination is beneficial and we highly recommend planting a number of pollinating varieties throughout the orchard. As apples have a strong tendency to biennial bearing (cropping on alternate years), the planting of at least one secondary main crop is advised.

Irrigation

This may be needed at planting, but generally is not a major issue in Scotland. However, spring droughts have occurred in the last 6 years, so the well-drained soil may cause a water deficit. It is best to monitor and allow for a small outlay in the future.

Pests and Diseases

The most likely problems are to be with the larger herbivores of deer, rabbits and hares. Each needs to be dealt with by fencing and / or guarding individually. Voles can also be a big problem, and long grass is their habitat. So mow closely around the orchard, especially in late November, and put up owl and kestrel boxes for a natural control. *At the very least, put guards around the foot of each tree.*

Scab is the single most prevalent disease followed by Mildew and Canker. Mildew can be controlled by fungicides or by hand removal of infected leaves. Scab needs constant spraying to prevent, and canker needs to be cut out as soon as seen. Attendance at FAST Ltd. School of Fruit is advised to be more attuned to the latest ideas on methods of control in the industry.

It should be emphasized that quality scab free apples are not necessary for juice or cider making and there are developments in predatory insects which obviate the need for many chemicals these days.

Membership of a machinery ring and / or fruit growing co-op may enable the sharing of equipment.

Leaf nutrient analysis costs around £30 per sample and should be carried out regularly through out the season.

See also some guidelines on : <https://www.gov.uk/guidance/fertiliser-recommendations-for-crops>

Attending the Kent Show or Marden Fruit Show may be advantageous to keep up with modern methods, techniques and chemicals available. It is unlikely that any of these chemicals will be needed if scab levels are relatively low. The nutrient status is more likely to be an issue.

Preparation of land

Attention to the fencing is a priority. Either repair what exists, renewing as necessary, or divide the field as necessary with new fencing and gates. This must be done to a high standard.

New trees need 'heeling-in' if planting is delayed. Areas for planting need spraying or cultivation as appropriate. Ploughing may be the most efficient way of preparing ground, and an individual hand held auger may facilitate forming planting holes. Rotavating rows is another option if the grass is sprayed first. Posts need to be driven in before planting each tree. Skilled contract planters can be hired.

Productivity and Costs

It is very difficult to forecast the likely productivity of apples in Scotland, though with good fertilizer management and disease control, quality trees and dwarfing stocks, 20kg per tree should be easily achievable. All apple trees are produced on a rootstock, the dwarfing trees denoted M9 and 26, larger trees mm106 or M25. We carried out a productivity survey of large trees in The Clyde Valley orchards in 2011*, which concluded an average of 21.2 kg per tree. These were very big trees, equivalent to M25.

M9 Bramley trees can yield 40 to 70 kg per tree; mm106 will yield 70 to 95kg in the South of England. (Worriker and Withnall, 2013, pge. 58.). Results with dessert apples in the East of Scotland have proved to be equally productive. Thus the benefits of a smaller tree are self-evident: easier to manage, pick, spray, prune. Initial outlay is increased though.

M9 dwarf trees can be planted with individual posts, or tied to a wire and post system. Posts can be down to 3 or 4 euros each if a large quantity is ordered.

With increasingly mild autumns, productivity akin to these Gala apples on M9 in Kent may be possible.



The productivity of dwarf trees is evident here

In Scotland, there are moves to encourage more home-grown apples, and a sharing of machinery as a consequence. Costs can thus be kept down for all members.

REFERENCES

Craigie Farm Shop, Kirkliston.

FAST Ltd. Brogdale Farm, Kent. www.fastltd.co.uk/

Calrn O'Mohr Winery, Errol, Perthshire.

Yorkshire Orchards: see: <http://www.yorkshireorchards.co.uk/aboutus.html>

James Hutton Institute : www.hutton.ac.uk/

SRUC / SAC Consulting: www.sruc.ac.uk

Clyde Valley Orchard Survey 2011 for The Rural Development Trust.

Tay Landscape Partnership,

Apples in Scotland by John Butterworth, Langford Press, 2001.

