

LOCAL REVIEW BODY

2 FEBRUARY 2022

PLANNING APPLICATION FOR REVIEW

**MS MORVEN ARMOUR
ERECTION OF DWELLINGHOUSE AND LIVERY STABLES (PLANNING
PERMISSION IN PRINCIPLE)
LAND AT BLACKSHOLM ROAD (NORTH OF SLATES FARM), KILMACOLM
(21/0251/IC)**

Contents

- 1. Planning Application dated 18 August 2021 together with Location, Site and Block Plans**
- 2. Planning Application – Rural Enterprise Dwelling Appraisal**
- 3. Planning Application – Planning Support Statement**
- 4. Appointed Officer’s Report of Handling dated 8 October 2021**
- 5. Inverclyde Local Development Plan 2019 Policy Extracts**

To view the Inverclyde Local Development Plan see:

<https://www.inverclyde.gov.uk/planning-and-the-environment/planning-policy/development-planning/ldp>

- 6. Inverclyde Local Development Plan 2019 Map Extracts**
- 7. Inverclyde Local Development Plan 2019 Supplementary Guidance on Planning Application Advice Notes Policy Extracts**
- 8. Representations in relation to Planning Application**
- 9. Decision Notice dated 22 October 2021 issued by Head of Regeneration & Planning**
- 10. Notice of Review Form dated 8 November 2021 with Supporting Statement from Bryce Boyd Planning Solutions**
- 11. Suggested Conditions should Planning Permission be Granted on Review**

Note: Inverclyde Proposed Local Development Plan 2021 has been attached to the rear of the agenda papers as supplementary content.

**1. PLANNING APPLICATION DATED 18 AUGUST 2021
TOGETHER WITH LOCATION, SITE AND BLOCK
PLANS**

Municipal Buildings Clyde Square Greenock PA15 1LY Tel: 01475 717171 Fax: 01475 712 468 Email:
devcont.planning@inverclyde.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100457711-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

erection of dwelling house and livery stables (in principle) at blacksholm road kilmacolm

Is this a temporary permission? * Yes No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) * Yes No

Has the work already been started and/or completed? *

No Yes – Started Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	bryce boyd planning solutions		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	bryce	Building Name:	ellersleigh
Last Name: *	boyd	Building Number:	
Telephone Number: *	01505874489	Address 1 (Street): *	castlehill road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	kilmacolm
Fax Number:		Country: *	UK
		Postcode: *	pa13 4el
Email Address: *	bboydplanning@aol.com		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Miss	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	morven	Building Number:	8
Last Name: *	armour	Address 1 (Street): *	rannoch road
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	kilmacolm
Extension Number:		Country: *	uk
Mobile Number:		Postcode: *	pa13 4lt
Fax Number:			
Email Address: *	[REDACTED]		

Site Address Details

Planning Authority:

Inverclyde Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

land at blacksholm road north of slates farm

Northing

669573

Easting

234175

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

I had a brief discussion with the planning officer after the previous refusal of planning permission and indicated to him that I may, on my client's behalf, submit a further application containing further information in support of the application.

Title:

Mr

Other title:

First Name:

sean

Last Name:

mcdaid

Correspondence Reference Number:

Date (dd/mm/yyyy):

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

9570.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

agricultural/equestrian facility

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

Yes No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? *

Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

Yes No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

- Yes – connecting to public drainage network
 No – proposing to make private drainage arrangements
 Not Applicable – only arrangements for water supply required

As you have indicated that you are proposing to make private drainage arrangements, please provide further details.

What private arrangements are you proposing? *

- New/Altered septic tank.
 Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).
 Other private drainage arrangement (such as chemical toilets or composting toilets).

What private arrangements are you proposing for the New/Altered septic tank? *

- Discharge to land via soakaway.
 Discharge to watercourse(s) (including partial soakaway).
 Discharge to coastal waters.

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *

proposed septic tank with outfall soakaway. surface water soakaway.

Do your proposals make provision for sustainable drainage of surface water?? *
(e.g. SUDS arrangements) *

Yes No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

Yes

No, using a private water supply

No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? * Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? * Yes No

Is any of the land part of an agricultural holding? * Yes No

Are you able to identify and give appropriate notice to ALL the other owners? * Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate B

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

Address:

Date of Service of Notice: *

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding;

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: *

Signed: bryce boyd

On behalf of: Miss morven armour

Date: 18/08/2021

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

If Other, please specify: * (Max 500 characters)

supporting statement 1 & 2

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

Yes N/A

A Design Statement or Design and Access Statement. *

Yes N/A

A Flood Risk Assessment. *

Yes N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

Yes N/A

Drainage/SUDS layout. *

Yes N/A

A Transport Assessment or Travel Plan

Yes N/A

Contaminated Land Assessment. *

Yes N/A

Habitat Survey. *

Yes N/A

A Processing Agreement. *

Yes N/A

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr bryce boyd

Declaration Date: 18/08/2021

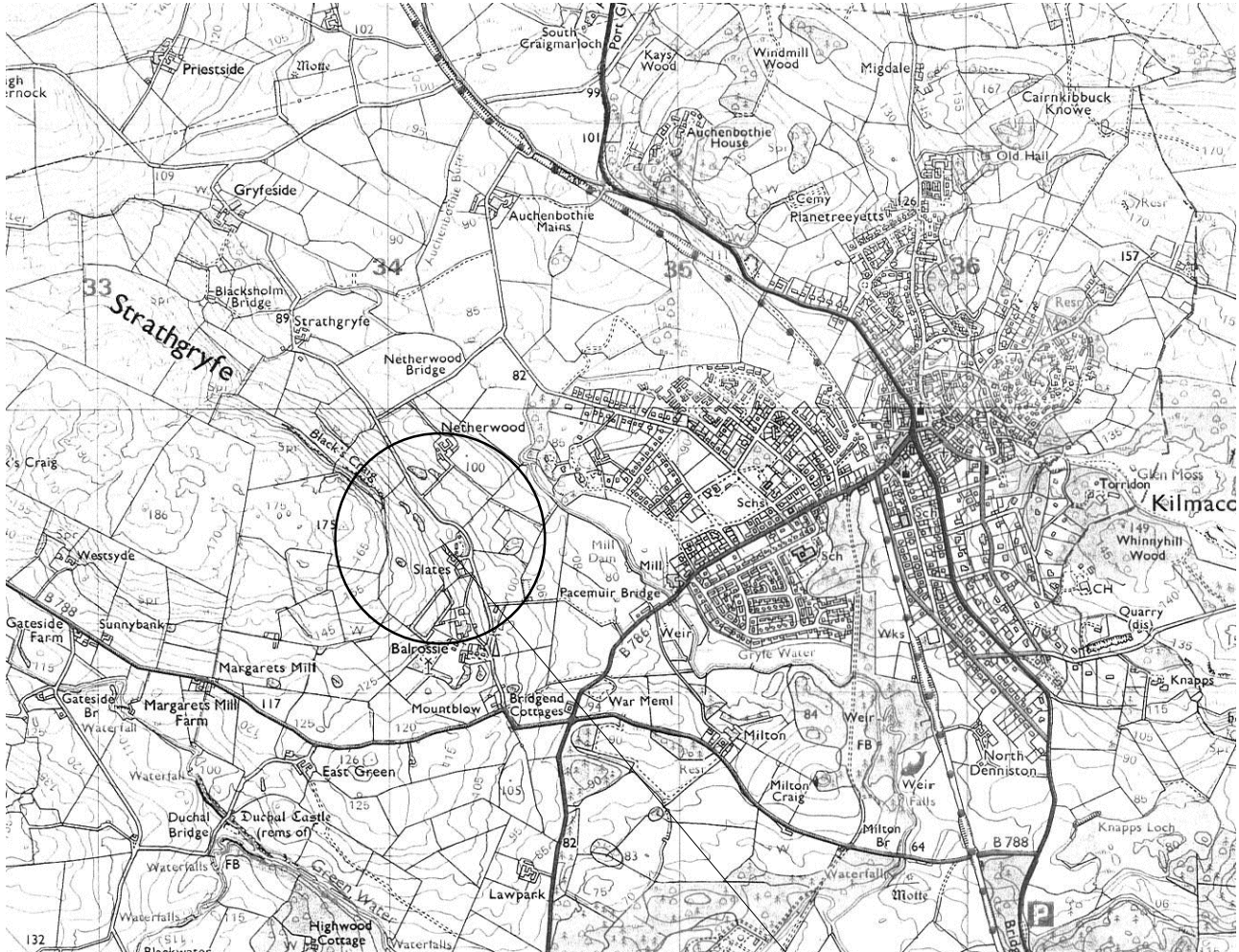
Payment Details

Online payment: ICPP00001224

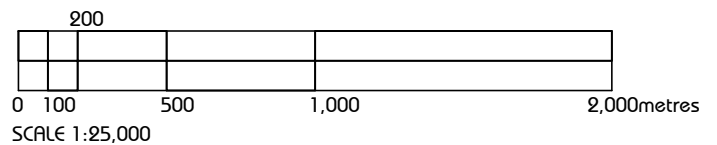
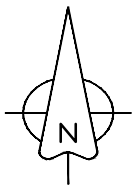
Payment date: 18/08/2021 11:01:00

Created: 18/08/2021 11:01

Proposed Erection of Dwelling House at: Blacksholm Road, Kilmacolm. PA13 4SX Miss. M. Armour.

