

**TCP/11/16(445)**  
**Planning Application – 16/01191/IPL – Erection of dwellinghouse, stable block and livery building (in principle) on Land 70 Metres South West of South Latch Farm, Abernyte, Perth, PH14 9SU**

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**TCP/11/16(445)**

**Planning Application – 16/01191/IPL – Erection of dwellinghouse, stable block and livery building (in principle) on Land 70 Metres South West of South Latch Farm, Abernyte, Perth, PH14 9SU**

**PAPERS SUBMITTED  
BY THE  
APPLICANT**





LTR/1627/002/RRT

14 October 2016

Local Review Body  
Perth & Kinross Council  
2 High Street  
Perth  
PH1 5PH

Dear Councillors

**Erection of Dwelling, Stable and Livery Building (in principle) at Land North of South Latch Farm, Abernyte, Perthshire, PH14 9SU**  
**Application Ref: 16/01191/IPL**

This letter is to provide important supplementary information relevant to the appeal of the recent decision to refuse planning application ref: 16/01191/IPL. The application was principally assessed against Policy RD3 – Housing in the Countryside and the Housing in the Countryside Supplementary Guidance 2012.

The application was prepared and submitted to specifically meet the requirements as laid out in Parts (a) & (c) of Policy RD3 – Housing in the Countryside and the Housing in the Countryside Supplementary Guidance 2012. In particular, the proposals are in accordance with Section 3 - New Houses in the Open Countryside which supports development falling into one of 5 criteria. The application satisfies the following categories:

- 1.0 Building Groups
- 3.3 Economic Activity
- 3.4 Houses for local people

Within the Case Officer's report of handling, it was stated that more information would have been useful in making the assessment against 3.3 Economic Activity. Had this information been requested, it could have been presented at short notice; however no opportunity was given to provide this information.

Following refusal, a meeting was held with the Case Officer to review the decision and she strongly indicated that the application may have been viewed differently had this information been available. This appeal seeks to present this information with a view to gaining support for the application.

**3.3 Economic Activity**

The existing farm business has been the home and livelihood of the family for four generations. Although the farm size is now smaller due to the division of land between the daughters of the deceased David Sinclair, the remaining enterprise still commands a respectful earning and provides the link with the village and community of a family who have been instrumental in its development and success to date.

The existing farm house is occupied by the applicant's parents. They are elderly and the mother is in remission from cancer for a 3rd time. The labour intensiveness of the farm and livery business is no longer manageable for them. There is potential and demand to expand the livery business, but the applicant's parents do not have the physical ability to do this. The increasing complexity of administration to manage the farm is also beyond their capability. Paying for expensive professional assistance to complete this correctly significantly reduces the profit margins of the farm business. The applicant has found that he cannot manage the farm remotely and meet his own family commitments.

The applicant has worked on the farm for approximately 20 years prior to its sub-division. He is experienced at animal husbandry and undertook the agricultural paperwork and administration whilst still living at the farm. To ensure the current farm business survives and remains within the family it is essential that a new dwelling is located on the property to allow the applicant to continue the full daily

management of South Latch Farm, and allow the elderly parents to stay in their home for their retirement.

Maintaining the family farm and livery business adds to the diversity of the surrounding area, if the family do not run the land then it's likely it will be used for intensive farming techniques by non-local farmers, removing the horses and rare breeds from the area. The current farm supports projects from the Scottish Wildlife trust, providing grazing to rare horse, sheep and cattle breeds as required. It is vital that somebody with experience and understanding of their needs is on site with an ability to provide care.

The application includes for an additional stable block; this will be operated alongside the existing livery business as a not-for-profit enterprise and allow the applicant to develop and offer disabled riding services and experiences for disabled children.

### **3.4 Houses for Local People**

It is evident that no consideration was given to assessing the application properly against this criteria yet this remains a highly significant part of the proposal. The applicant's family has very specific needs which are not catered for by identifiable policies but need to be met.

The applicant was born and raised on this family farm. Due to the severe disabilities of their middle child there is no local housing suitable for their needs and there is no suitable house for sale in the local area that could be successfully converted for use at an appropriate cost.

The applicant's middle son has been diagnosed with a rare genetic condition (Phelan McDermid Syndrome) which has rendered him severely mentally and physically disabled. He will live with his parents for his whole life and they want to maximise his enjoyment of the world in a purpose built property to meet his needs including therapy pool, sensory room, downstairs bedroom, disabled access and open plan living space.

The additional support he will need for the rest of his life puts a big demand on the applicant's family. They rely heavily on support from the applicant's parents, currently this is around a 60min round trip to the family's current location. Being directly across the road would provide necessary regular cover at short notice for medical appointments/therapy sessions as well as general assistance with care.

The child is very stimulated by animals; making a cow sound when seeing cattle is the only positive indication he has learned so far to proving he recognises a specific animal. The applicant is driven to returning to the farm to give their son the fullest of life experiences and to ensure he can reach his potential whatever that may be. This is one of the drivers for the selected plot, a spacious flat field that could easily accommodate some smaller farm animals such as hens/ducks/goats with a fully disabled access track around the pens to ensure their son can be involved in rearing them.

The proposal also includes a pool, this will also be fully accessible and use will be offered to other disabled children in the local area as a charitable offering. A facility such as this is in great need in the local area demonstrated by the applicant's uncle, living in Abernethy, who has Multiple Sclerosis and has found a significant gap in the availability of bespoke amenities for disabled persons.

The family is a significant contributor to the local area, gifting a school playing field, selling land for affordable housing, supporting the school and heritage groups, planting traditional tree/hedging as well as organising and hosting multiple charitable festivals and gatherings. The strong support from the local community is a great indicator of how this rural village has rallied in support of this proposal.

### **Siting Criteria**

There is a requirement to meet all the following criteria and the application meets this requirement:

- *Blends sympathetically with the land form* – The proposed house site is located within a lower, level area of the site which reduces the visual impact of the proposed dwelling when viewed from any principle vantage point.
- *Uses existing trees, buildings, slopes or other natural features to provide backdrop* – there is a mature forest directly behind the site; the proposed house site is located adjacent to the well-established garden of Latch House. The south west end of the field has mature trees to line the plot which provides additional screening.

- *Uses an identifiable site* – the four sides of the proposed site have been in existence for over 30 years: a mature hedge to the North East, a mature pine forest to the North West, mature tree line to the South West and a public road to the south.
- *Does not have a detrimental impact on the surrounding landscape* – the new proposal will enhance the visual amenity and bio-diversity along the road side through extensive beech hedging and specimen trees.

### **Building Groups**

An existing building group is defined as 3 or more buildings of a size at least equivalent to a traditional cottage, whether they are of a residential and/or business/agricultural nature.

*Please see additional location plan identifying other sites/properties within the building group*

Considering this rural location, the proposal is of similar size to those around it and would be consistent with a definite building group. It would sit comfortably next to the neighbouring properties and, although a more detailed planting scheme will require to be approved, the applicant is prepared to implement any landscaping proposals prior to the commencement of development. The proposed landscaping will enhance the residential and visual amenity of the current group of houses in this area.

In summary, this proposal ensures the continuation of the family farm, a livery business, home for rare breeds and bio-diverse planting that positively adds to the local environment. The livery business, charitable offering of hydrotherapy and riding facilities not only provide local employment but will also significantly improve the quality of life for the applicant's family and many others in the local area. This is central to the TAYplan vision for 2032 to ensure the region is more attractive, vibrant and a place people chose to work and live because of quality of life.

It is the view of the applicant that nothing in the proposal is contrary to the requirements of the Housing in the Countryside Policy. As stated, following refusal, this application was discussed with the case officer and it was indicated that this additional information above clarifies how the application is in line with current policies. It is therefore hoped that this will result in the approval of the application at Local Review Board.

We look forward to having the opportunity to discuss this application with the Local Review Board in person and would be more than happy to supervise a site visit. We will endeavour to supply any additional information requested.

If you have any queries regarding the above please feel free to contact me.

Yours sincerely

Richard Taylor  
for studioEAST

Enc



# 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 type="checkbox"/>            |
| 2. Application for planning permission in principle  | <input checked="" 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 checked="" 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 nature of the appeal is to provide additional information highlighted by the case officer as being useful to determine the application but was never requested. Information included.  
The client is able to provide more detailed information on the personal circumstances relating to the application.

**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 checked="" type="checkbox"/> | <input 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:

Consideration should be given to the presence of livestock on the land.

## 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 principal reasons for appeal of the case officer's decision are as follows:

1. The case officer indicated in the Delegated Report of Handling that additional information on the nature of the business aspect of the application would have been useful in determining the application. Further information has now been provided to clarify the situation.
2. A key section of the Housing in the Countryside Guidance was not taken into consideration when determining the application. Information was provided on the applicant's personal circumstances for assessment against the 'Houses for Local People' portion of the guidance. This should be taken into consideration.

Following a meeting with the case officer after the decision had been made, it was suggested that support for the application was likely given the nature of the additional information.