Initial Orchard Set Up Items Required:

Trees – bare root or containerised

Mulch Matting

Stakes and post rammer

Ties

Tree Guards

Machinery to Hire:

Hand held auger

Knapsack Sprayer

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	17/01917/FLL	Comments provided by	Tony Maric Transport Planning Officer
Service/Section	Transport Planning	Contact Details	[REDACTED]
Description of Proposal	Mixed use development comprising erection of cider/juice production building with pick your own facility and farm shop, garage/store, dwellinghouse, polytunnel, deer fence and formation of vehicular access, parking and associated works		
Address of site	Land 100 Metres South Of 3 Gowrie Farm Stanley		
Comments on the proposal	<p>I note the comments from objectors regarding traffic and road safety issues. Whilst there would be an intensification in traffic due to this proposal, this would not constitute a 'significant' traffic increase on this road. I understand the concerns with regards to a new access and visibility splays, but again I am satisfied that adequate visibility splays can be achieved and an appropriate condition is suggested below. I am also satisfied that an adequate access can be constructed and I would also point out that the presence of another access would act as a speed reduction measure as drivers on the B8099 would have to adjust their speed accordingly to allow for the presence of the accesses as per current good practice as per the Highway Code.</p> <p>Therefore, I do not object to this proposal, provided the undernoted conditions are attached in the interests of pedestrian and traffic safety.</p>		
Recommended planning condition(s)	<ul style="list-style-type: none"> • AR01 Prior to the development hereby approved being completed or brought into use, the vehicular access shall be formed in accordance with Perth & Kinross Council's Road Development Guide Type C, Figure 5.7 access detail. • AR03 Prior to the commencement of the development hereby approved, full visibility splays of 2.4m X 70.00m shall be provided to the left and right of the access measured between points 1.05m above the road level, insofar as the land is in the control of the applicant, and thereafter maintained. 		
Recommended informative(s) for applicant	The applicant should be advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.		
Date comments returned	17 January 2018		



To:	Andy Baxter, Planning Officer
From:	Sarah Winlow, Heritage Officer
Tel:	0 [REDACTED]
Email:	[REDACTED]
Date:	30 th November 2017

17/01917/FLL | Mixed use development comprising erection of cider/juice production building with pick your own facility and farm shop, garage/store, dwellinghouse, polytunnel, deer fence and formation of vehicular access, parking and associated works | Land 100 Metres South Of 3 Gowrie Farm Stanley

Thank you for consulting PKHT on the above application.

The development site is considered to have archaeological potential. Aerial photographic survey has revealed the cropmarks of what may represent prehistoric activity in the field to the south of Gowrie Farm. Photographed in the 1990s by the Royal Commission on the Ancient and Historical Monuments of Scotland's aerial photographic survey, the cropmarks may represent Later Iron Age settlement, including what's known as souterrain, a curved cellar-like storage facility usually attached to round-house. Further, in 2008, CFA Archaeology carried out an archaeological evaluation of the field to immediate south west of the development site. This preliminary investigation revealed significant archaeological remains, including a 'burnt mound'; utilised in prehistory for heating large quantities of water and so associated with cooking or bathing.

If permission is granted for this mixed development, it is recommended that a negative suspensive condition for a programme of archaeological works is attached to consent to ensure the development does not destroy significant archaeological remains. Firstly, there is a need to assess the character, condition and significance of the archaeological deposits presumed to be present, and the extent to which the development will impact upon them. This evaluation will inform a mitigation strategy, if required, to either preserve significant deposits within the development or for further archaeological works, to consist of the excavation, post-excavation analysis and publication of these deposits.

Recommendation:

In line with Scottish Planning Policy historic environment section (paragraphs 135-137 and 150) and policy HE1B of the Local Development Plan, it is recommended that the following condition for a programme of archaeological works be attached to consent, if granted:

HE25 *Development shall not commence until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of archaeological investigation which has been submitted by the applicant, and agreed in writing by the Council as Planning Authority, in consultation with Perth and Kinross Heritage Trust. Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented including that all excavation, preservation, recording, recovery, analysis, publication and archiving of archaeological resources within the development site is undertaken. In addition, the developer shall afford access at all reasonable times to Perth and Kinross Heritage Trust or a nominated representative and shall allow them to observe work in progress.*

Notes:

1. **Should consent be given, it is important that the developer, or agent, contact me as soon as possible. I can then explain the procedure of works required and, if necessary, prepare for them written Terms of Reference.**
2. This advice is based on information held on the Perth and Kinross Historic Environment Record. This database of archaeological sites and historic buildings is regularly updated.