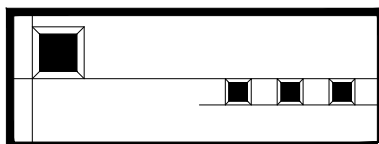


Location of proposed development.



Location Plan - € 00

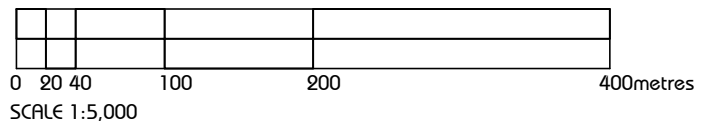
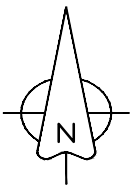
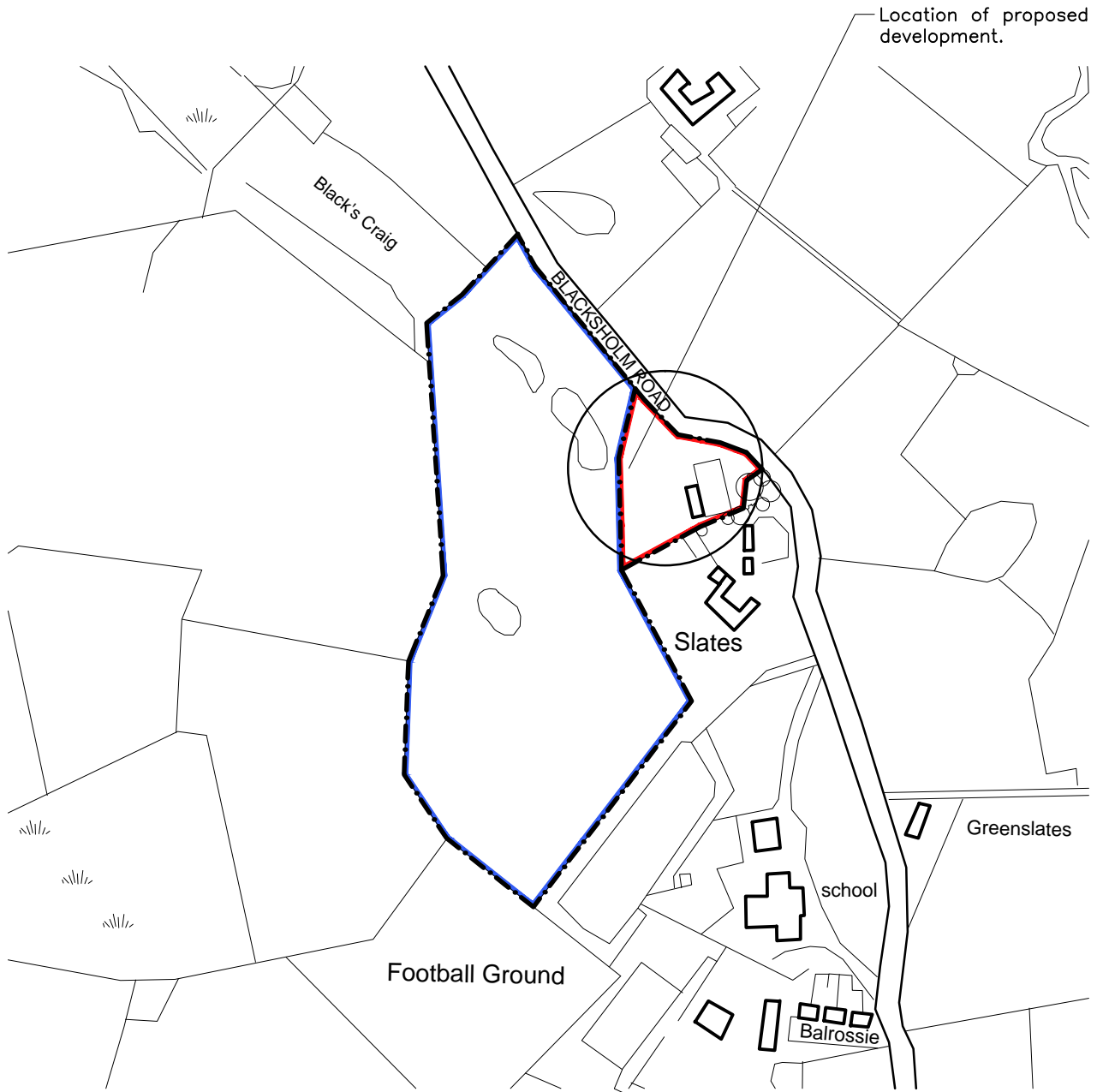
1:25,000



James Harper Architect

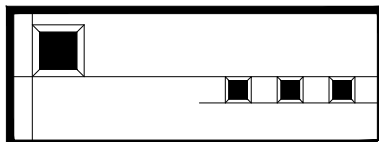
The Langsle, Langstilly Road, Lochwinnoch, Renfrewshire, PA12 4DR.
Telephone / Fax: 01 505 843007 E-mail: mail@harperarchitect.co.uk

Proposed Erection of Dwelling House at: Blacksholm Road, Kilmacolm. PA13 4SX Miss. M. Armour.



Block Plan - € 01

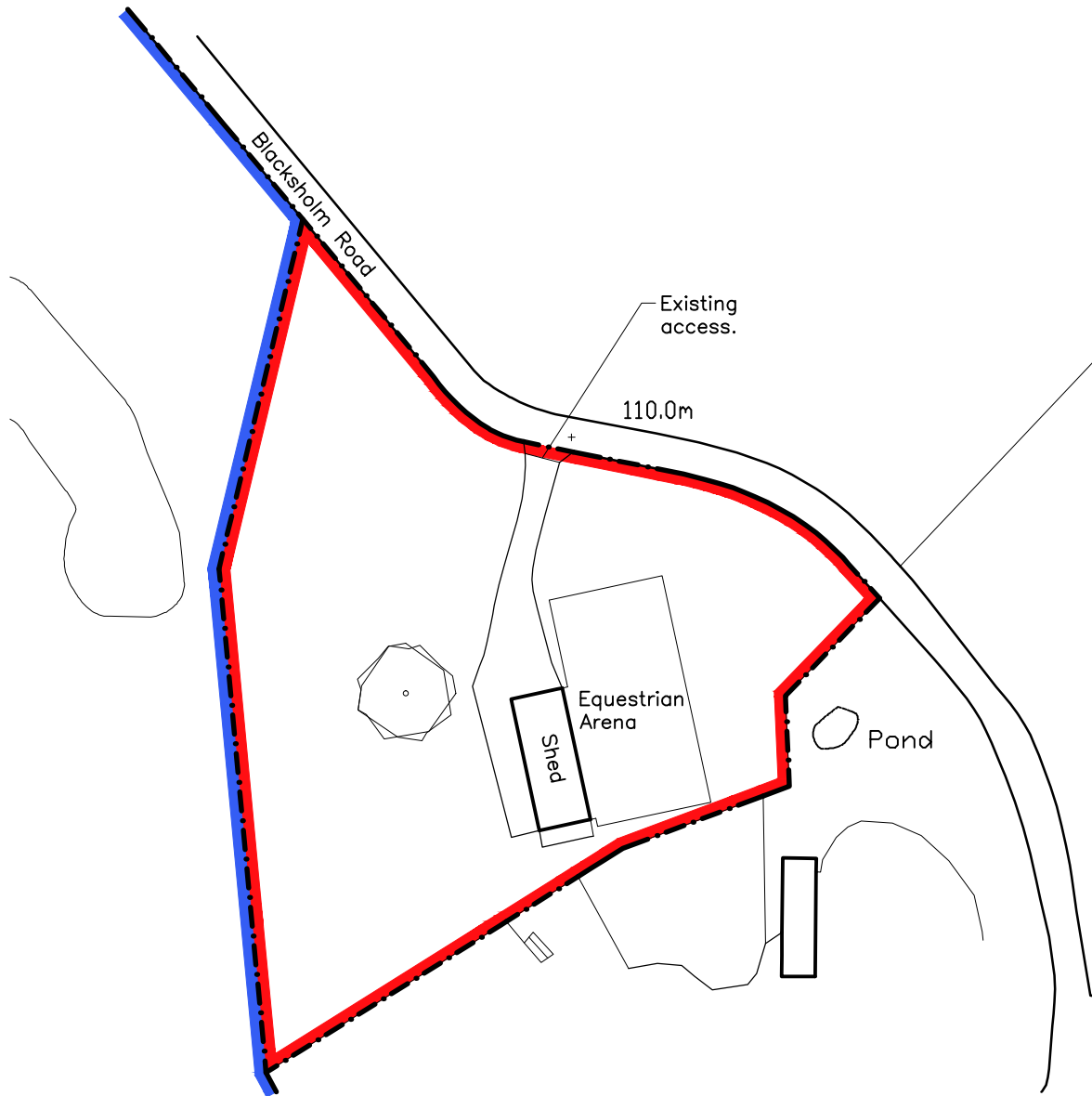
1:5,000



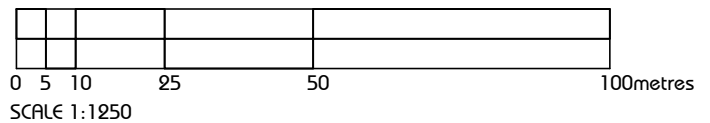
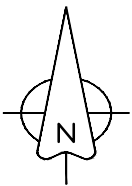
James Harper Architect

The Langslie, Langstilly Road, Lochwinnoch, Renfrewshire, PA12 4DR.
Telephone / Fax: 01505 843007 E-mail: mail@harperarchitect.co.uk

Proposed Erection of Dwelling House at: Blacksholm Road, Kilmacolm. PA13 4SX Miss. M. Armour.