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.

Further detailed information relating to the nature of the business for assessment under 3.3 Economic Activity and information relating to the applicant's personal circumstances for assessment under 3.4 Houses for Local People.

**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.

1627/01 Location Plan  
 1627/02B Site Plan  
 1627/03 Site Plan  
 1627/04 Building Group  
 1627-02 Appeal Letter

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

**Checklist**

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

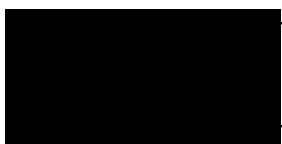
- ☒ Full completion of all parts of this form
- ☒ Statement of your reasons for requiring a review
- ☒ All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

**Declaration**

I the ~~applicant~~/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed



Date

20th Oct 2016



IF IN DOUBT... ASK!

**studio** | **EAST**

Client: Mr J White

DWG. NO. 01

Project:

**New Eco House & Equine Facility**  
South Latch Farm  
Abernhye

Title:

## Location Plan

Scale 1:10,000 @ A3

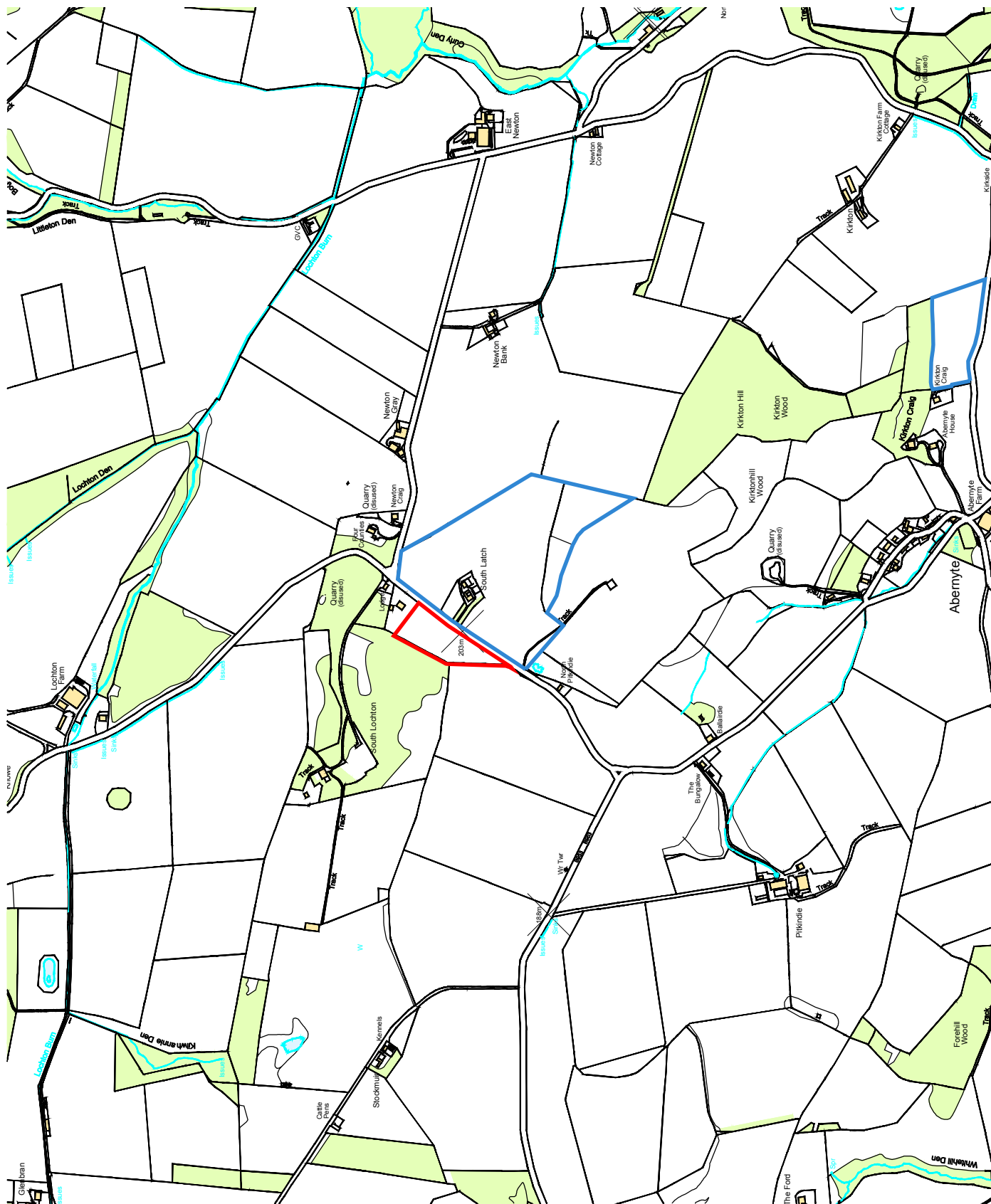
Job No: 1627

Date: Jun 16


|          |               |
|----------|---------------|
| Purpose: | Location Plan |
|----------|---------------|

Drawn by: RRT

King James VI Business Centre, Friarton Rd, Perth, PH2 8DY  
t: 01738 472090 e: [hello@studio-east.co.uk](mailto:hello@studio-east.co.uk)



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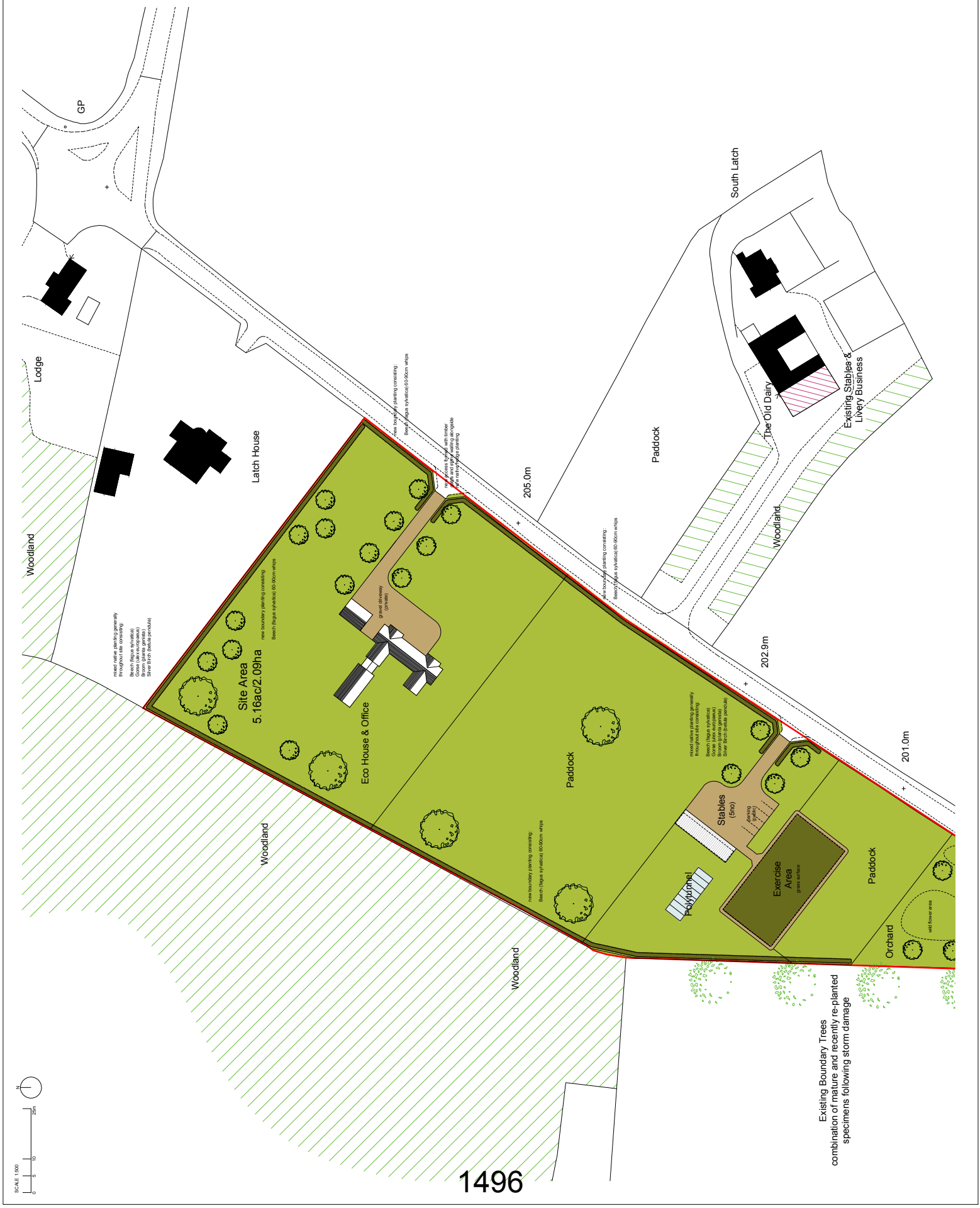
1495