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	17/01917/FLL	Comments provided by	Leigh Martin
Service/Section	TES/Flooding	Contact Details	FloodingDevelopmentControl@pkc.gov.uk
Description of Proposal	Mixed use development comprising erection of cider/juice production building with pick your own facility and farm shop, garage/store, dwellinghouse, polytunnel, deer fence and formation of vehicular access, parking and associated works		
Address of site	Land 100 metres South Of 3 Gowrie Farm Stanley		
Comments on the proposal	No objection		
Recommended planning condition(s)	N/A		
Recommended informative(s) for applicant	PKC Flooding and Flood Risk Guidance Document (June 2014)		
Date comments returned	17/11/2017		

21/11/2017

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



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

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

Dear Local Planner

PH1 Stanley 3 Gowrie Farm Land 100 Metres South Of

PLANNING APPLICATION NUMBER: 17/01917/FLL

OUR REFERENCE: 753883

PROPOSAL: Mixed use development comprising erection of cider/juice production building with pick your own facility and farm shop, garage/store, dwellinghouse, polytunnel, deer fence and formation of vehicular access, parking and associated works

Please quote our reference in all future correspondence

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

Water

- There is currently sufficient capacity in the Perth Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Foul

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

The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

General notes:

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

Site Investigation Services (UK) Ltd
Tel: 0333 123 1223
Email: sw@sisplan.co.uk
www.sisplan.co.uk

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

Next Steps:

- **Single Property/Less than 10 dwellings**

For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre-Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

- **10 or more domestic dwellings:**

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

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

- **Non Domestic/Commercial Property:**

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

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

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

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

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

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

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

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

Yours sincerely

Angela Allison

[Redacted signature]

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	17/01917/FLL	Comments provided by	Euan McLaughlin
Service/Section	Strategy & Policy	Contact Details	Development Negotiations Officer: Euan McLaughlin [REDACTED]
Description of Proposal	Mixed use development comprising erection of cider/juice production building with pick your own facility and farm shop, garage/store, dwellinghouse, polytunnel, deer fence and formation of vehicular access, parking and associated works		
Address of site	Land 100 Metres South Of 3 Gowrie Farm, Stanley		
Comments on the proposal	<p>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.</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>Primary Education</p> <p>With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.</p> <p>This proposal is within the catchment of Stanley Primary School.</p> <p>Education & Children's Services have no capacity concerns in this catchment area at this time.</p> <p>Transport Infrastructure</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.</p> <p>The site is within the full transport infrastructure area. The proposal includes a single dwellinghouse, a cider production building of 149m² and a garage/store of 39m².</p>		

	<p>The residential building will be required to make a contribution of £3,549.</p> <p>In terms of the remaining buildings it is considered that the garage/store can be considered as part of the residential property so no contribution will be required. The cider production building is identified as being used as a farm shop but it is clear that this would be ancillary to its main use for cider production. As such it will be considered to fall under the employment use category and would be calculated at £11 per m².</p>
Recommended planning condition(s)	<p>Summary of Requirements</p> <p>Education: £0 Transport Infrastructure: £5,188 (£3,549 & (149m² x £11= £1,639))</p> <p><u>Total: £5,188</u></p> <p>Phasing</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 an application of this scale 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>
Recommended informative(s) for applicant	<p>Payment</p> <p>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.</p> <p>Methods of Payment</p> <p>On no account should cash be remitted.</p> <p>Scheduled within a legal agreement</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>NB: 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</p>

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.

Other methods of payment

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.

Remittance by Cheque

The Planning Officer will be informed that payment has been made when a cheque is received. However this may 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.

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

Bank Transfers

All Bank Transfers should use the following account details;

Sort Code: 834700

Account Number: 11571138

Please quote the planning application reference.

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:

- a) Your card details.
- b) Whether it is a Debit or Credit card.
- c) The full amount due.
- d) The planning application to which the payment relates.
- e) If you are the applicant or paying on behalf of the applicant.
- f) Your e-mail address so that a receipt may be issued directly.

Transport Infrastructure

For Transport infrastructure contributions please quote the following ledger code:

1-30-0060-0003-859136

Indexation

All contributions agreed through a Section 75 Legal Agreement will be linked to the RICS Building Cost Information Service building Index.

Accounting Procedures

	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.
Date comments returned	23 November 2017

Pre Application Response

From: Andy Baxter <[REDACTED]>
Sent: 08 August 2017 18:55
To: Perth1 <<mailto:Perth@struttandparker.com>>
Cc: John Wright <<mailto:john.wright@StruttAndParker.com>>
Subject: Gowrie Farm, Stanley (17/00396/PREAP)

Our Ref – 17/00396/PREAPP

Dear John,

Creation of an Orchard, erection of a fruit processing shed and dwellinghouse at land 100m south of Gowrie Farm, Stanley

I refer to the above, your letter dated the 16 June 2017.

I understand your client has already discussed the proposal with my line manager during his visit recent to Pullar House; however I would like to make the following additional comments.