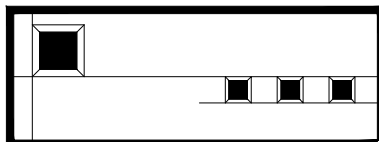


Ordnance Survey (c) Crown Copyright 2019. All rights reserved. Licence number 100022432



Site Plan - € 02

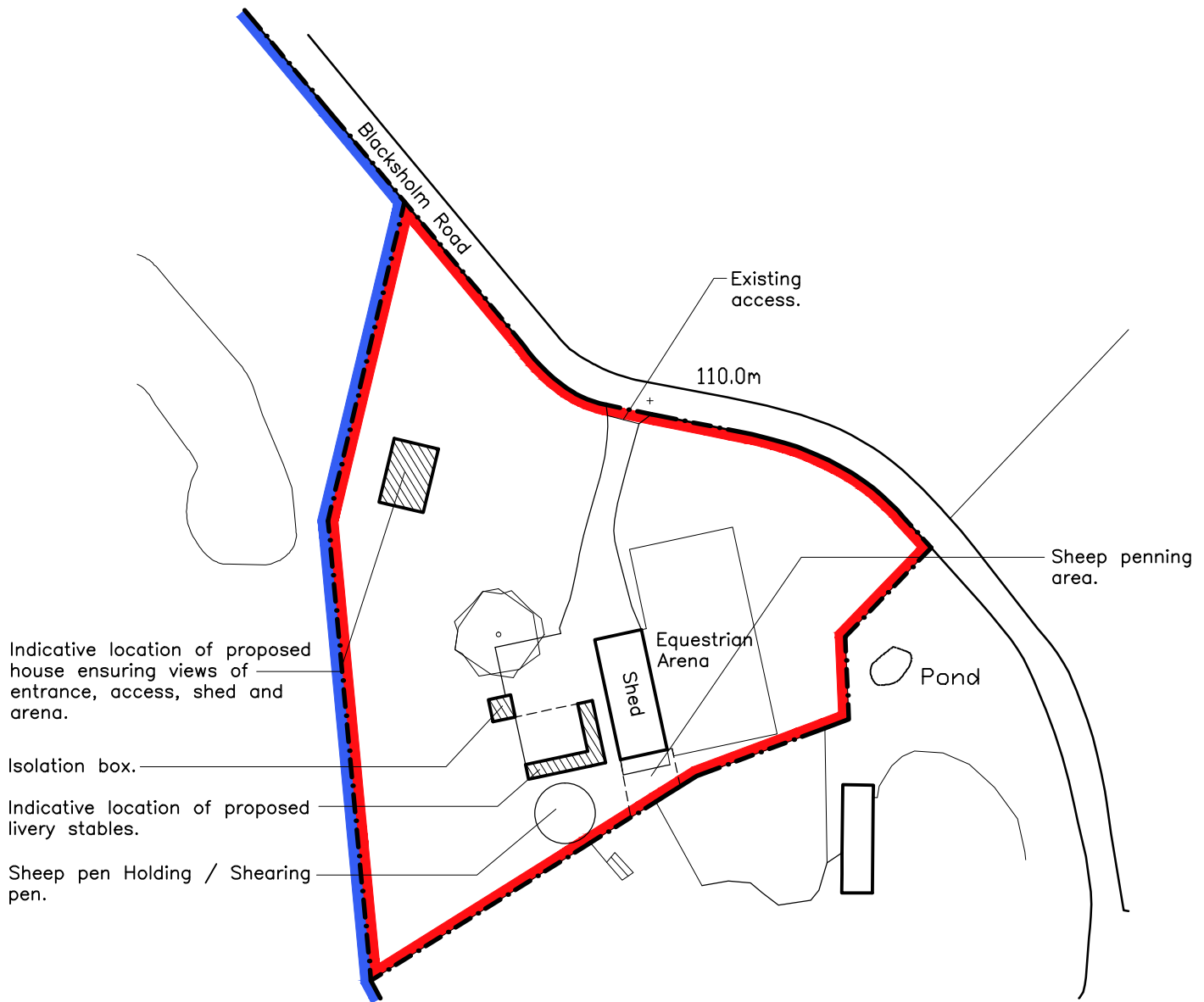
1:1250



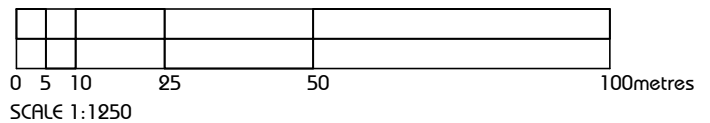
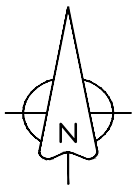
James Harper Architect

The Langslie, Langstilly Road, Lochwinnoch, Renfrewshire, PA12 4DR.
Telephone / Fax: 01505 843007 E-mail: mail@harperarchitect.co.uk

Proposed Erection of Dwelling House at: Blacksholm Road, Kilmacolm. PA13 4SX Miss. M. Armour.

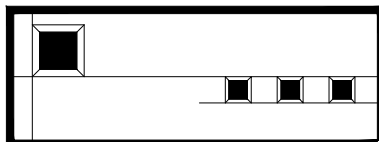


Ordnance Survey (c) Crown Copyright 2019. All rights reserved. Licence number 100022432



Block Plan - OP 02

1:1250



James Harper Architect

The Langslie, Langstilly Road, Lochwinnoch, Renfrewshire, PA12 4DR.
Telephone / Fax: 01505 843007 E-mail: mail@harperarchitect.co.uk

2. PLANNING APPLICATION – RURAL ENTERPRISE DWELLING APPRAISAL

Rural Enterprise Dwelling Appraisal:

Land at Blacksholm Road, Kilmacolm PA13 4SX

Prepared by:

Sally-Ann Tinsley BSc, LLDip, PgC Ag Law

Equine Commercial-Legal

Marigold Cottage

The Square

Audlem

Cheshire

CW3 0AD

Sally-Ann@equineplanningconsultants.com

www.equineplanningconsultants.com

July 2021

CONTENTS

1.0 Introduction

2.0 Background

3.0 The Enterprise

4.0 Planning Policy

5.0 The Functional Test

6.0 Labour Calculation

7.0 The Financial Test

8.0 Conclusion

1.0 Introduction

- 1.1 This report has been prepared on the instructions of Ms Morven Armour in relation to the site known as Land at Blacksholm Road, Kilmacolm PA13 4SX. The purpose of this report is to provide an appraisal of the proposal for a dwelling to support the mixed equestrian and agricultural enterprise at the site.
- 1.2 I am a rural planning consultant specialising in rural enterprise dwellings and the commercial equestrian development sector. I hold BSc Equine Welfare with Business Management, LLdip Law degree and PgC Agricultural Law. I advise the public and private sectors throughout the UK, preparing independent appraisals and attending appeal hearings and public inquiries. I have an in depth knowledge of the equine industry and equine welfare.
- 1.3 With formal academic qualifications in law, business management, equine science and behaviour, I also act as expert witness in litigation and prepare expert reports for solicitors in relation to personal injury cases, disputes and veterinary negligence.

2.0 Background

- 2.1 It is understood that the site was purchased by Mr and Mrs Armour, the applicant's parents, in 2012. Since purchasing, they have bred 'Zwartbles' rare breed sheep from the site.
- 2.2 The site comprises approximately 21 acres of grazing land. An agricultural barn, measuring 24m x 9m, was granted planning permission under reference 13/0001/PP.
- 2.3 A 40m x 20m riding arena was approved in 2017.
- 2.4 The intention is to develop the current enterprise to include an equestrian livery and training business. However, the proposed mixed enterprise will rely on the presence of 24-hour supervision in order to operate.

- 2.5 The planning proposal includes a well-designed stable block, including an isolation box. Whilst I have not visited the site, I have examined the plans and photographs, which show that the site is well planned for the equestrian purposes proposed. The site, including the grazing land, appears well maintained and appropriate for its intended purpose.
- 2.6 All the facilities/structures will maintain the compact holding, which will provide for an efficient operation of the mixed enterprise and avoid isolated buildings. The proposed position of the dwelling will enable it to fulfil its purpose of providing 24-hour supervision and effective security.