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IF IN DOUBT - ASK

Rev B Jun 16 Updated for Planning Submission  
Rev A Jun 16 Layout Amended

studioEAST

|  |   |
|--|---|
| Client:  | Mr J White  |
| DWG. NO.   | 02  |
| Project:   | New Eco House & Equine Facility<br>South Latch Farm<br>Abereyny |
| Title:   | Site Plan   |
| Scale:   | 1:500 @ A1  |
| Job No:  | 1627  |
| Date:  | Jun 16  |
| Purpose:   | Design  |
| Drawn by:  | BRT   |
| King James Veterinary Centre, Ffynnon Ffeith, Pwllheli<br>LL55 2RQ, Gwynedd, North Wales |   |



SCALE 1:500  
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1496

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Client: Mr J White

DWG. NO. 03

Project:  
New Eco House & Equine Facility  
South Latch Farm  
Abernyte

Title:  
Site Plan

Scale 1:2500 @ A3

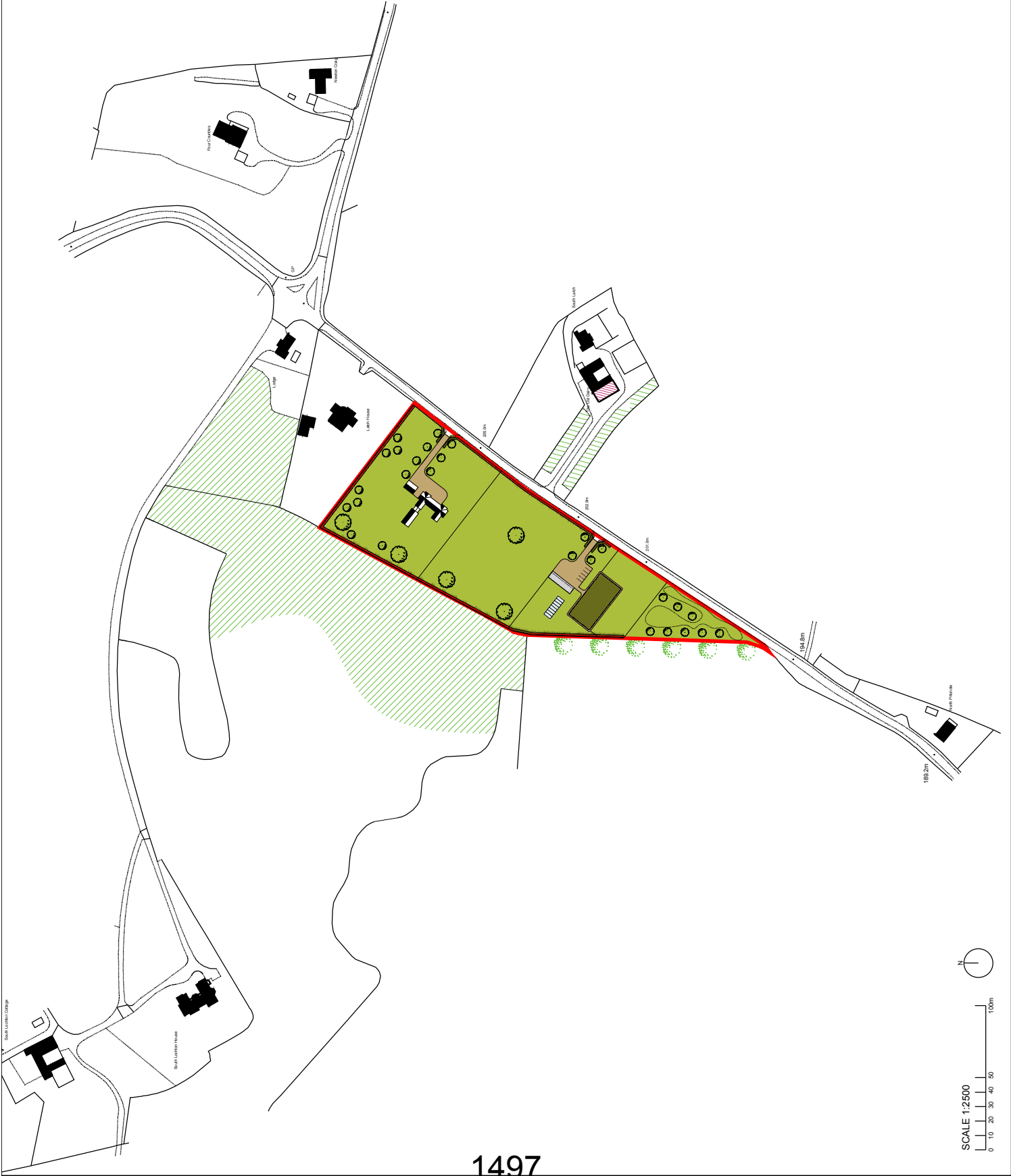
Job No: 1627

Date: Jun 16

Purpose: Location Plan

Drawn by: RRT

King James VI Business Centre, Ffionton Rd, Perth, PH2 8DY  
t 01738 472090 e hello@studio-east.co.uk



IF IN DOUBT... ASK!

**studio** | **EAST**

Client: Mr J White

DWG. NO.

Project:

**New Eco House & Equine Facility**  
South Latch Farm  
Abernyte

Title:

Building Group

Scale 1:10,000 @ A3

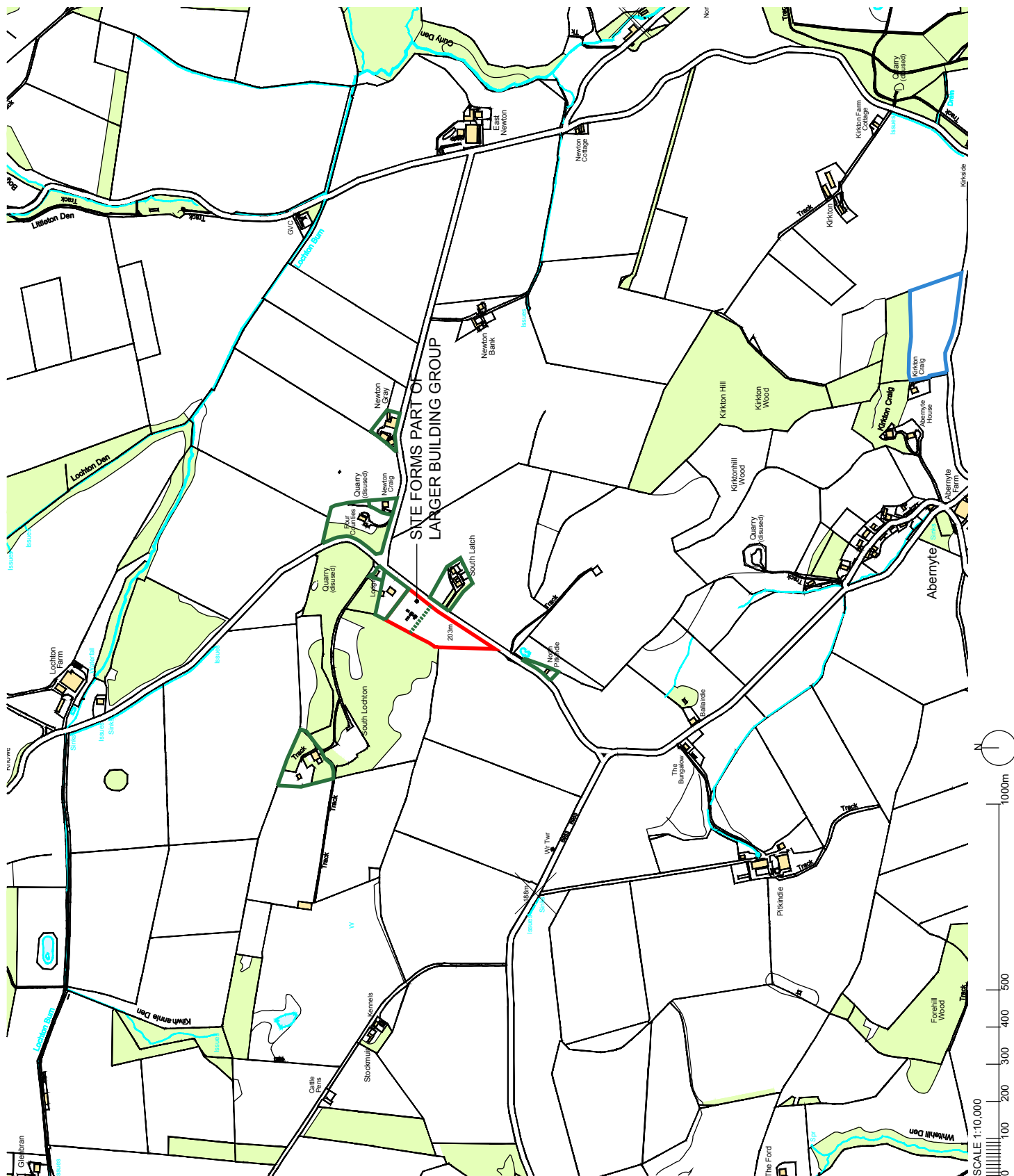
Job No: 1627

Date: Oct 16

|          |               |
|----------|---------------|
| Purpose: | Location Plan |
|----------|---------------|