As you know site lies within the landward area, and to this end the business/commercial element of the proposal would fall to be assessed against a number of policies contained within the adopted Local Development Plan 2014, however you should be making yourself familiar specifically with PM1A (placemaking), PM3 (contributions), ED3 (rural businesses) and TRA1 (transport standards).

The full texts of these policies are available to view in online at www.pkc.gov.uk <<http://www.pkc.gov.uk>>.

In addition to these policies, I've also attached a copy of the Council's Developer Contributions and Affordable Housing document 2016 - which may have implications in terms of Transport Contributions.

As a preamble, it would be my view that the formation of the proposed orchard(s) would not necessary constituent a change of use or be deemed to be 'development', and as such would not require planning permission to be carried out. Likewise, the new landscaping along the roadside, presumably to offer some security to the site, would also not require consent.

The elements which do require consent would be the new processing shed, the associated engineering works (car parking and accesses), and the proposed new dwelling.

In terms of the planning merits of the proposal, the proposed business/commercial elements and the residential element both have separate planning issues attached to them – albeit both are interlinked. To this end, I consider it worthwhile commenting on them both separately.

In general terms I would consider the proposed overall business to be one which could be considered to be linked to a site specific resource, and an orchard / and or processing shed would in my opinion be considered to be generally compatible with the surrounding land uses.

The key issue would be whether or not the new shed (which is the element which requires consent) would be acceptable in landscaping and siting terms.

Although I appreciate that the site plan and the position of the buildings are indicative, it would be my view that the proposed processing shed would be sited in a slightly open and remote part of the wider field with little immediate landscape containment. As you'll know, part of the siting requirements of Policy ED3 requires that new proposals can be accommodated within the existing landscape, and you would need to demonstrate this fully within any formal planning application. It would be my initial view that the position of the indicatively shown shed could perhaps raise an issue with this requirement, and a revised location, perhaps closer to the existing dwellings should be explored further so that the shed is seen as more as part of a building group, and not as a remote building siting in the middle of a field.

I have previously considered a similar proposal on another site, and whilst noise / odours were not considered issues on that site you may wish to take into account the noise / odours implications for the new shed if you move forward with a site which is located closer to the existing dwellings. It maybe the case that moving the shed closer would result in a better landscape fit, but that in turn may result in noise / odours issues that will require full consideration.

As you have indicated, a robust business case including a clear outline of what is proposed, job projections, and an indication of the site selection process that your client has gone through – not only for any micro siting of the proposed progressing shed but for the wider development would be required so that the proposal can be fully assessed the criteria required under Policy ED3 of the Local Development Plan.

Lastly, in relation to the business/commercial element, it would be advisable for you to have an early conversation with my colleagues in the Transport Planning team to gauge what level of information they may wish to see accompanying a formal planning application. From what you have described and discussed on over the phone, I would consider it unlikely that a Transport Statement would be required; however some form lesser form of statement outlining the predicted movements associated with the development may be necessary.

In terms of the residential element, again as discussed on the telephone the onus would be on you to demonstrate to the satisfaction of the Council that there is a proven need for the house(s) on the basis of operational need - a new dwelling in this location not comply with any other section of the Council's Housing in the Countryside. When a house is to be associated with a proposed economic activity, construction of a house will not be permitted in advance of the development of the business. I appreciate in this case there may be a need for onsite presence from an early stage, and in such cases a possible option would be to consider a proposal

which includes a temporary accommodation element, which would allow (if successful) for some onsite presence during the early stages of the business which would then be reviewed at a later date. Any application which includes a temporary dwelling should still have the justification details set out, which, where possible is evidence based.

It would be the case that in the event of any temporary permission being granted, that would not guarantee that further consents for temporary accommodation would be forthcoming or indeed a permanent dwelling would be considered acceptable.

In terms of your question regarding whether or not the proposal would be a major application, bearing in mind what requires consent it would be the capacity and size of the processing house which would be main trigger. Based on the information submitted, the processing house is not likely to be of a scale which would require it to be assessed as a major planning application.

Lastly, as always, I'm not in a position to offer any absolute guarantees regarding the eventual outcome of any formal planning application at this stage. It is only by submitting a formal application that a full assessment of the proposal can take place. At this point in time, whilst I'm familiar with the general area I haven't specifically visited the site in relation to this enquiry or carried out consultations with the relevant bodies (external and internal) nor have interested parties had an opportunity to make comment – both of which will be material considerations in the assessment of any formal proposal.

I trust this answers your query,

Andy Baxter
Planning Officer

Securing the future... - Improving services - Enhancing quality of life - Making best use of public resources.