3.0 The Enterprise

- 3.1 In addition to the current Zwartbles breeding enterprise, the rural enterprise will be expanded to provide training of horses and riders and provide a full livery service for retirement liveries.
- 3.2 Clearly, Ms Armour is a highly qualified and experienced trainer and rider of both horses and riders. It is evident that she has been training riders in the local area since 2014 and is well placed to understand the demand for the provision of such services, as well as the competitive market.
- 3.3 The provision of training and livery services will create at least a full-time position for a worker, as set out in 6.0 Labour Calculation.
- 3.4 The equestrian enterprise will have four income sources:
- Training of clients' horses
 - Training of riders
 - Full livery
 - Horse sales

- 3.5 The training of clients' horses necessitates that they are sent to Ms Armour's yard to undergo a programme of training over three to six months. This could relate to the training of a recently backed young horse or one being prepared for competition. Some horses will be competed from the site.
- 3.6 Ms Armour breaks and trains Clydesdales for renowned breeders. This breed is currently on the Rare Breed Survival Trust 'At Risk' register.
- 3.7 The training of riders will include training on their own horses and will focus on bio-mechanics. This will be of benefit to riders of all ages and abilities.
- 3.8 Full livery services will be provided to clients' horses. These horses will remain on site all year round and have all their care needs met by Ms Armour. It is intended that this service will specialise in retirement livery, i.e. horses that have retired from competition due to injury or conditions of old age.
- 3.9 The sale of horses will be the fourth source of income. Young horses will be purchased to be trained and then sold on to compete.

4.0 Planning Policy

- 4.1 The relevant local policy in examining this application is set out below:

Inverclyde Local Development Plan 26 August 2019

POLICY 14 – GREEN BELT AND COUNTRYSIDE

Development in the Green Belt and Countryside will only be permitted if it is appropriately designed, located, and landscaped, and is associated with:

- a) agriculture, horticulture, woodland or forestry;
- b) a tourism or recreational use that requires a countryside location;

c) infrastructure with a specific locational need;

d) the appropriate re-use of a redundant stone or brick building, the retention of which is desirable for its historic interest or architectural character, subject to that interest or character being retained; or

e) intensification (including extensions and outbuildings) of an existing use, which is within the curtilage of the associated use and is of an appropriate scale and form.

Proposals associated with the uses set out in criteria a)-c) must provide justification as to why the development is required at the proposed location.

4.2 Policy 14 supports the exception to policy that permits a dwelling where it can be shown that it is essential to the operation of the business. This is referred to as the 'functional test'. The way in which this application complies with these policies is examined in 5.0 The Functional Test.

4.3 The nature of an equestrian business is such that it must be within a rural location. The training and livery enterprise falls within a 'recreational use' that requires a countryside location.

4.4 The essential need for the dwelling in the particular location provides the justification and is explained further in 5.0 The Functional Test.

5.0 The Functional Test

- 5.1 The appraisal of the functional test is prepared in my capacity as an expert in equine welfare.
- 5.2 There are four equestrian income sources, in addition to the sheep enterprise:
- Training of clients' horses
 - Training of riders
 - Livery of clients' horses
 - Horse sales
- 5.3 The training of clients' horses will be the greatest source of income. It is proposed that 6 boxes will be occupied throughout the year by clients' horses being trained. These will be young horses being trained, horses trained for competition and horse being competed for their owners. All of the horses will be stabled for most of the day as well as being stabled at night. The following paragraphs explain why horses being trained and competition horses need to be stabled for most of 24 hours and the risks associated with this – both to the horses and to the viability of the business, which create the need for 24-hour supervision.
- 5.4 The horses being trained are most likely to be Warmbloods, which are the most commonly used breeds for eventing, showjumping and dressage. They are more highly strung breeds than typical riding horses and require expert handling. They are also larger breeds, typically standing at 16 – 16.2hh.
- 5.5 Some of the horses are likely to be young horses that need further training to enable them to start competing. Young horses are more highly strung, suffer anxiety and are likely to be unpredictable.
- 5.6 The process of moving a horse from its usual surroundings can be particularly stressful even to a sensible mature horse. Most horses will gallop around a new field and take some considerable time to settle. The risk is that a horse will injure itself when galloping, particularly in a field it is not familiar with. It is for this reason that horses will always be stabled.

- 5.7 Highly strung horses, or those suffering periods of anxiety, are more susceptible to colic. As many of the horses are competing, or being trained for competition, they are on high corn rations. This also increases their susceptibility to colic.
- 5.8 Livery services will be offered to clients' horses in retirement. These horses will mostly live out in the fields in small social groups which will replicate natural herd behaviour. As these are likely to be older horses, or those with injuries that prevent them being ridden, they will need close supervision to monitor any existing conditions. Owners send horses for retirement livery when they are short of the time or ability required to care for their daily needs.
- 5.9 It is proposed that up to four young horses will be purchased each year to be trained to compete in readiness for sale. These horses will be stabled. Any injury could prevent a horse being competed or sold which would impact the business.
- 5.10 All of the horses on site are likely to have a significant value.
- 5.11 **Colic** - It is essential that colic be noticed at a very early stage. Although the majority of cases of colic do not require surgery, a vet should always be called to administer painkillers and other appropriate treatments. If colic is not noticed in the very early stages, complications can lead to surgery being necessary. In particular types of colic where surgery is essential, any delay in transporting the horse to an equine hospital can reduce the survival rate dramatically. The survival rate to discharge home is currently approximately 80% after surgery.
- 5.12 Horses provided with the very best care can still be susceptible to colic. Stress is known to be a factor in causing colic and is intrinsically linked to changes in routine, such as moving to a new yard.
- 5.13 The Equine Hospital at the University of Liverpool is a leader in the research into equine colic. The following is an extract from their website:

'There are over 70 different types of intestinal problems that cause colic symptoms, which range from mild to severe (life-threatening) in nature.'

'Early diagnosis and surgical treatment of more serious cases of colic remains one of the most important factors in giving horses the best chance of survival following colic surgery.'

What are the symptoms of colic in horses?

Horses will typically display some or all of the following:-

In mild cases:

Lip curling.

Flank watching.

Restlessness.

Pawing the ground.

In moderate cases:

Posturing to urinate frequently.

Lying down and getting back up.

Lying on their side for long periods.

In severe cases:

Violent rolling.

Sweating.

Rapid breathing.

Injuries to body and face from rolling and thrashing around.

What should you do if you suspect colic?

Colic is a potentially life-threatening disease. If a horse displays moderate or severe symptoms they will need urgent veterinary attention and possibly referral to us, if this is an option.

If your horse displays mild symptoms of colic try walking them around (do not canter or trot) for no more than ten minutes. If symptoms persist for more than 30 minutes or are more severe in nature call your vet immediately.

- 5.14 The extract above clearly shows how signs of colic could easily be missed leading to the condition becoming untreatable, in addition to the horse being

left in pain for many hours. It highlights the potential for problems if adequate supervision is not provided outside 'normal working hours'.

- 5.15 Horses need not only skilled attention and care, but constant monitoring for changes to vital signs or of behaviour that might indicate a problem. Without constant monitoring the welfare of such horses could be seriously compromised.
- 5.16 **Cast** - Stabled horses are also at risk of becoming cast. This means that they either lie down too close to a wall that they cannot position their legs so that they can get up, or they lie down and then roll over in to a position too close to the wall to enable them to get up. When a horse gets into this position they typically panic and exhaust themselves. Frequently, this can lead to injury of the neck, legs or back and sometimes death. In particular, if a horse is cast during the night and is not noticed until morning it is often too late for the vet to be able to save the horse and is not unusual for them to have to be euthanized.
- 5.17 **Choking** – This happens when food becomes stuck somewhere between the mouth and the stomach, in the oesophagus. It is usually quite apparent that a horse is choking, by the visual signs. If within earshot, the sound of the horse 'choking' is quite definitive. If the choking continues for more than 20 minutes the vet should be called to give an anti-spasmodic, which will relax the oesophagus and enable the obstruction to pass through. However, if the obstruction has existed for some time, or the horse is extremely distressed, it will be necessary to remove the blockage using a stomach tube to enable fluids to be pumped through. Fluids through an intravenous drip may also be required, as the horse will become dehydrated. The longer the period of the obstruction the greater the chance of complications. Aspiration pneumonia is believed to occur in 67% of choking cases. Choking is rare in horses out at grass.
- 5.18 The siting of the dwelling is appropriately located to be able to hear any disturbance during the night and to be convenient for 'out of hours' attendance.

- 5.19 In the case of fire, if not living on site then valuable time could be lost in the time taken to reach the horses, even if alerted at an early stage, which is unlikely.
- 5.20 **Threat to continued viability** - If any horse belonging to a client suffered an injury or illness that was not identified sufficiently early, confidence in the business would be severely undermined. This would most likely result in clients choosing another yard which would seriously impact on the viability of the enterprise. In the first year, there will be 16 client owned horses, increasing to 36 client owned horses by the fifth year.
- 5.21 For the reasons set out, it is clearly vital that the horses are ‘within sight and sound’ at all times. The provision of skilled supervision around the clock is essential, not only for the welfare of the horses, but to ensure the future of the business. It is imperative that horse owners have complete confidence in the supervision of their horses at all times.
- 5.22 The number of horses that will be on site clearly generates a labour need of at least a full-time worker. Set out in ‘6.0 Labour Calculation’.
- 5.23 The application complies with Policy 14.
- 5.24 A recent appeal (England) decision clarified that a small yard of seven client owned horses could fulfil the functional test.