Drawn by: RRT

King James VI Business Centre, Friarton Rd, Perth, PH2 8DY  
t: 01738 472090 e: [hello@studio-east.co.uk](mailto:hello@studio-east.co.uk)



**TCP/11/16(445)**  
**Planning Application – 16/01191/IPL – Erection of dwellinghouse, stable block and livery building (in principle) on Land 70 Metres South West of South Latch Farm, Abernyte, Perth, PH14 9SU**

## **PLANNING DECISION NOTICE**

## **REPORT OF HANDLING**

**REFERENCE DOCUMENT** *(part included in applicant's submission, see page 1495-1497)*



# PERTH AND KINROSS COUNCIL

Mr John White  
c/o StudioEAST Chartered Architects  
Richard Taylor  
King James VI Business Centre  
Friarton Rd  
Perth  
UK  
PH2 8DY

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date 01.09.2016

## TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **16/01191/IPL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 2nd July 2016 for permission for **Erection of dwellinghouse, stable block and livery building (in principle) Land 70 Metres South West Of Latch House Abernyte** for the reasons undernoted.

Development Quality Manager

### Reasons for Refusal

1. The proposal is contrary to Policy RD3 'Housing the Countryside' of the Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 as the proposal fails to satisfactorily comply with category (3) 'New Houses in the Open Countryside', particularly in relation to 3.3 Economic Activity. It is also considered that the proposal cannot satisfy any of the remaining categories (1) Building Groups, (2) Infill Sites, (4) Renovation or Replacement of Houses, (5) Conversion or Replacement of Redundant Non Domestic Buildings, or (6) 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.

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

**Plan Reference**

**16/01191/1**

**16/01191/2**

**16/01191/3**

**16/01191/4**



# REPORT OF HANDLING

## DELEGATED REPORT

|                        |                     |      |
|------------------------|---------------------|------|
| Ref No                 | 16/01191/IPL        |      |
| Ward No                | N1- Carse Of Gowrie |      |
| Due Determination Date | 01.09.2016          |      |
| Case Officer           | Persephone Beer     |      |
| Report Issued by       |                     | Date |
| Countersigned by       |                     | Date |

**PROPOSAL:** Erection of dwellinghouse, stable block and livery building (in principle)

**LOCATION:** Land 70 Metres South West Of Latch House Abernyte

### SUMMARY:

This report recommends **refusal** of the application as the development is considered to be contrary to the relevant provisions of the Development Plan and there are no material considerations apparent which justify setting aside the Development Plan.

**DATE OF SITE VISIT:** 15 August 2016

### SITE PHOTOGRAPHS



## **BACKGROUND AND DESCRIPTION OF PROPOSAL**

Planning permission in principle is sought for the erection of a dwellinghouse, stable block and horse exercise area on land associated with South Latch Farm which is located to the north of Abernyte village.

The site selected extends to around 5 acres and is approximately 100 metres to the south of the existing farm steading which is located on the opposite side of the public road. It has a road frontage of around 290 metres.

The house is required in association to provide accommodation for essential workers and to provide improved facilities for the family including better facilities for a disabled child. The proposal is linked to the development of an existing equine business as well as to support the existing farm business, which extends to around 50 acres including the application site.

## **SITE HISTORY**

04/01638/OUT Erection of two dwellinghouses (in outline) South Latch Farm Abernyte Perth PH14 9SU Application withdrawn

## **PRE-APPLICATION CONSULTATION**

Pre application Reference: None.

## **NATIONAL POLICY AND GUIDANCE**

The Scottish Government expresses its planning policies through The National Planning Framework, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

## **DEVELOPMENT PLAN**

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

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

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

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

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

The principal policies are, in summary:

### **Policy PM1A - Placemaking**

Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. All development should be planned and designed with reference to climate change mitigation and adaption.

### **Policy PM1B - Placemaking**

All proposals should meet all eight of the placemaking criteria.

### **Policy PM3 - Infrastructure Contributions**

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

### **Policy 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 ER6 - Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Areas Landscapes**

Development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross and they meet the tests set out in the 7 criteria.

## **OTHER POLICIES**

Housing in the Countryside Supplementary Guidance 2012

Developer Contributions Supplementary Guidance 2016

Landscape Supplementary Guidance 2015

## **CONSULTATION RESPONSES**

National Grid Plant Protection Team

No response. There is National Grid apparatus in the area. National Grid would need to be informed should the application be approved.

Scottish Water  
No response.

Transport Planning  
No objections subject to condition.

Contributions Officer  
Developer contribution with regard to Primary Education provision will be determined when a detailed application is submitted. Developer contributions with regard transport infrastructure will be required.

Environmental Health  
No concerns with ground contamination. Condition required with regard to private water.

Environmental Health  
No objection with regard to noise and odour.

## **REPRESENTATIONS**

13 representations of support were received. Most of the representations were fully in favour of the proposal seeing it as supporting an existing business, local family and providing facilities for children with disabilities. One comment was slightly more negative and although in support of the proposal stressed that their support was dependent on the complete project being delivered rather than a route to establish a house or housing on the site.

## **ADDITIONAL STATEMENTS RECEIVED:**

|   |              |
|---|--------------|
| Environment Statement   | Not Required |
| Screening Opinion   | Not Required |
| Environmental Impact Assessment                               | Not Required |
| Appropriate Assessment  | Not Required |
| Design Statement or Design and Access Statement               | Submitted    |
| Report on Impact or Potential Impact eg Flood Risk Assessment | Not Required |

## **APPRAISAL**

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan 2012 and the adopted Perth and Kinross Local Development Plan 2014.

The determining issues in this case are whether; the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy.

### **Policy Appraisal**

The main policy for assessment of this application is the housing in the countryside policy (RD3) of the Perth and Kinross Local Development Plan 2014 and the associated supplementary guidance on housing in the countryside. The Council seeks to encourage sustainable development in rural areas which means guiding development to places where existing communities and services can be supported, and the need to travel minimised. It also means encouraging the sympathetic reuse of existing traditional buildings of character and beauty and to ensure that new buildings are located correctly and constructed to the highest standards of design and finish.

The policy supports development which falls 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.

In this case the proposal does not fall into any of the relevant categories.

#### **1) Building groups**

The development is not within or adjacent to a building group. A building group as defined by the policy is 3 or more buildings of a size at least equivalent to a traditional cottage, whether they are of a residential and/or business/agricultural nature.

#### **2) Infill**

It is not infill development as there is built development on only one side. The policy requires sites where there are gaps between established houses or a

house and another substantial building. There are buildings at only one end of the site.

### 3) New Houses in the Open Countryside

The policy allows for the erection of a house or group of houses either on site or in the locality for a local or key worker associated with either a consented or an established economic activity. The applicant must demonstrate to the satisfaction of the Council that there is a need for the house(s). Where the house is to be associated with a proposed economic activity, construction of the house will not be permitted in advance of the development of the business. In this case the supporting statement states that a house is required to support an existing business and also to enable that business to expand. . Limited information has been provided as to the scale and nature of the business and whether the operation justifies an additional workers house on this land under the terms of the policy. It is stated that the house is required for assisting with farm work, the expansion of an existing business and for meeting the specific needs of a disabled child. However I do not consider that this is sufficient justification in terms of the policy to justify development under clause 3.3a. There also seems some discrepancy in the requirement for a house and stables for business use as the application has been submitted as a domestic proposal with domestic fee scale submitted. A business proposal would require the payment of the appropriate fee and I do not consider it appropriate to attach conditions restricting the proposal to domestic use when part of the justification is a business proposal.

#### 3.5 pilot projects creating eco-friendly houses

The supporting information states that the house will be an exemplar eco house. Whilst some information has been provided in relation to this I would require further justification as to the eco credentials of the proposal. This would be required as part of any detailed submission.

The application must also comply with siting criteria if acceptable under category 3. In this case I have concerns in relation to the requirement: "it uses an identifiable site, (except in the case of proposals for new country estates) with long established boundaries which must separate the site naturally from the surrounding ground (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 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;"

### **Design and Layout**

The proposal is in principle although an indicative layout of stable, exercise area, poly tunnel and house has been shown. The site is currently a 5 acre field with a post and wire fence boundary to the road. The plans show the proposed house will be located on the north part of the site close to an existing residential curtilage. The stables and horse exercise area will be

located at the southern end of the site. The middle section is identified as a paddock.

### **Landscape**

The site is within the Sidlaws special landscape area as designated under policy ER6. The site is partly bounded by woodland to the north west with some mature trees along the south western boundary where there are attractive views out to the Sidlaw Hills. The boundary along the road side is open and bounded by a post and wire fence. The existing farm steading nestles in a hollow in the landscape. This development would be more prominent on this higher, sloping ground. There are also attractive views from the site towards the River Tay.