TCP/11/16(588) – 18/01796/FLL - Erection of cider/juice production building with pick your own facility and farm shop, siting of an accommodation unit (for a temporary period), erection of a polytunnel and formation of vehicular access, parking and associated works, land 100 metres south of 3 Gowrie Farm, Stanley

PLANNING DECISION NOTICE *(included in applicant's submission, see pages 1889-1891)*

REPORT OF HANDLING *(included in applicant's submission, see pages 1893-1914)*

REFERENCE DOCUMENTS *(included in applicant's submission, see pages 1865-1876)*

TCP/11/16(588) – 18/01796/FLL - Erection of cider/juice production building with pick your own facility and farm shop, siting of an accommodation unit (for a temporary period), erection of a polytunnel and formation of vehicular access, parking and associated works, land 100 metres south of 3 Gowrie Farm, Stanley

REPRESENTATIONS

(included in applicant's submission, see pages 1919-1936)

TCP/11/16(588) – 18/01796/FLL - Erection of cider/juice production building with pick your own facility and farm shop, siting of an accommodation unit (for a temporary period), erection of a polytunnel and formation of vehicular access, parking and associated works, land 100 metres south of 3 Gowrie Farm, Stanley

FURTHER INFORMATION

From: Andy Baxter
Sent: 24 April 2019 09:22
To: CHX Planning Local Review Body - Generic Email Account
Subject: 18/01796/FLL - Stanley
Attachments: RE: TCP/11/16(588)

Our Ref – 18/01796/FLL

Dear LRB ,

Erection of cider/juice production building with pick your own facility and farm shop, siting of an accommodation unit (for a temporary period), erection of a polytunnel and formation of vehicular access, parking and associated works at Land 100 Metres South Of 3 Gowrie Farm, Stanley

Further to your email of the 17 April 2019 requesting further information, below is the response on behalf of the Interim Development Quality Manager,

- (i) No comment needed.
- (ii) The certified accounts show expenses of £29,803 between the period between October 2017 to October 2018. Included in the expenses are,
 - a. £240 for accountancy fees
 - b. £8,120 for professional fees
 - c. £2,467 for Council planning fees etc
 - d. £811 for misc expenses

Equipment expenses is listed as £3,748, with 'Direct costs' listed as £14,417.

The accounts do not expand on what 'Direct costs' are or include, but it is assumed this relates to the purchase of trees, plants and imported stock.

The accounts therefore show that the applicant has occurred losses of £29,803 between October 2017 and October 2018, and could be taken as the level of his (financial) investment in the development so far.

The accounts show no income entries.

- (iii) Updated comments from Environmental Health are attached.
- (iv) *Policy ED3* of the Local Development Plan 2014 states,

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.

As the site is outwith a settlement, the sentence of '*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*' should be noted by the LRB.

If the LRB are of the view that the development should be assessed as a new business, then it would not be possible to diversify anything - as there isn't an existing business to diversify.

As such, the key test of the acceptability of the proposal would therefore be whether the proposal is related to a site specific resource or opportunity, and whether the proposal would contribute to the local economy through the provision of permanent employment, or visitor accommodation, or additional tourism or recreational facilities.

The site is Greenfield, so it would not involve the re-use of existing buildings.

The applicant has indicated again in his new supporting documents (pages 12/13) that the sites physical characteristics and ground conditions make the site suitable for fruit growing. Whilst planning permission is not required for the planting of fruit trees, the applicant is using this as an argument for the proposed new buildings - which would be required if the produce was to be processed / used onsite.

In my view, the physical characteristics of this particular site and its ground conditions, do not relate to a specific site resource as a large percentage of rural Perthshire, would in my own view, have very similar characteristics, and growing conditions as that of this site particular site. It also remains the case that there does not appear to be any specific evidence within the initial submission or the review documents of any detailed, forensic analysis of the soil to demonstrate that this particular area of Perthshire is more advantageous for fruit/lavender growing than any another.

If the LRB are however minded to accept the soil and the sites physical characteristics (south facing) as a site specific resource, the applicant would still need to demonstrate that this area had physical characteristics that no other has, which in turn offers a unique potential or resource which the proposal is proposing to 'tap into' or use. I see no such evidence in either the original planning submission or the additional review papers to support this. To this end, it remains my view that the soil and sites physical characteristics should not be considered a site specific resource.

The applicant has also used the close proximity of the A9 as being a site specific resource in terms of its good (vehicular) access for visitors within his initial submission, and again in the review papers. Whilst this may be correct, the good connections associated with the A9 might be more suitable for proposals which are generating large amount of HGV traffic, as opposed to the intended movement of family cars. There would inevitably be some HGV movements associated with the proposed business, however based on the applicant's statement these are not envisaged to be significant – but, in the absence of a TS/TA, there is not any factual evidence to confirm the level of movements expected. What I would consider to be significant resource is the population of Perth; however this would not be site specific to this particular proposal, but a very generic resource for the rural area surrounding the site.