Appeal Ref: APP/P1133/W/20/3250242 Moorwood, Moor View, Ipplepen, Newton Abbott TQ12 5TP. Decision date 10th December 2020

- 5.25 This related to a small livery yard of seven boxes to accommodate clients’ horses. The Inspect allowed the appeal and stated at paragraph 10:

‘... the demands of running a livery can lead to long and antisocial hours spent on site, with potential issues arising at any time. A temporary dwelling would allow Mrs Clyne the fullest opportunity to provide optimal care for the horses. Within this context, the argument was put to me by the appellants’ equine expert that clients would expect a constant onsite presence in order to entrust valuable competition horses into the livery’s care. I find this to be a

logical argument, which credibly translates to an essential functional need for a dwelling arising from the specific demands of the proposed business.

5.26 A significant amount of work is likely to be outside of normal 9 to 5 working hours. The horses will need to be checked at 10.00pm and those returning from a competition are likely to arrive late in the evening and it will be necessary to monitor them closely to ensure that they have settled after having competed and travelled.

5.27 Due to the type of enterprise that focuses on training and full care, the horses are likely to remain on site for long periods of time, with owners/clients visiting rarely. This is relevant to the use of the site because it ensures that very few vehicle movements will be generated.

5.28 An appeal (Wales) addressed the significance of rare breeds in the context of rural enterprise dwelling policy. This is relevant due to the Zwartble rare breed sheep on site, as well as the Clydesdales. The Inspector, in the appeal decision **APP/B6855/A/13/2210485 Lonisaf Hardwoods, Lon Isaf, Cilonnen Road, Llanmorlais, Gower SA4 3UH**, recognised their significance in terms of fulfilling the functional test:

12. 'Nevertheless, the functional test is not an absolute one which is susceptible to the application of pre-determined standards or thresholds.'

13. '... and it is important that traditional breeds of sheep survive to allow preservation of their unique genetic abilities and characteristics.'

5.29 This decision is useful as it demonstrates that the justification for a dwelling can comprise a range of factors.

6.0 Labour Calculation

6.1 The number and type of horses on site clearly generates a labour need in excess of a full-time worker, for the reasons set out below.

- 6.2 Benchmarking data is published to enable calculations for the labour requirement of a particular equine enterprise to be undertaken. The table below demonstrates the number of hours per year required to care for a horse of a particular category. These figures are based on data researched and produced by Agro Business Consultants, in The Equine Business Guide 7th edition 2019 and are used as industry guidelines in the calculation of labour requirement. They are used to determine the number of Standard Man Days (SMD) required of an enterprise i.e. the number of full-time workers needed.
- 6.3 The calculation is based on a total number of hours required for a particular category of equine over the period of a year. A full-time worker is assumed to work 2,225 hours per year.

Type of equine	No of hours per horse per year	Total
6 x Training @	900	3,600
10 Retirement Livery @	240	2,400
Total		6,000
Less 40% (for 11 – 20 horses)		2,400
Hours needed per year		3,600
Divide by 2,225		1.6

- 6.4 The figure above shows that when based on the numbers of horses in the first year, when the young horses may not yet have been purchased, the labour need generated will be for more than a full-time worker, at 1.6 workers.
- 6.5 For the purposes of testing the enterprise's ability to provide a sustainable living, the table below shows that if it is assumed that just 50% of the above figures are achieved during the first six months, then the labour need generated remains for at least a full-time worker at 1.2.

Type of equine	No of hours per horse per year	Total
3 x Training @	900	2,700
5 x Retirement Livery @	240	1,200
Total		3,900
Less 30% (for 6 – 10 horses)		1,170
Hours needed per year		2,730
Divide by 2,225		1.2

6.6 This demonstrates that the equine enterprise alone, even during the initial period of becoming established, generates a need for a full-time worker. This will be in addition to the labour associated with the sheep enterprise.

7.0 The Financial Test

7.1 The applicant has prepared a detailed forecast for the next five years. This includes a breakdown of income and comprehensive costs.

7.2 I have examined the forecasts, and in my opinion the financial test is met. The enterprise has clearly been planned on a sound financial basis and is viable and sustainable.

8.0 Conclusion

8.1 The proposed enterprise will create a functional need for someone to be on site, ‘within sight and sound’ of the horses. This is due to the specific type of equine enterprise proposed.

- 8.2 It is essential to the enterprise that there is accommodation on site to provide 24-hour supervision and this essential need is accepted in planning terms as constituting justification for a dwelling.
- 8.3 The part of the enterprise that fulfils the functional need to live on site has a need for at least a full-time worker, even assuming a lower occupancy rate during the first year of establishing the enterprise.
- 8.4 The Business Plan shows that the enterprise has been planned on a sound financial basis, is viable and sustainable for the long term.

3. PLANNING APPLICATION – PLANNING SUPPORT STATEMENT

Erection of Dwelling House at Blacksholm Road, Kilmacolm, PA13 4SX

**Proposed Erection of Dwelling House at
Blacksholm Road, Kilmacolm, PA13 4SX.**

Planning Support Statement.



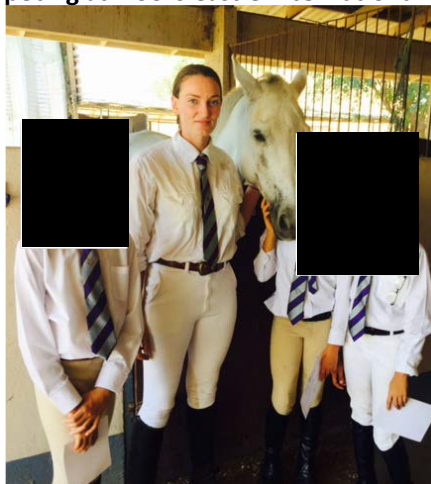
Balshagray flock of Zwartble sheep established in 2014.



Morven Armour showing a client's horse at Blair International Horse Trials



Morven competing at Floors Castle International Horse Trials



Morven with Pony Club exam candidates while a guest instructor at Kingston Pony Club

Site Background.

The proposed development site lies to the south-west of Blacksholm Road approximately 1.5 miles from Kilmacolm [Figure 1]. The site is adjacent to another residential property and former livery yard. The site is also in proximity to Balrossie House which has planning approval for 47 new build houses and 12 flats.

The site area extends to over 21 acres and was purchased by Mr. and Mrs. Armour in 2012. In 2013 Mr. & Mrs. Armour obtained Planning Permission, Planning ref: 13/0001/PP, for the erection of an agricultural shed, 80 ft. x 30ft.

The primary purpose of the shed was for the secure and protective storage of animals feeds, implement store and for the shelter, during specific periods of the year such as lambing time, severe inclement winter weather, etc. allowing Mr. & Mrs. Armour to pursue their business venture in the breeding of the rare sheep known as Zwartbles. The original flock of 4 sheep has now grown to a flock of 30 sheep.

The applicant is now seeking approval for a dwelling house to allow a presence onsite to fulfil animal welfare and safety as well as for security. This will allow the applicant to develop an equestrian business and support the expanding flock of sheep.



View of shed from access road.



View of shed and equestrian arena from proposed house site with 'Slates' farmhouse and steading beyond.

Development Proposals

In 2017, Planning permission was obtained for the formation of an equestrian arena close to the existing shed. Since this time the applicant has invested heavily in upgrading fencing, improving water provision for livestock and maintaining the equestrian arena. This has allowed the advancement of the applicant equestrian activities not only in schooling and practice with her own horses but in providing lessons and schooling of others providing an income to supplement the return from the sheep.

The proposed development is for the erection of a dwelling house together with a block of stables, to allow the applicant to build and grow an equestrian business on the site. The dwelling house, for security reasons, would be sited overlooking the existing entrance driveway and also the existing shed and outdoor arena. The stables, horse tie up and grooming area along with an isolation stall for sick animals would all be positioned within sight of the proposed house, adjacent to the existing storage shed for ease of access to hay and feed. Additional sheep pens would also be located within view of the house. Illustrated in drawing Figure 3 Site Plan.

As described in the previous background section the situation with my client and the furtherance of the equine / agricultural business is such that there is a necessity for a dwelling house. The need for the house is clearly shown and justified as further explained in the applicant's support statement featured in this report and demonstrated in associated document Rural Enterprise Dwelling Appraisal.



View of proposed house site from shed.



View of shed and proposed house site from Equestrian Arena

Applicants Support Statement

Foreword

Planning application for a single residential plot to act as a family home and allow an increase in local sustainable economic growth by allowing the development of a rural enterprise expanding on the activities which have been established on the site since 2014. Having a house on site where the equestrian facilities and sheep business are would be of benefit on three levels:

- a) Security of animals and equipment
- b) Welfare of animals
- c) The ability to offer clients and /or their horses to stay on site during training.

The development of the Zwartble flock has been underway since 2014 and since returning I have been able to assist my parents particularly at lambing time. We have grown the flock from 4 ewes through a programme of selective breeding. We supply sheep to other Scottish breeders and I'm building a business for supplying locally produced sustainable meat. I'm also currently working with a small weaver in Lewis to produce wool rugs as another avenue to diversify the business. The flock has expanded to over 40 sheep during lambing time, at the point of this application the flock is made up of 30 quality breeding ewes and one male. The sheep are able to cross graze the land alongside horses.

Since 2014 I have been working with horses on the site following my return to the UK, preparing them for shows and fitness work with competition horses, in 2017 I installed the equestrian arena to provide a more suitable area for training and schooling horses. Since this time I have training young horses and provided lessons at the site however I am now limited and in need to expand in order to make a viable living.