### **Residential Amenity**

The application is in principle. The impact on residential amenity would be fully assessed if a detailed application is submitted.

### **Visual Amenity**

The application is in principle. The visual impact will depend on final design details although I would have some concern with the impact of built development on this site. Development at the south western end of the site could be particularly prominent within the landscape.

### **Roads and Access**

The site will be accessed off a minor public road

### **Drainage and Flooding**

The application is in principle. No information has been submitted with regard to drainage and flooding matters.

### **Developer Contributions**

#### **Primary Education**

The Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.

This proposal is within the catchment of Abernyte Primary School.

As this application is only “in principle” it is not possible to provide a definitive answer at this stage however it should be noted that the Developer Contributions Policy would apply to all new residential units with the exception

of those outlined in the policy. The determination of appropriate contribution, if required, will be based on the status of the school when the full application is received.

### **Transport Infrastructure**

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.

The application falls within the identified Transport Infrastructure Supplementary Guidance boundary and a condition to reflect this should be attached to any planning application granted.

### **Economic Impact**

There has been local support for the project in terms of potential economic impact however it is considered that this is likely to be minimal and limited to the construction phase of the development.

### **Conclusion**

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

### **APPLICATION PROCESSING TIME**

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

### **LEGAL AGREEMENTS**

None required.

### **DIRECTION BY SCOTTISH MINISTERS**

None applicable to this proposal.

### **RECOMMENDATION**

**Refuse the application**



## **Reasons for Recommendation**

1 The proposal is contrary to Policy RD3 'Housing the Countryside' of the Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 as the proposal fails to satisfactorily comply with category (3) 'New Houses in the Open Countryside', particularly in relation to 3.3 Economic Activity. It is also considered that the proposal cannot satisfy any of the remaining categories (1) Building Groups, (2) Infill Sites, (4) Renovation or Replacement of Houses, (5) Conversion or Replacement of Redundant Non Domestic Buildings, or (6) 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**

16/01191/1

16/01191/2

16/01191/3

16/01191/4

**Date of Report 01.09.2016**



# Design Statement

## **Proposed Equine Development and Dwelling Land North of South Latch Farm Abernyte, Perthshire**

Applicant: Mr J White

Planning Application Ref: -

Prepared: 30 June 2016

Revisions: -

**studio** | **EAST**  
chartered architects

Prepared by:  
studioEAST, King James VI Business Centre, Friarton Rd, Perth, PH2 8DY  
t: 01738 472090 e: hello@studio-east.co.uk

**Proposed Equine Development and Dwelling  
Land North of South Latch Farm  
Abernyte, Perthshire**

**Introduction**

South Latch Farm is located to the north of the village of Abernyte and currently owns and operates a diverse range of agricultural activities across 51 acres.

This proposal seeks to further develop the equine aspect of the business, alongside providing a new dwelling to support this business, while meeting the specific health and mobility needs of a disabled family member. The proposed site lies to the north of the existing farm and extends to some 5.16 acres.

A Planning in Principle application has been submitted at this stage as it is acknowledged that the proposals are somewhat unique in their circumstance and it would be first prudent to establish the principle of this development before developing further detailed proposals. As much information as possible has been provided at this early stage to demonstrate the fundamental intentions of the applicant. There are no previous planning applications for the site.

The business will continue to be owned and run by the applicant and as such a live-work arrangement is to be incorporated within the proposals through the inclusion of a farm office space.

The applicant is enthusiastic about the proposals and would be happy to enter into discussions with the case officer to address any queries with a view to a successful determination.

**Community**

The applicant has been an active part of the local community for over 35 years through church membership, supporting local events through attendance, organisation and financial donations. The wider family has donated large areas of land in the past which allowed the creation of the community playing field and football pitch. The applicant is committed to the community and will continue to support it.

The Abernyte Community Group has been consulted and was positive around the proposal. Neighbours have also been consulted prior to submission of this application and have also offered their support.

**Existing Business**

The applicant is a partner in the family farm business. The applicant and his family will now be taking a more active role in the day to day operations of the farm business due to aging relatives and the need for an immediate support network for their youngest son.

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:

- Arable Farming
- Livestock (hill ponies & rare sheep breeds)
- Equine Interests (livery, grazing & fodder production)

The equine portion of the business currently accommodates 7 horses on a full livery basis. This provides a full time role for the care and welfare of the horses alongside the provision of on-site security for both horses and equipment associated with the business.

### **Requirement for Family Support**

The applicant has 3 children, the middle of which has a rare genetic deletion rendering him severely mentally and physically disabled. There is a heavy reliance on family support from parents and siblings who are also resident within South Latch Farm and the wider Abernyste area. Living in close proximity to this area support network allows it to be available at short notice and for the family to avoid reliance on outside care.

### **New Business Proposals**

It is the applicant's intention to further develop the equine aspect of the business by creating a new livery facility which will provide further livery services as well as, most critically and uniquely, providing services directly linked to his disabled son. Through their own experience and knowledge of horses, the applicant has identified a benefit to the wellbeing of their son by having the ability to engage in an active and controlled pursuit such as horse riding.

As the livery business develops the intention is to offer these horse riding facilities to other disabled children free of charge. This will be a unique facility within the area which will not only benefit the family and rural economy but also children from further afield.

This will be a not-for-profit business but will be a sustainable one which will also include the benefit of services offered to disabled children from within the new dwelling such as play, swimming/hydrotherapy and other activities catering for specific needs.

Horses will be stabled with the ability to use the proposed outdoor arena for regular exercise. Generally, it is expected the horses will benefit from the fodder production on the farm and it graze throughout the application site and other areas of the farm.

### **On Site Accommodation**

There are three principle reasons for development of on-site:

- to provide accommodation for essential on site workers and family
- to allow the family to live in close proximity to an immediate support network
- to provide additional services for disabled children alongside horse riding

The applicant, along with his family, currently lives in a house which is not suitable for the growth and development of a disabled child. With a large and growing family they would benefit from a better, more flexible space, which can be adapted to suit their ongoing needs. This will include the provision of ground floor sleeping accommodation, open plan accommodation, wheelchair accessible facilities and hydrotherapy facilities all allowing successful integration into family life.

The family will be well positioned, more so than currently, to engage in village life, and also to benefit from the ability to walk or cycle to the school in Abernyte.

### **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.

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 to benefit from passive solar gains year round
- High performance windows
- Air/Ground Source Heat Pump for domestic hot water services
- Solar panels to off-set electricity use of both dwelling and equine facilities
- Mechanical ventilation and heat recovery system
- Ultra-low u-values and high performance timber frame construction for air-tightness
- Rainwater harvesting system to serve equine facilities
- Wood burning stove
- Possibility of bore-holes for additional water services to be investigated

In terms of materials, the new dwelling will be 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 larch cladding
- Natural stone
- Smooth white render
- Reclaimed natural slate

### **Site & Topography**

The site has been particularly identified as it is currently used for the existing livery facilities and has limited agricultural value to the farm.

Whilst the precise details of the house design are yet to be determined, it is to be located in the predominantly flat portion of the site. This will allow a complete level of accessibility between arrival, external garden/patio areas and the ground floor internally. This will be a hugely important factor in developing the wellbeing of a disabled child.

The proposed buildings have been sited with ample free space around them, reflecting the nature of neighbouring properties. The livery portion of the business is also proposed to be at the southern end of the site so as not to affect the amenity of any immediate neighbours.

The site itself has distinct existing boundary treatments. The wooded area to the north provides a bold backdrop to the new house. The remaining boundaries are formed by the

established hedging to the neighbouring property, established mature tree lined boundary to the southern end of the site and the road. It is proposed that the road boundary will have two access points, one for the house and one for the livery business. These will be bounded by stone dykes and new beech hedging which will be continued around the site and used to complete any gaps.

When approached from the south, the existing site topography offers some screening of the proposed dwelling. Combined with the formation of a new orchard and other specimen tree planting, any proposed dwelling will be well concealed. Equally, when approached from the north, the dwelling will be well screened by the neighbouring property and proposed landscaping.

## **Landscaping**

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 within the site. The landscaping scheme will consist of the following:

- Raised bed area for home-grown fruit & vegetables
- Orchard
- Mixed native planting
- Wild flower planting
- Poly-tunnel for further home-grown produce
- Additional space within the site for siting of chickens and for domestic use

## **Conclusion**

The overall development seeks to satisfy the Housing in the Countryside Guidance through development of an existing business and dwelling associated with a well-established and diverse farm enterprise. There is a specific need for the permanent housing of essential workers directly involved in the day to day operation of this business and also to meet the specific needs of a disabled child.

As a whole, this development will provide a holistic sustainable lifestyle which will not only see a family live and work together on site but also be available to support each other on a daily basis. There will be an immediate economic benefit to the local community and also a wider benefit to disabled children from further afield.