To this end, I am still of the view that if the proposal was considered as a new business, there is conflict with *Policy ED3* as I do not consider the proposal to be linked to a site specific resource which is clearly identifiable.

In addition to the aforementioned, it would remain the case that all new development approved under *Policy ED3* must meet the following criteria,

- (a) The proposed use is compatible with the surrounding land uses and will not detrimentally impact on the amenity of residential properties within or adjacent to the site.
- (b) The proposal can be satisfactorily accommodated within the landscape capacity of any particular location.
- (c) The proposal meets a specific need by virtue of its quality or location in relation to existing business or tourist facilities.
- (d) Where any new building or extensions are proposed they should achieve a high quality of design to reflect the rural nature of the site and be in keeping with the scale of the existing buildings.

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

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

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

I shall assess each of these specific criteria in turn.

In terms of criteria (a), the nature of the proposed development is such that it could be considered compatible with some of the surrounding land uses i.e. farm land. In terms of compatibility with residential uses noise nuisance is an issue, however as the updated comments (attached) from my colleagues in Environmental Health have stated could be reasonably controlled by conditions.

In terms of criteria (b), this requires all new proposals to be satisfactorily accommodated within the landscape capacity of any particular location. The proposed block plan shows the proposed development (subject of this application) surrounded by blocks of plantations of fruit trees, lavender and bulbs– the majority of which are yet to be planted up. The block plan also shows new landscaping along the edges, some of which has recently been planted. The wider field is large, and is very open with little in the way of site containment or landscape features. The proposed new group of buildings and car parking would effectively sit in the centre of open field – albeit a field which the applicant intends to plant out. I therefore still have concerns regarding the suitability of the site insofar as not being able to provide a suitable landscape setting which is capable of absorbing the development proposed. In addition, if anything, the movement of the proposed buildings further west from the previous proposal would result in a more of a landscape impact than what was previously considered and I’m unsure of the exact reasoning for the movement away from the existing buildings to the east.

In terms of criteria (c), there is no firm evidence within either the original planning submission or the review submission which suggests that the proposal is needed to meet a specific need by virtue of its quality or location - in relation to existing business or tourist facilities.

In terms of criteria (d), in isolation I have no objection to the design of the buildings themselves. They would however be located in an isolated site, with no landscape framework.

In terms of criteria (e), the local road network is able to accommodate the nature and volume of the traffic generated by the proposed development in terms of road capacity, safety and environmental impact. In terms of the new vehicular access with the public road, subject to conditions I have no concerns in relation to this.

In terms of criteria (f), the proposed retailing element is likely to be ancillary to the main use of the site and would not be deemed to prejudice the vitality of existing retail centres in adjacent settlements.

In terms of criteria (g), it’s unlikely that the development would employ more than 25 people in so a staff travel plan and on-site staff accommodation is not likely to be required.

- (v) From our records, the Stanley and District Community Council did not make any formal comment on planning application 18/01796/FLL. They did make a comment in relation to the 17/01917/FLL. After looking at the appellants review papers, it would appear that the Community Council lodged a representation after the planning application was decided, and it was subsequently treated as a ‘late comment’ in the normal manner.

The content of their letter is self-explanatory, and offers clear support for the proposal by the Community Council.

- (vi) We have no further comments to make on the appeal submission. The point I would however wish to clarify, which is stated with the delegated report of handling is that the Council is of the view that whilst there may be a business in place (of sorts), based on the work the applicant has undertaken on the ground, setting up business trademarks, registered accounts etc, it is certainly in its infancy with no income registered and current reliance on importation of produce and assessing it as a new business as opposed to an expansion of an existing / establishment one would seem appropriate.
- (vii) No action required
- (viii) No action required.

I trust this is useful,

Andy Baxter
Planning Officer (Local Developments)
Development Management
Planning & Development

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

Memorandum

To	Development Quality Manager	From	Regulatory Service Manager
Your ref	18/01796/FLL	Our ref	LA
Date	17 April 2019	Tel No	

Housing & Environment

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

RE: Mixed use development comprising erection of cider/juice production building with pick your own facility and farm shop, site accommodation unit (for a temporary period), polytunnel and formation of vehicular access, parking and associated works Land 100 Metres South of 3 Gowrie Farm, Stanley for Mr James Neill

I refer to your letter dated 17 April 2019, following the Local Review Body meeting on the 2 April 2019. I have reviewed the additional information provided by the applicant as part of the review process and have the following comments to make.