A house would allow me to make a sustainable living, working from home whilst also giving my parents the ability to retire to a house with me where they can continue to manage and grow their flock of rare breed sheep with my support.

I currently do not benefit from any of these elements and as a result the security and welfare of my own and my parent's animals and equipment is at risk as well as the limiting effect on my ability to expand my coaching and training enterprise.

Equestrian experience.

As an experienced equestrian professional with 13 years in the industry both as a rider and coach I have a detailed understanding of the type of facility and services that are required in Kilmacolm. During the Covid-19 pandemic and lock down the lack of equestrian services within Inverclyde became even more apparent as restrictions meant movement between local authorities was prohibited. There are no equestrian facilities registered with the recognised governing bodies The British Horse Society or The Association of British Riding Schools in Inverclyde, and within Kilmacolm no training facility for horse riders. Even horse owners in Kilmacolm and Inverclyde could not attend training sessions with local clubs, an example of this is that Kilmacolm and Kilallan Riding Club have to use training facilities in Renfrewshire meaning members living in Kilmacolm and Inverclyde are disadvantaged.

I started competing on my own pony age 7 and as a member of the Lanarkshire and Renfrewshire Pony Club and represented Scotland as a junior. I have continued this passion for competitive riding as both a member of the British Showjumping and a currently competing member of British Eventing. In 2017 I was listed in the top 100 Scottish riders competing at my level.

I am a qualified BHSAI instructor and hold a level 2 UK Coaching Certificate in equestrian sport. Since gaining my British Horse Society qualifications in 2010 I have taught freelance for various registered Pony Clubs and private clients in the UK. In 2011 I was invited to India as a visiting coach to teach at the Chennai Equestrian Centre where I worked with a variety of age groups including training riders who were competing in the Pan Asian Games.

In 2012 I attended a residential training programme in Oxfordshire completing specialist training in Rider Bio-mechanics with the renowned bio-mechanics coach Mary Wanless. Since this time, I've specialised in rider bio-mechanics and the training of young horses to encourage strength and balance.

From February 2013 until September, 2014 I was based in the south of England working as a lead instructor at Snowball Farm Equestrian Centre in Berkshire and in the London Burgh of Hackney at Lee Valley Riding School. During my time in London I worked with both private clients and also with the Riding for the Disabled who were based within the centre. I also trained candidates for their BHS vocational qualifications.

In 2014 I relocated to Singapore for 9 months where I volunteered re-training ex-race horses for use as riding horses. I returned to Scotland late 2014, immediately being offered part time coaching with the Lanark and Renfrewshire Pony Club and taking

over the breaking and training of Clydesdale Horses for an award winning local breeder.

In 2015, I was approached by a UK affiliated Pony Club in Jamaica who needed a coach to run the Kingston Pony Club. I managed this for a school term before returning to Inverclyde to continue working with local riders.

I have been coaching in the local area since 2014, training individuals as well as the Lanarkshire and Renfrewshire Branch of the Pony Club, and also riding and training horses on behalf of their owners. The business I am developing would fulfil a gap in the market for a facility where I could work one to one training horses and ponies in a quiet and safe environment and where they could be stabled and turned out to grass on the down time. It would also allow riders to come and get bespoke tailored coaching both on horse and also using space within the house to do off-horse balance work and core training.

Current Situation

I have invested my own funds installing an outdoor equestrian arena to be able to further my own riding and facilitate the training of horses and riders all the year round. In addition I have upgraded the stock fencing around the site so that it is suitable for horses as well as sheep. However, due to security concerns my own valuable competition horse cannot be kept at home. Instead he must be kept on livery where there is 24/7 supervision. This means he is currently on livery at a facility in Kilbarchan (Renfrewshire) which was the closest alternative and which costs £500.00 per month for the rent of the stable and field space and a further £100 per month to cover additional exercise.

The security concerns were raised because on several occasions I found people on the property amongst my horses and equipment, this risk of theft or damage both of the animals, vehicles and belongings would be mitigated by being resident on site. Living onsite would also allow me to establish a professional equestrian facility offering training where horses in my care have 24/7 supervision.

As well as the horses I assist in the care for my parent's flock of rare breed Zwartbles sheep. Dog worrying has been an issue and recent COVID restrictions has seen many more people walking in the area, with an increase in dogs. This represents a serious risk to any livestock for this reason along with general welfare purposes the sheep require daily attention. During the spring, care of young lambs mean that multiple daily visits are required for bottle feeding as well as overnight stays to check on expectant sheep. Over the past few years I have attended them overnight during lambing sleeping on a makeshift bed inside the shed. We have had several sets of triplets which demand additional care through bottle feeding. As there is no

accommodation on site I have slept in the shed in minus temperatures– this is not a viable long-term solution.

For welfare of the sheep and equines both require regular checks especially during bad weather. This has been especially relevant over the past few years and is forecast to continue in the future. Heavy snow in 2018 and 2020 meant that roads were blocked and I had to walk over a mile from the outskirts of the village and dig my way through snow drifts to reach the animals. Without me doing this there is no doubt the whole flock of sheep would have died and it is very likely that the horses would have required veterinary attention. Living on site would mean visibility of the stables from the house or a short walk to check and feed the animals and the ability to bring freezing or premature lambs into the house to be cared for. It would also mean that veterinary medicines could be securely stored inside the house.

Over the past few years the issue of sheep worrying has been affecting the Inverclyde area with multiple incidents of loose dogs in my own and neighbouring lands. Last year we lost a young sheep to a dog attack which could have been avoided if someone had been on site. It is very difficult to grow such a specialised flock without being able to closely manage the sheep and each loss is a significant blow. Accommodation is required for this agricultural purpose alone to manage the sheep throughout the year.

Proposed Business

The equestrian business would have four main revenue streams this spreads risk and ensures a viable long term business. In parallel the agricultural business of sheep sales would be grown alongside.

The first revenue stream is training livery, this is where horse owners want their horse professionally trained or competed. In this situation the owners drop the horse off and it would typically stay with me at the yard for a period of between three and six months, once the training is complete the owner would collect them. These horses would be mainly stabled with some turn out on grass. I work with a variety of horses, often horses who require training are young or highly strung, these need to be in a secure environment where they have round the clock supervision.

I also have established connections with native Clydesdale horse breeders and train young horses on their behalf. These horses are on the rare breed survival Trust List and making them suitable to be used as ridden horses is essential to ensure the breed survive, some of these horses have gone on to join the mounted police branch and for use by the Riding for the Disabled organisation. Several breeders and owners have approached me since returning to Scotland to enquire about training.

The second revenue stream is coaching. Due to the style of coaching offered specialised training in riding bio-mechanics can be offered which is suitable for

people with additional physical needs. This type of coaching would require a warm indoor space close to the equestrian facility for 'off-horse' sessions to compliment the ridden sessions where riders can be shown exercises while not on a horse. A house would mean clients could come into the house for this type of work in addition to providing suitable welfare facilities where they could change, rest, use the toilet. Clients would be able to bring their horse for sessions of between 30 to 90 minutes.

The third income stream is retirement livery. This is where owners are looking for somewhere for their older or unriden horses to live quiet supervised retirement mainly out to grass as part of a small herd. These owners will visit sporadically meaning the footfall to the yard is minimal. Horses on retirement livery tend to be older or have sustained an injury which means they can't be ridden. They require to be checked throughout the day and have an experienced professional on hand in the event of any health issues.

The fourth income stream is horse sales this is where young animals will be purchased, trained and sold. This is a cyclical business with horses in different stages of training. These animals are young and may be unpredictable so need to be supervised.

The ability to bring the horses to me where I have a secure arena, access to a field for open work and easy access to a public road where they can be ridden to a village setting with traffic is essential for their training and desensitisation.

To continue to develop the agricultural business and Balshagray Flock my parents will continue with their breeding programme and supply to other breeders, lambs which are not suitable to continue the breeding programme will be fattened for meat sales. The sheep will cross graze the available land with the numbers of sheep increasing as the business grows and further land is taken on. The additional land for future growth is shown in Figure 4.

Current Demand

There is a demand in Kilmacolm and within Inverclyde area for more recreational equestrian facilities. My proposals satisfy a niche but highly sought after arrangement. I have had interest from not only local riders and owners but from many riders who are willing to travel long distances for targeted coaching. There is already a high quality outdoor equestrian arena with the most modern surface technology, and the required specialist equipment such as mirrors installed to train both disciplines of dressage and show jumping as well as specialised bio-mechanical training.

The neighbouring property Slates Farm was previously run as a livery yard accommodating over 20 horses at its busiest. This business wound down due to retirement of the owners the last livery horses leaving in 2015 with the land now being rented for agricultural grazing, with all but a few stables now in disrepair.

The present owner has indicated that they receive a number of enquiries each year for livery services. I have also received approaches direct through social media and face to face asking if livery or training was available.

There is one other livery yard in the area – Gryffeside. This is a very different offering being a large facility with ridden liveries where horses are turned out in big groups and owners are visiting on a daily basis to ride and care for their horses.

My proposed business is a different system with low footfall of clients where a small number of horses on training livery stay short to medium term with controlled individual turnout and additional horses on long term retirement livery living out at grass in small herds.