The development of the new dwelling is in line with the guidance for pilot projects creating eco-friendly houses and also the provision of live-work arrangements. It meets all the siting criteria identified within the guidance.

In summary, it is considered the proposals meet the relevant guidance in the Perth and Kinross Development Plan and will contribute greatly to local economic activity, enhancement of bio-diversity and present an exemplar for sustainable living as well as providing a bespoke dwelling suitable for the developing needs of a disabled child.





**TCP/11/16(445)**

**Planning Application – 16/01191/IPL – Erection of dwellinghouse, stable block and livery building (in principle) on Land 70 Metres South West of South Latch Farm, Abernyte, Perth, PH14 9SU**

## **REPRESENTATIONS**



# Comments for Planning Application 16/01191/IPL

## Application Summary

Application Number: 16/01191/IPL

Address: Land 70 Metres South West Of Latch House Abernyte

Proposal: Erection of dwellinghouse, stable block and livery building (in principle)

Case Officer: Persephone Beer

## Customer Details

Name: Mr gerard mcgoldrick

Address: Abernyte House, Abernyte, Perth PH14 9ST

## Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

- Employment Provision
- Enhances Character of Area
- Supports Economic Development

Comment:I have reviewed the above application and fully support it on the following grounds :-

-provision of a property, which enhances and enables a quality of life for a disabled child and his family/Carers.

-expands and provides a Livery business, which also has benefits for their child and other children as described in the application.

-Increases our village rural economy.

-The family have been part of this community for many years and generations and have an active part in all community activities, even though they currently live away.

-The proposed scheme has architectural merit and will visually enhance the area and does not have any impact on others.

-The property being proposed has a "Eco" design.

In short, I fully and enthusiastically support this proposal, because of the many benefits to their family, our village and other children.

Kind Regards,

Gerard McGoldrick



# Comments for Planning Application 16/01191/IPL

## Application Summary

Application Number: 16/01191/IPL

Address: Land 70 Metres South West Of Latch House Abernyte

Proposal: Erection of dwellinghouse, stable block and livery building (in principle)

Case Officer: Persephone Beer

## Customer Details

Name: Dr Mary Shrimpton

Address: Cliff House, Abernyte, Perth PH14 9ST

## Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I fully support this application. In addition to providing facilities for his family the applicant is making full use of renewable technologies and taking into account the local environment and current land use. The resulting business will put back into the local and wider community in the form of support for children with disabilities. An excellent example of how development in rural areas can be achieved with minimum environmental impact.



**Claire Fletcher**

---

**From:** elizabeth White [REDACTED]  
**Sent:** 14 July 2016 08:59  
**To:** Development Management - Generic Email Account  
**Subject:** Re: Planning Application Ref 16/01191/IPL

Sorry about that.  
South Latch Farm  
Abernyte  
Inchture  
PH14 9SU

On Jul 14, 2016, at 8:57, "Development Management - Generic Email Account"  
<DevelopmentManagement@pkc.gov.uk> wrote:

Dear Ms White

Can you please provide your full postal address to enable us to register your comment.

Regards

Claire Fletcher  
Support Assistant  
Planning and Development  
Pullar House  
35 Kinnoull Street  
Perth  
PH1 5GD

Phone: 01738 475350  
[REDACTED]

<image001.jpg>

<image002.jpg>

---

**From:** elizabeth White [REDACTED]  
**Sent:** 13 July 2016 18:29  
**To:** Development Management - Generic Email Account  
**Subject:** Planning Application Ref 16/01191/IPL

I wish to support this application for extending the family business at South latch Farm. The applicant is fourth generation of our farming family in Abernyte and from an early age he contributed to the work involved in sustaining the business. I appreciate his support more as my ability to manage the farm has decreased due to illness. Our family are active members within the community and the applicant and his family will be better placed to increase their involvement in the area as will the family to offer support to this young family.

Yours sincerely

Elizabeth White



# Comments for Planning Application 16/01191/IPL

## Application Summary

Application Number: 16/01191/IPL

Address: Land 70 Metres South West Of Latch House Abernyte

Proposal: Erection of dwellinghouse, stable block and livery building (in principle)

Case Officer: Persephone Beer

## Customer Details

Name: Mrs Patricia Neville

Address: Balfour Cottage, Abernyte, Perth PH14 9ST

## Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

- Employment Provision
- Supports Economic Development

Comment: I wish to support this planning application.

Having worked for most of my professional life as a teacher I recognise the huge benefits of extended family support especially where a child has additional needs. By providing housing and employment for this family, so close to existing family, this support becomes a realistic solution for these long standing members of this small community .

Furthermore , the development is appropriate to the location and makes excellent use of renewable technologies in it's design. It will be an asset not only to the family but also the local community.



# Comments for Planning Application 16/01191/IPL

## Application Summary

Application Number: 16/01191/IPL

Address: Land 70 Metres South West Of Latch House Abernyte

Proposal: Erection of dwellinghouse, stable block and livery building (in principle)

Case Officer: Persephone Beer

## Customer Details

Name: Dr Ron Neville

Address: Balfour Cottage, Abernyte, Perth PH14 9ST

## Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

- Employment Provision
- Enhances Character of Area
- Results in Environmental Improvements
- Supports Economic Development

Comment: I am a local GP. Children with special needs and their families need extended family support. This well thought through application will bring together three generations of family in close proximity, to support each other.

The development of a rural business - livery - represents an ideal way for the family to remain economically active without the need to commute to an urban area. Health, social well being and work are closely inter related.

There are no local options for this family to rent or buy disability adapted accommodation. I wholeheartedly support their plan to purpose build an environmentally sensitive 'all abilities' house and rural workplace close to extended family.



Claire Fletcher

**From:** Malcolm McSwan [REDACTED]  
**Sent:** 20 July 2016 21:09  
**To:** Development Management - Generic Email Account  
**Subject:** Planning Application ref 16/01191/PL

P.B.  
ENTERED IN COMPUTER

21 JUL 2016

### **Proposed Equine Development and Dwelling----Land North of South Latch Farm**

We are the owners of the property (Latch House) neighbouring the proposed development and will be most affected by it..

We have the following comments

1. The applicant and his family are well known to us **and we are in agreement and fully support the points raised in the Design Statement concerning Community , Family Support and providing facilities for disabled children .**
2. **We support the Equine Development and Dwelling provided it proceeds as a complete project and not as a route to establish a house or housing on the site.** Our concerns are based on previous enquiries and a planning application (details below) for speculative housing development on the site which was withdrawn by the Council in September 2004.. We would point out that the comment in the introduction to the Design Statement that" there are no previous planning applications for the site" is not correct. If the Dwelling in isolation was proposed we would object (unless controlled by a planning condition to ensure that the equine development proceeded at the same time, all as proposed by the applicant.).
3. **We support the concept of an eco-house and extensive landscaping and hedging on the site.** We are willing to help the applicant with the detailed design and implementation of the landscaping to ensure a degree of continuity with the landscaping we have implemented over the years on our adjoining property.

Yours,  
Malcolm and Juliet McSwan  
Latch House  
Abernyte  
PH14 9SU

NOTE The previous application was "Erection of two dwellinghouses (in outline) South Latch Farm Abernyte for Mr and Mrs G Baigrie"

The applicants were at that time Company Secretary and Director of Donovan Homes Ltd, a property development company.

We were informed by letter dated 22September 2004 ref 04/01638/OUT that Council had decided to withdraw.

# Comments for Planning Application 16/01191/IPL

## Application Summary

Application Number: 16/01191/IPL

Address: Land 70 Metres South West Of Latch House Abernyte

Proposal: Erection of dwellinghouse, stable block and livery building (in principle)

Case Officer: Persephone Beer

## Customer Details

Name: Mr Stuart Meldrum

Address: The Old Dairy, South Latch Farm, Abernyte, Perth PH14 9SU

## Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I am in full support of the proposed development





# Comments for Planning Application 16/01191/IPL

## Application Summary

Application Number: 16/01191/IPL

Address: Land 70 Metres South West Of Latch House Abernyte

Proposal: Erection of dwellinghouse, stable block and livery building (in principle)

Case Officer: Persephone Beer

## Customer Details

Name: Ms M White

Address: The Old Dairy South Latch Farm Zc405 From The North Boundary Of Dundriven To The B953 North Of Abernyte, Abernyte, Perth And Kinross PH14 9SU

## Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

- Enhances Character of Area
- Results in Environmental Improvements

Comment: As a neighbouring property I am in full support of this planning application and believe the family would bring a positive and happy presence to our local community. The local school would greatly benefit from more children living in the area.



# Memorandum

To Development Quality Manager

From Regulatory Service Manager

Your ref PK16/01191/IPL

Our ref LJ/MA

Date 22 July 2016

Tel No 

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

## Consultation on an Application for Planning Permission

### **PK16/01191/IPL RE: Erection of dwellinghouse, stable block and livery building (in principle) Land 70 Metres South West Of Latch House Abernyte for Mr John White**

I refer to your letter dated 7 July 2016 in connection with the above application and have the following comments to make.