Recommendation

I have no objection in principle to the application provided that the under noted conditions be included on any given consent.

Comments

This application includes the erection of a cider/juice production building, farm shop, garage/store, site accommodation and the keeping of chickens for egg production.

The cider/juice production building will be approximately 100 metres from the nearest residential properties and it is proposed that 30 chickens will be housed in moveable coups on the site and I am concerned that noise and odour from the development has the potential to impact on residential amenity if not properly managed and controlled.

Additional information has been submitted by the applicant on the processing operations involved in the cider production which will use small scale equipment i.e. hydraulic press, milling machine with hand filling and capping of bottles. The control of noise from the cider/juice production building will largely be dependent on managing working practices by infrequent use of noisy equipment, only operating noisy equipment during daylight hours and within the confines of the production building, however, I am satisfied that this could be controlled by condition through the implementation of a noise management plan.

In relation to the control of odours and waste from the keeping of chicken, this could also be adequately controlled by implementing an odour management plan.

I understand that a mobile caravan will be used for a permanent residence for a temporary period of 3 years. I would advise that provided that the caravan and land are owned and occupied by the applicant this should not require to be licenced under the Caravan Sites and

Control of Development Act 1960, however, if the caravan was rented out this may be required to be licensed and further advice should be sought from Environmental Health.

In light of the above, I would advise that I would have no objections to this application provided the undernoted conditions are attached to any given consent

Conditions

- EH11** All plant or equipment shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 20 between 2300 and 0700 hours daily, within any neighbouring residential property, with all windows slightly open, when measured and/ or calculated and plotted on a rating curve chart.
- EH31** All external lighting shall be sufficiently screened and aligned so as to ensure that there is no direct illumination of neighbouring land and that light spillage beyond the boundaries of the site is minimised to a degree that it does not adversely affect the amenity of the neighbouring land.
- Prior to the commencement of the development a Noise Management Plan shall be submitted for the written approval of the planning authority. The plan shall include all sources of noise from the site i.e. equipment & machinery, number of vehicle movements, times of any deliveries to and from the site etc. Once all sources of noise have been identified the plan shall include measures on how noise will be minimised and controlled and incorporate a complaint investigation procedure. The Plan shall be reviewed on a regular basis, following receipt of a justified complaint or at the request of the planning authority. Once the Noise Management Plan has been approved, it shall be fully implemented for the lifetime of the development.
 - Prior to the commencement of the development an Odour Management Plan shall be submitted for the written approval of the planning authority. The plan shall include measures to minimise odours from waste/manures produced from the egg production facility and detail how waste from the process will be adequately handled, stored or removed from the site so that odour is kept to a minimum. The plan shall be reviewed on a regular basis, following receipt of a justified complaint or at the request of the planning authority. Once the Odour Management Plan has been approved, it shall be fully implemented for the lifetime of the development.

Supplementary Statement to the Local Review Board

(Following Interim Development Quality Managers written statement)

Ref: 18/01796/FLL
TCP/11/16 (588)

9th May 2019

Introduction

This report contains responses to the e-mail supplied on behalf of the Interim Development Quality Manager (IDQM) following a request from the Local Review Board (LRB) for additional information.

To assist the reader the layout follows that used in the IDQMs' statement.

Responses to IDQMs' Statement

(i) No comment needed

(ii) Certified accounts

I confirm the Direct Costs recorded in the certified accounts are primarily attributable to purchasing trees, hedges, guards, stakes, ties, ground cover fabric and fencing.

To clarify there was no money spent importing stock.

Since October 2018, we have invested an additional £1,656

(iii) Comments from Environmental health

We are happy to comply with the Environmental Health Departments' conditions.

(iv) Policy ED3 – 'site specific resource or opportunity'

It is disappointing that the definition being used in the IDQM's statement for a site specific resource or opportunity is purely a 'physical characteristic' and that the opportunities provided by the sites heritage, having been clearly stated in the planning submission and appeal documents, have been ignored.

(See Planning Support Statement pg. 2 paragraphs 5 & 6; Design Statement - Executive Summary bullet point 5 and Appeal Submittal pg. 6 section 1b first paragraph)

As knowledge, skill, talent are examples of nonphysical resources that provide opportunity I trust the Local Review Board agrees with me in stating that a resource or opportunity should not be exclusively defined as a physical trait. Many Scottish businesses use heritage to support their businesses, and it is the same with this business.