Initially a total of 20 horses could be accommodated at any one time this is made up of:

- 6 Training Liveries with limited turnout
- 4 Sale horses with partial turnout
- 10 Retirement Liveries out to grass

The business case which has been provided demonstrates this as a viable enterprise, with scope for growth.

This number of horses would leave sufficient agricultural land for the flock of Zwartbles. Currently 30 which can be grown in line with the available land.

Future Business Development

The neighbouring farm has given the option to lease a further 21 acres within the next 3 years shown as the area A on Figure 4 with and an additional 23 acres shown as area B available within the next 4 years. The addition of this 44 acres would allow the expansion of the retirement livery to 30 horses living in small herds and allow additional space to accommodate horses for sale along with supporting additional sheep by cross grazing. After 5 years the flock would be expanded to 60 breeding ewes.

The business case demonstrates how the business could be grown within 5 years.

Conclusion

In order for the applicant to develop an equestrian business and support the growth of the agricultural enterprise of breeding pedigree sheep a dwelling is required. Supervision of animals for welfare and security is required 24/7 with the proposed location of the dwelling providing a view of the current facilities, entrance and proposed stable block area.



Lambs of flock with view down towards proposed dwelling house site with ‘Slates’ Farmhouse and Kilmacolm in background.

Planning policy

It is noted that the proposed development shall be assessed under the terms of the Council Policy 14 Greenbelt and Countryside and also Policy 19 Individual and small scale housing development in the greenbelt and countryside.

Under policy 14 this states that development in the green belt and Countryside will only be permitted if it is appropriately designed, located and landscaped and is associated with:

- a) Agriculture, horticulture, woodland or forestry.
- b) A tourism or recreational use that requires a countryside location.
- c) Infrastructure with a specific locational need.
- d) The appropriate re-use of a redundant stone or brick building, the retention of which is desirable for its historic interest or architectural character, subject to that interest or character being retained or
- e) Intensification (including extensions and outbuildings) of an existing use, which is within the curtilage of the associated use and is at an appropriate scale and form.

The proposed development is for a single dwelling house justified by the operational needs of the equestrian and agricultural business and also as a recreational use which requires a countryside location.

Under policy 19 this states that proposals for individual and small scale housing development in the green belt and countryside will only be supported in the following circumstances:

- a) Where the dwelling(s) is justified by the operational needs of a farm or other viable business which is inherently rural in nature and has been in operation for at least 5 years.
- b) Where the dwelling(s) is an ancillary and integral part of a development that would bring significant economic benefits to Inverclyde.
- c) Demolition and replacement of a habitable dwelling which cannot otherwise be brought up to current Building Standards and where the proposed dwelling is of similar scale to the existing building.
- d) Sub-division of an existing dwelling to create one or more additional dwellings, but only where any extensions are clearly ancillary to the existing building, or
- e) Conversion of redundant stone or brick built non-residential buildings where the proposals is supported by proof that the existing building is no longer needed for its original purpose and a structural survey indicating that the building can be converted in its current form with any new build element clearly ancillary to the existing building.

Given the factors clearly described and demonstrated within the applicant's support statement and in the foregoing sections of this development background statement the development is justified by the operational needs of the equestrian / agricultural business.

Conclusion:

It is submitted that the planning application meets with the policy requirements of the Council and a need for a dwelling has been evidenced and should therefore be approved.

Proposed Erection of Dwelling House at: Blacksholm Road, Kilmacolm. PA13 4SX Miss. M. Armour.

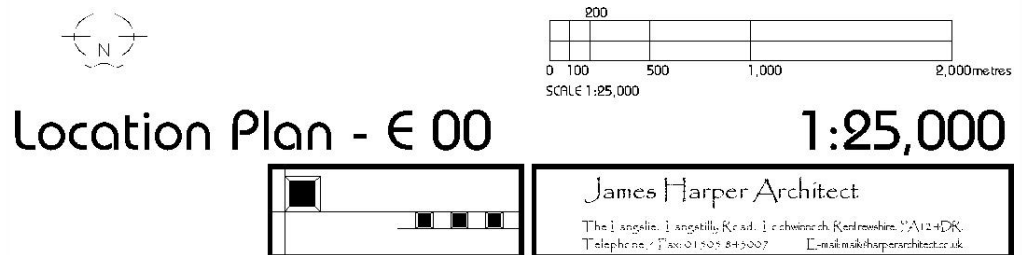
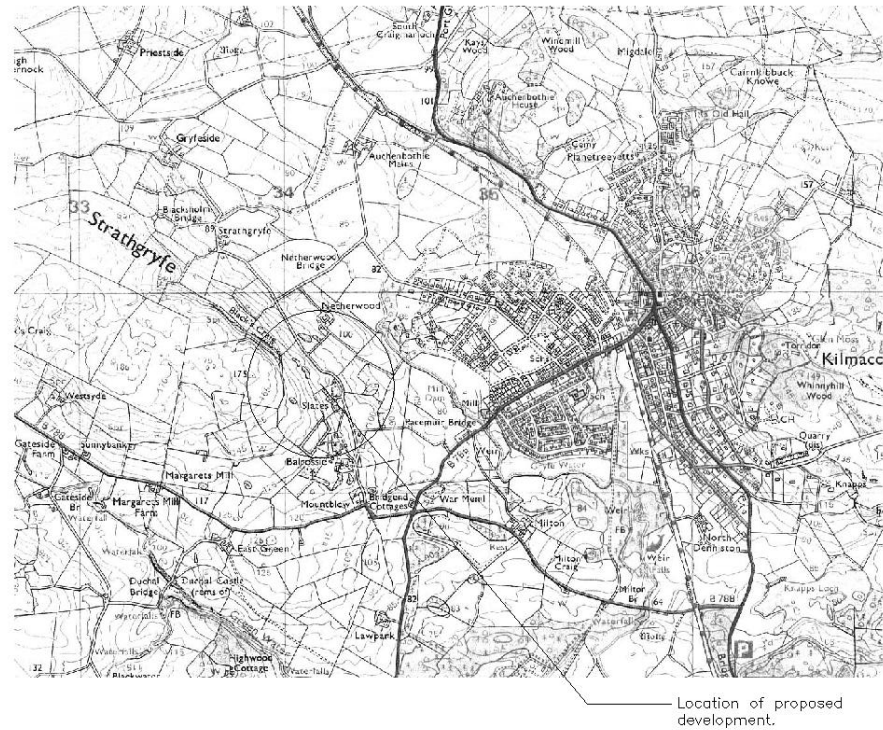
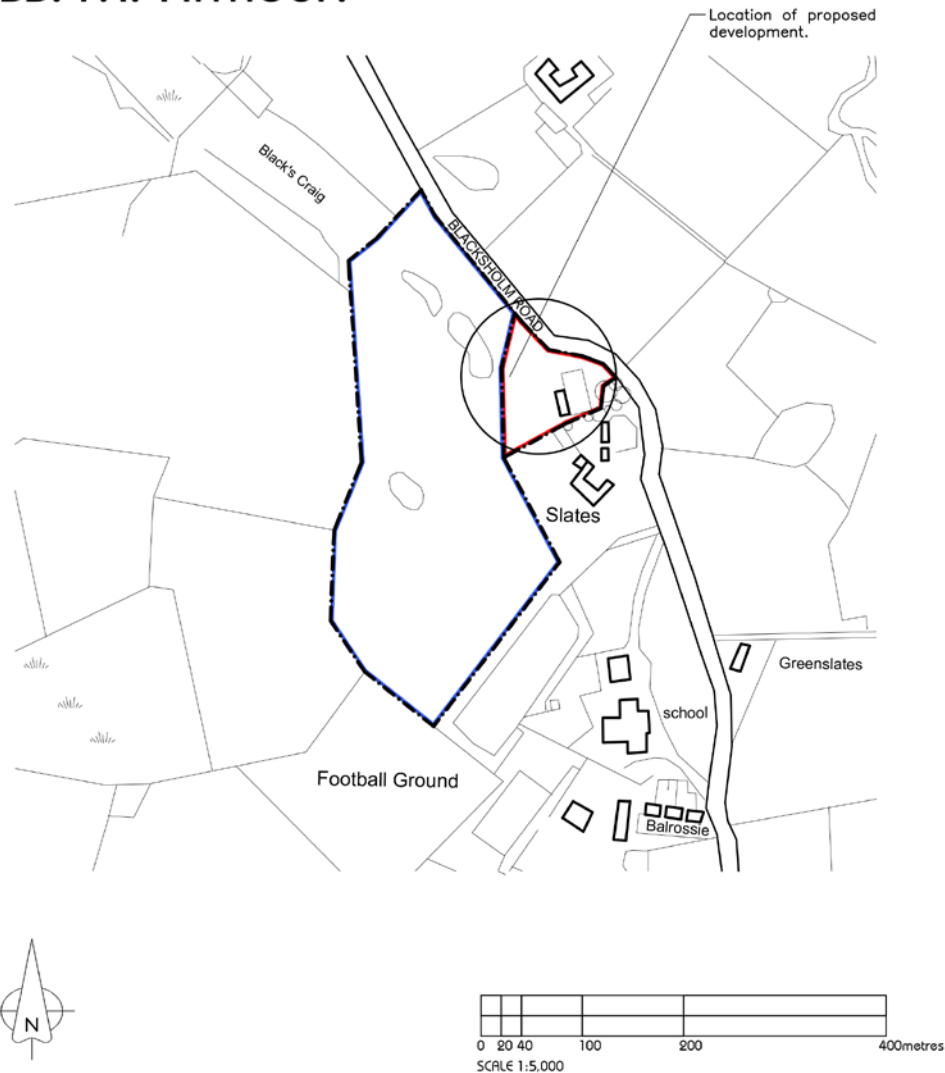


Figure 1 Location Plan

Proposed Erection of Dwelling House at: Blacksholm Road, Kilmacolm. PA13 4SX Miss. M. Armour.