#### **Contaminated Land** (assessment date – 22/07/2016)

##### Recommendation

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

#### **Water** (assessment date – 14/7/16)

##### **Recommendation**

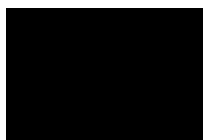
**I have no objections to the application but recommend the undernoted informative be included in any given consent.**

##### **Comments**

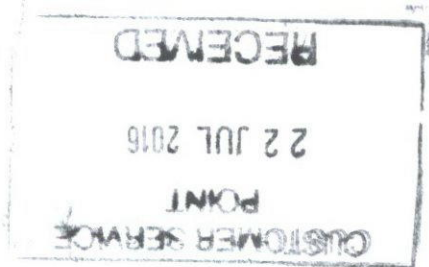
The development is for a dwelling house and stables in a rural area with private water supplies believed to serve properties in the vicinity. To ensure the private water supply or septic drainage systems of neighbours of the development remain accessible for future maintenance please note the following informative. No public objections relating to the water supply were noted at the date above.

##### **Informative 1**

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







Hillside, P.B

Abernyte,

Perth

20<sup>th</sup> July 2016

Development Management,  
Perth and Kinross Council  
Rural House,  
PERTH



Dear Sirs,

16/01191/PL - Erection of wheeling house,  
stable block and livery block - IN PRINCIPLE

We support and welcome this development.

Children and adults, who can have a varied range of disabilities, benefit immensely from being around animals, learning horse riding skills and also receiving hydro therapy. Many disabled people presently experience difficulty accessing such facilities.

The siting of the building at the east end of the site, seems correct in terms of your Council's "Housing in the Countryside" guidance.

Yours faithfully

and



# Comments for Planning Application 16/01191/IPL

## Application Summary

Application Number: 16/01191/IPL

Address: Land 70 Metres South West Of Latch House Abernyte

Proposal: Erection of dwellinghouse, stable block and livery building (in principle)

Case Officer: Persephone Beer

## Customer Details

Name: Dr Norman Alm

Address: South Manse B953 From Main Road Abernyte To The East Boundary Of The Manse, Abernyte, Perth And Kinross PH14 9SJ

## Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I fully support this application. The plans seem well thought out and carefully considered. The house would be a positive addition to Abernyte. As a resident of the village for 39 years, I have seen the balance gradually shift towards an older population. We need more younger families with children to settle here and help sustain a community that continues to be vibrant.





# Comments for Planning Application 16/01191/IPL

## Application Summary

Application Number: 16/01191/IPL

Address: Land 70 Metres South West Of Latch House Abernyte

Proposal: Erection of dwellinghouse, stable block and livery building (in principle)

Case Officer: Persephone Beer

## Customer Details

Name: Ms Freya Cumming

Address: Lappin Cottage, Abernyte, Perth PH14 9ST

## Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

- Enhances Character of Area

Comment: Dear Sir/Madam,

I wish to offer my support to this proposal. The applicants are active and positive members of the Abernyte community and we will all benefit from them being able to live in closer proximity to the village.

I know the site well, the plans look well considered, and their proposal to build riding facilities for children with disabilities is wonderful.

Freya Cumming



# Comments for Planning Application 16/01191/IPL

## Application Summary

Application Number: 16/01191/IPL

Address: Land 70 Metres South West Of Latch House Abernyte

Proposal: Erection of dwellinghouse, stable block and livery building (in principle)

Case Officer: Persephone Beer

## Customer Details

Name: Mrs Frances Cumming

Address: The Coach House, Abernyte, Perth PH14 9ST

## Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I wholeheartedly support this application.



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

|   |  |                             |  |
|---|--|-----------------------------|--|
| <b>Planning Application ref.</b>                | 16/01191/IPL   | <b>Comments provided by</b> | Tony Maric<br>Transport Planning Officer |
| <b>Service/Section</b>                          | Transport Planning   | <b>Contact Details</b>      | [REDACTED]                               |
| <b>Description of Proposal</b>                  | Erection of dwellinghouse, stable block and livery building (in principle)   |                             |  |
| <b>Address of site</b>                          | Land 70 Metres South West Of Latch House<br>Abernyte   |                             |  |
| <b>Comments on the proposal</b>                 | <b>Insofar as the roads matters are concerned, I do not object to this proposal provided the undernoted condition is attached, in the interests of pedestrian and traffic safety.</b>  |                             |  |
| <b>Recommended planning condition(s)</b>        | <ul style="list-style-type: none"> <li>Prior to the occupation or use of the approved development the vehicular accesses shall be formed in accordance with specification Type B, Fig 5.6 access detail to the satisfaction of the Planning Authority.</li> </ul>  |                             |  |
| <b>Recommended informative(s) for applicant</b> | 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. |                             |  |
| <b>Date comments returned</b>                   | 26 July 2016   |                             |  |



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

|   |   |                             |   |
|---|---|-----------------------------|---|
| <b>Planning Application ref.</b>                | 16/01191/IPL  | <b>Comments provided by</b> | Euan McLaughlin   |
| <b>Service/Section</b>                          | Strategy & Policy   | <b>Contact Details</b>      | <b>Development Negotiations Officer:</b><br>Euan McLaughlin<br>[REDACTED] |
| <b>Description of Proposal</b>                  | Erection of dwellinghouse, stable block and livery building (in principle)  |                             |   |
| <b>Address of site</b>                          | Land 70 Metres South West Of Latch House Abernyte for Mr John White   |                             |   |
| <b>Comments on the proposal</b>                 | <p><b>Primary Education</b></p> <p>With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.</p> <p>This proposal is within the catchment of Abernyte Primary School.</p> <p><b>Transport Infrastructure</b></p> <p>With reference to the above planning application the Council Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.</p> |                             |   |
| <b>Recommended planning condition(s)</b>        | <p><b>Primary Education</b></p> <p>As this application is only "in principle" it is not possible to provide a definitive answer at this stage however it should be noted that the Developer Contributions Policy would apply to all new residential units with the exception of those outlined in the policy. The determination of appropriate contribution, if required, will be based on the status of the school when the full application is received.</p> <p><b>Transport Infrastructure</b></p> <p>The application falls within the identified Transport Infrastructure Supplementary Guidance boundary and a condition to reflect this should be attached to any planning application granted.</p>   |                             |   |
| <b>Recommended informative(s) for applicant</b> | N/A   |                             |   |
| <b>Date comments returned</b>                   | 27 July 2016  |                             |   |





Claire Fletcher

suppor L.

**From:** Anne Davies [REDACTED]  
**Sent:** 28 July 2016 11:33  
**To:** Development Management - Generic Email Account  
**Subject:** Planning Application ref 16/01191/PL

**Proposed Equine Development and Dwelling****I support this application for the following reasons:**

I am an active member of The Abernyte Community and have known the applicant and his family for many years. I am confident that he will administer this project successfully.

I agree and support the points raised in **The Design Statement concerning Community, Family Support and providing facilities for disabled children.**

The Applicant is familiar with agricultural life.

He has the ability and experience and to organise this project

The Development will blend into the local landscape.

The Development will supplement the limited local leisure activities that are available for the disabled.

The Development has easy access to a wide area.

**This will be a valuable asset for our local community.**

Yours faithfully

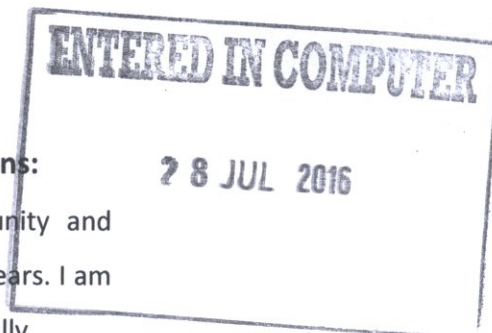
Anne Davies ( Mrs )

Cornrigs,

Abernyte

Perthshire

PH14 9RB





# Memorandum

|          |                             |         |                            |
|----------|-----------------------------|---------|----------------------------|
| To       | Development Quality Manager | From    | Regulatory Service Manager |
| Your ref | 16/01191/IPL                | Our ref | MP                         |
| Date     | 3 August 2016               | Tel No  | ██████████                 |

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

## **Consultation on an Application for Planning Permission**

**RE Erection of dwellinghouse, stable block and livery building (in principle) Land 70 Metres South West Of Latch House Abernyte for Mr John White**

I refer to your letter dated 13 July 2016 in connection with the above application and have the following comments to make.

### Recommendation

I have no adverse comments in relation to this application

### Comments

This application includes provision for stables and as such there is the potential for odour nuisance to arise, however as the closest residential receptors are over 200 metres away and it is a domestic scale stables, I do not believe this will be an issue.



7<sup>th</sup> November 2016

Clerk,  
Perth and Kinross Local Review Body,  
Council Building,  
2 High Street,  
Perth,  
PH1 5PH.