We have acted upon the unique opportunity provided by the site being the location where the Lass O' Gowrie apple originated by planting fifty Lass O' Gowrie trees and trademark registering Lass O' Gowrie Cider.

The Herald article (see Notice of Review document page 7) and local interest in the Lass O' Gowrie apple demonstrates there is a clear opportunity associated with the site.

Regarding the employment requirement of policy ED3, we advise that the business has one full time and one part time worker. During harvest time there will be two additional part time employees and by year ten, there will be three full time and three part time employees.

The IDQMs statement refers to additional ED3 criteria but incorrectly states

‘....all new development approved under Policy ED3 must meet the following criteria.’

The Policy actually states ‘proposals are expected to meet all the following criteria.’

I cannot account for this mistake but feel it is extremely unfortunate and if left uncorrected could considerably curtail the ability of the LRB to perform its duties and I am therefore obliged to raise it.

That being said as noted in the IDQMs’ statement, criteria (a), (e), (f) and (g), subject to agreed conditions, have been met.

Criteria (c)

Criteria C states ‘The proposal meets a specific need by virtue of its quality or location in relation to existing business or tourist facilities.’

The IDQM statement requests ‘firm evidence’ to show why the buildings are needed. I propose that the learnings’ from work already carried out provides such ‘firm evidence’.

We have loaded up our van with hand tools, travelled to the orchard, spent many an enjoyable hour and using less than ideal equipment, and with a lot of effort produced 600 litres of cider. In order for the business to expand, we need:

- The Cider shed –to efficiently process the apples/flowers and properly store products and equipment.
- A polytunnel - for propagation of plants.
- Temporary accommodation – for financial, environmental, welfare, security and horticultural reasons as stated on pages 12 and 13 of the February 2019 Business Plan.

Criteria (b) and (d) - relate to landscape and landscape framework

The IDQM statement expresses concerns regarding the sites ability to provide suitable landscaping.

It is my view that the buildings, orchard, lavender and wild meadow are eminently suitable for a rural setting and am therefore pleased that the LRB will be carrying out a site visit.

To summarise:

- The buildings are partially recessed into a steep banking (with a windbreak hedge on its brow) which gives an immediate backdrop.
- On the quarry side, there are three rows of staked apple trees,
- On the side opposite to the existing apple trees, bush apple trees will be planted,
- There is an existing deer fence and double row beech/ hornbeam hedge in front of the buildings,
- The site perimeter has a double row of native hedges.

Recognisance of the required time it takes to perform archaeological investigations, water soak tests and new access formation should also be taken into account. It will be mid to late summer before the polytunnel is erected, then the shed will be put up and only after that will the temporary accommodation be put on site.

(v) Community Council supporting letter

Other than thanking the Community Council for their support, we have no comment to make.

(vi) Interim Development Quality Managers comment

We accept the business is not mature, but it is over 2 ½ years old, has benefited from £31,459 investment, produced 600 litres of cider and unfortunately without the necessary planning approvals will not be able to achieve any significant expansion.

I believe the fundamental reason we are experiencing difficulties in obtaining planning permission is due to the requirement for accommodation.

Policy RD3- Housing in the Countryside and its Guide 2012 states 'favourable consideration will be given to proposals for the construction of new houses in the open countryside, where they fall into at least one of the following groups' ...the policy goes on to state . 'encouragement will be given to the incorporation of measures to facilitate home working '

Group 3.3 states

'....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.'

As we are NOT seeking approval for a house but are seeking a 3-year time limited approval for temporary accommodation (caravan compliant), I believe the planning system is such that when properly applied is in fact supportive of our application.

The temporary accommodation provides reassurance to the LRB, that we are not property developers. We are enterprising land workers who to be clear accept that a planning department reassessment of any temporary accommodation approval will take place in 3 years' time and may result in either :

- (a) An extension to the time period for the temporary accommodation, or
- (b) Permission to build permanent accommodation or
- (b) Removal of the temporary accommodation

(vii) Site visit -No Action required

We are pleased that a site visit will take place and hope the LRB members have a nice day.

(viii) LRB follow up- No action required

I trust the above, and the more detailed appeal and planning submission documents (including business plans and drawings) , when coupled with the site visit will enable the LRB to finalise their decision .

I would also like to ask the LRB to take into account the approval given on the 10th of April for the installation of 300 lodges on the site next to our orchard. Please see planning ref 19/00120/AMM and the attached layout drawing below. This development will bring benefits via additional customers and provide a wider context in which to consider our application.

If the LRB members require additional clarification or have further questions please do not hesitate to contact me.

Drawing of the 300 lodge development approved on the 10th of April 2019 for the site next to our orchard.