Dear Ms. Taylor,

**The Town and Country Planning (Scotland) Act 1997**

**The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013**

**Application Ref: 16/01191/IPL**

**Erection of dwelling House, Stable Block and Livery Building (in principle) on land at South Latch Farm, Abernyte, Perth, PH1 9SU - Mr J. White**

We refer to your letter dated 31<sup>st</sup> October regarding the review of the decision taken by Perth and Kinross Council, using delegated powers, to refuse the application for Planning Consent for the above development.

Thank you for your invitation to make further representations in relation to the review of the above application.

We fully support the application, recognising the welcome and appropriate, type of diversification of the existing well established farm enterprise which will meet the economic and social aspirations of Perth and Kinross Council as described in the Local Plan.

We recognised the challenges of disabled living with house design and access, the opportunity for this young family to make a bespoke family home to cater to their child's needs is essential for his quality of life. The area has a lack of suitable hydrotherapy facilities, this proposal would not only significantly benefit the child's life but also add to the facilities of the local area to the benefit of others.

Our very personal experience may be relevant and helpful to share with the Review Board when it is considering the application. Iain is disabled as a consequence of his MS. He has experienced the benefits of regular hydrotherapy exercise sessions to help maintain body flexibility. Unfortunately the pool that the physiotherapist and her team had been using became unavailable. We have not been able to identify a similar facility that is available to us and as a result he does not receive this helpful therapy.

Iain's physio has indicated that she and her team would be pleased to provide advice regarding the detailed design of the hydrotherapy facility and would welcome the opportunity to make use of it. In addition to children with disabilities, groups who could benefit include stroke victims, veterans and others recovering from any type of injury.

Such a project seems to us to be in sympathy with the Local Development Plan.

We would encourage the Local Review Body to consider approving the application, subject to the applicant being given the opportunity to further demonstrate how their proposal is supported by the Local Development Plan.

Yours faithfully,

[REDACTED]  
5  
Iain and Esther Strickland



**Balfour Cottage**

**Abernyte**

**Perthshire**

**PH14 9ST**

**09 November 2016**

**Local Review Body**

**Perth & Kinross Council**

**2 High Street**

**Perth PH1 5PH**

***Erection of Dwelling, Stable and Livery Building (in principle) at Land North of South Latch Farm, Abernyte, Perthshire, PH14 9SU Application Ref: 16/01191/IPL-LTR/1627/002/RRT 2016***

**Dear Councillors**

██████████ will not be able to attend the review meeting. ██████████ is unable to walk or to talk. He is thus reliant, and will always be reliant, on others to speak for him and address his needs. As an Abernyte resident and local GP with experience of working with families with complex needs, perhaps I may add some comment as to why this application is so important to ██████████, his family, and the wider community of rural Perthshire.

To ██████████ the building of a purpose built family home, rural business, and community accessible hydro pool in his home village will be transformative. He will have an opportunity to live within a multigenerational family support structure. He will benefit from his family having the opportunity to blend work and family life without artificial compartmentalisation. He will be able to have round the clock support and encouragement to communicate via sign language and to develop his motor skills. Many disabled young people have to endure a daily regime of carer shifts, assisted transport and timetabling all ultimately detrimental to the basic need of all young people to be able to learn and play with their family and peers locally.

An appropriate rural business – livery and sustainable farming – will allow ██████████ extended family to live and work together in the way that previous generations of rural Perthshire families have enjoyed. As I mentioned in my original statement in support of this application,

the ability of a family with a disabled child – and in time an adult with special needs – to continue to work and to earn a living is of fundamental importance to health and to basic human dignity.

I think the addition of a hydrotherapy pool to this application is inspired. As a local health care professional I can vouch for the difficulties that under-provision of hydro facilities has for the disabled in this region. Current local provision is within a privately run nursing home for the elderly in Dundee, or within a hospital facility in Perth. The addition of a charitable rural facility in a relaxed farm setting, surrounded by animals, woodland and fields could be a ‘game changer’ for disabled local residents and their families.

Those of us who enjoy the right to good health have a responsibility towards those without. On paper this application is about planning guidelines. In reality it is about people – local people, and families.

**Yours sincerely**

**Dr Ron Neville**



## CHX Planning Local Review Body - Generic Email Account

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**From:** CHX Planning Local Review Body - Generic Email Account  
**To:** Development Management - Generic Email Account  
**Subject:** RE: RE Planning application 16/01191/IPL (Appeal)

**From:** elizabeth White [REDACTED]  
**Sent:** 13 November 2016 20:32  
**To:** Development Management - Generic Email Account  
**Subject:** RE Planning application 16/01191/IPL (Appeal)

I have read the documents relating to the appeal application for the above development, and wish to add further information of support. John has been a named partner in the family farming business since 2008, with the plan being that he would eventually run the business and further develop the potential of the land and the buildings. He was brought up on the farm and worked with his grandfather during school and university holidays. From the date we inherited the farm, following my father's death, I have had to manage the farm by using contractors and letting the grazing for horses and sheep.

Since 2008 John has advised with the planning and administration of the business. If he lived on the farm he would be able to take a much more active role working and realising the economic potential of the farm.

John is fully committed to the economical, environmental, social and aesthetic aspects of the area and his planned proposal would have a positive impact. He has discussed his plans with the local community and has received widespread support without exception.

This would also allow us to increase our involvement with providing childcare for his young family and especially [REDACTED], who will need extra care for the rest of his life.

Thank you for considering this additional information.

Elizabeth White  
South Latch Farm  
Abernyte  
Inchture  
PH14 9SU



**Town & Country Planning (Scotland) Act 1997**

**The Town & Country Planning (Schemes of Delegation & Local Review Procedure) (Scotland) Regulations 2013**

**Application Ref: 16/01191/IPL – Erection of dwellinghouse, stable block and livery building (in principle) on Land 70 Metres South West of South Latch Farm, Abernyte, Perth, PH14 9SU – Mr J White**

I refer to the above application and wish to add the following letter in support of this application. Abernyte is a small rural community which offers a family such as John and Helen's a close and supportive community. A number of their close family relatives live in this area and already provide support to both [REDACTED] and his siblings. [REDACTED] is a very special little boy and is extremely well loved and cared for in his home environment, however caring for a child with additional needs requires a lot of time and money and this responsibility can be shared if they were to live within the geographical boundaries of Abernyte.

There have been many studies published emphasising the need of good family cohesion, and ensuring adequate "income" support to the family ( Williams 2002, Williams 2003, Roberts 2015, Twoy 2007). A study by Heinman and Berger in 2008 highlighted the need for additional social support for parents with a child with special needs, and accentuated the importance of developing awareness, coping abilities and enhancing family interactions (Heiman and Berger 2008). This would be provided if they were to build a home on family land and enable this family to live beside grandparents, aunts, cousins and siblings. In doing so a great amount of support could be easily at hand for the children and parents of this family to enable them to grow and develop in the best possible way and allow [REDACTED] to live in a manner most beneficial to his health and development.

I hope you can reconsider this application as it would make such a positive impact on a family with a heavy load.

Thank you for your time

Marianne White, South Latch Farm, Abernyte

Heinman, T. and Berger, O., 2008. Parents of children with Asperger syndrome or with learning disabilities: family environment and social support. *Research Development Disabilities*, 29(4), pp. 289-300.

Roberts, R.M. et al., 2015. A controlled trial of the SibworkS group program for siblings of children with special needs. *Research into Developmental Disabilities*, 43, pp.21-31.

Twoy, R. et al., 2007. Coping strategies used by parents of children with autism. *Journal of the American Academy of Nurse Practitioners*, 19 (5), pp. 251-260.

Williams, P.D. et al., 2003. A community-based intervention for siblings and parents of children with chronic illness or disability: the ISEE study. *Journal of Pediatrics*, 143 (3), pp. 386 -393.

Williams, P.D. et al., 2002. Interrelationships among variables affecting well siblings and mothers in families of children with a chronic illness or disability. *Journal of Behavioural Medicine*, 25(5), pp. 411-424

## CHX Planning Local Review Body - Generic Email Account

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**From:** Richard Taylor <rick@studio-east.co.uk>  
**Sent:** 18 November 2016 10:01  
**To:** CHX Planning Local Review Body - Generic Email Account  
**Cc:** JohnA.White@shell.com  
**Subject:** TCP/11/16(445)

Further to your correspondence and issue of further representations on the proposed review of planning application 16/01191/IPL (your ref: TCP/11/16(445)), the applicant considers there are no issues that require to be addressed and the representations demonstrate a community wholly supportive of the application.

These representations further highlight the necessity of the applicant to be located in proximity to the existing business to ensure its viability and continuity. There is also a strong acknowledgement and understanding of the families personal circumstances which were not taken into account as part of the original planning application and should be considered as part of the review process.

We look forward to receiving confirmation of inclusion in the agenda for the upcoming meeting of the Local Review Body. If there is any further clarification or comment required on these or any future representations, please do not hesitate to contact us.

Kind Regards,

Richard Taylor BSc BArch (Hons) ARB RIAS RIBA  
Director & Architect

### studioEAST Chartered Architects

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