Block Plan - € 01

1:5,000

	<p>James Harper Architect</p> <p>The Langleie, Langtully Road, Lochwinnoch, Renfrewshire, PA12 4DR. Telephone/Fax 01505 843007 E-mail mail@harperarchitect.co.uk</p>
--	--

Figure 2 Block Plan

Proposed Erection of Dwelling House at:
 Blacksholm Road, Kilmacolm. PA13 4SX
 Miss. M. Armour.

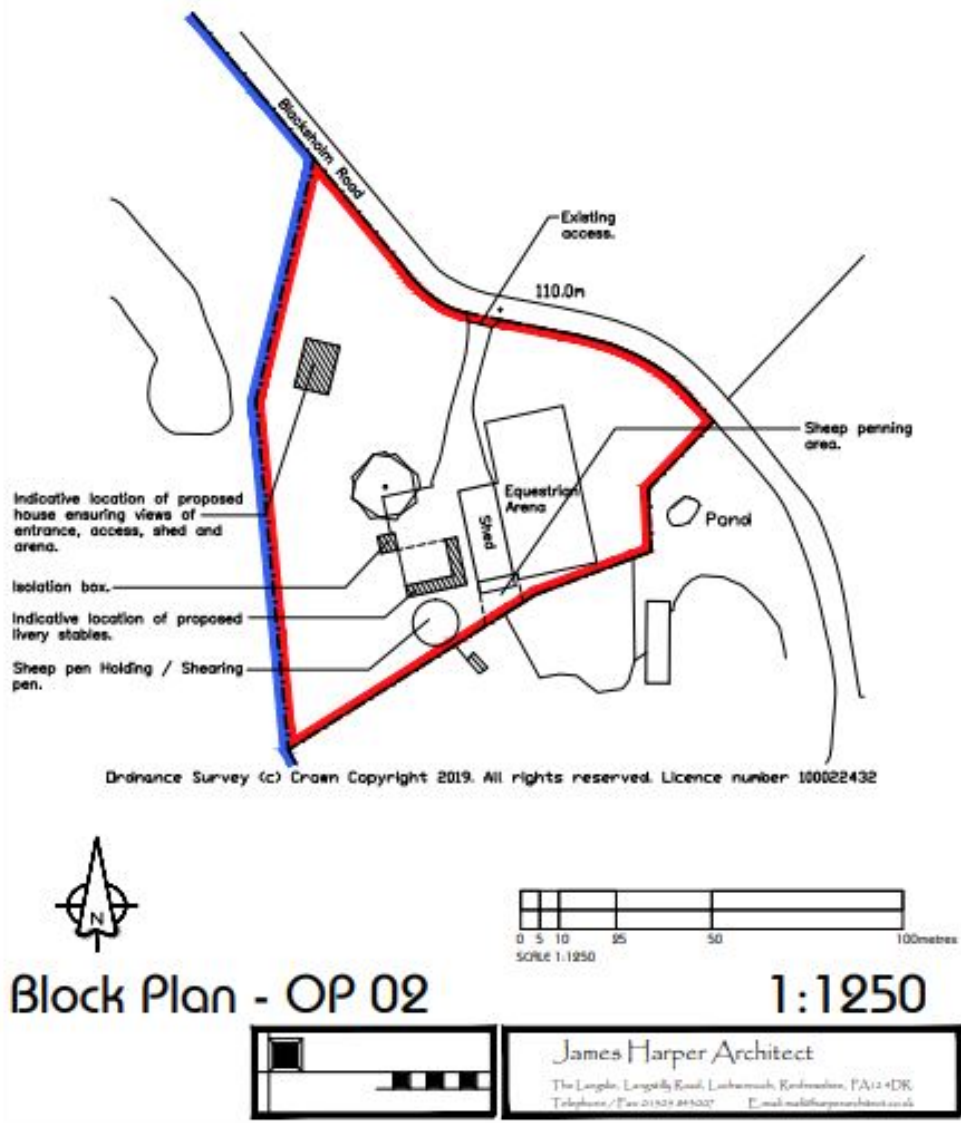


Figure 3 Site Plan

Proposed Erection of Dwelling House at:
 Blacksholm Road, Kilmacolm. PA13 4SX
 Miss. M. Armour.

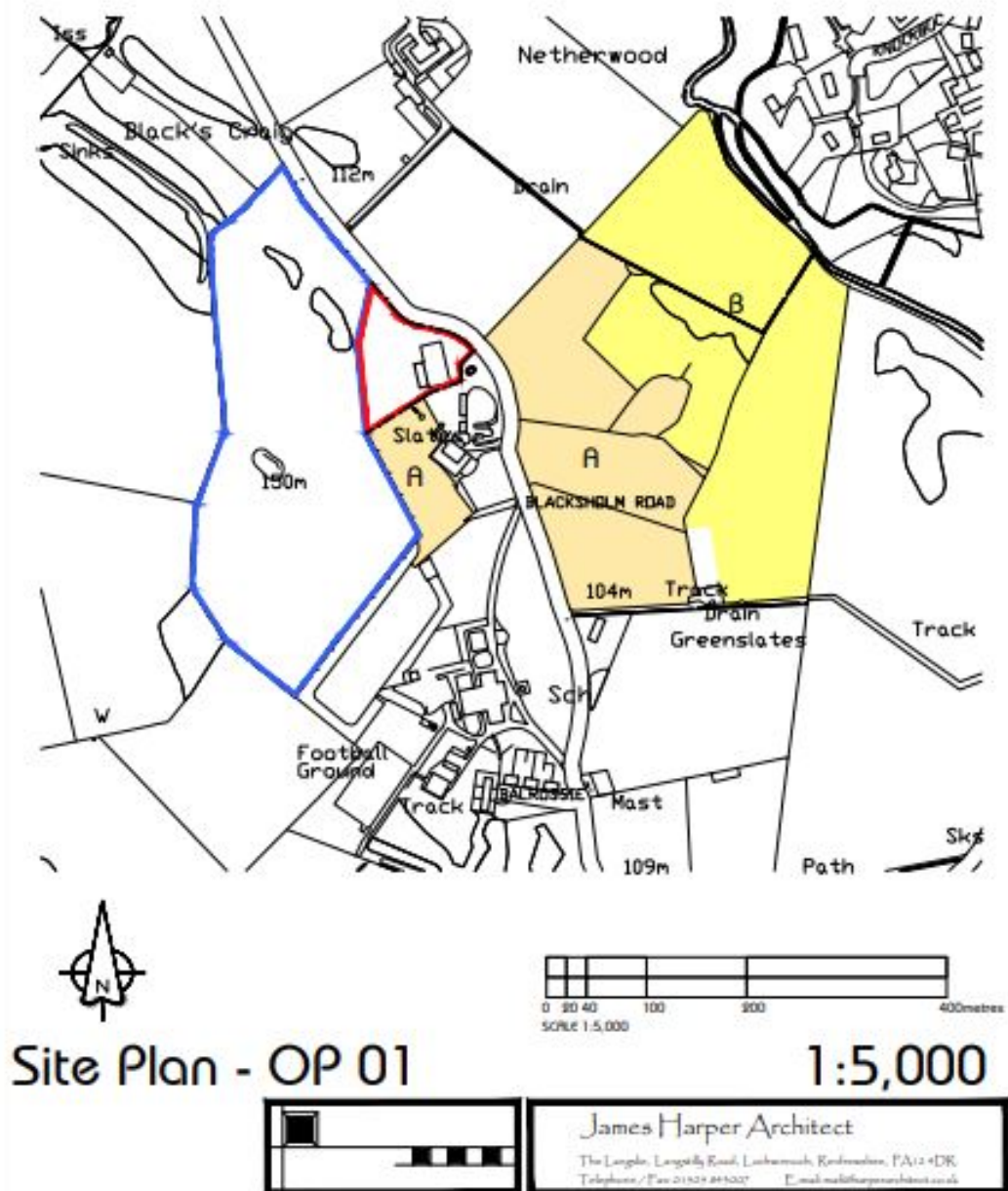


Figure 4 Future Growth Area

**4. APPOINTED OFFICER'S REPORT OF HANDLING
DATED 8 OCTOBER 2021**

REPORT OF HANDLING

Report By: Sean McDaid

Report No: 21/0251/IC

**Local Application
Development**

**Contact
Officer:** 01475 712422

Date: 8th October 2021

Subject: Erection of dwellinghouse and livery stables (planning permission in principle) at
Land at Blacksholm Road (north of Slates Farm), Kilmacolm

SITE DESCRIPTION

The site is located in the Green Belt to the west of Kilmacolm and in particular to the north of Slates Farm. The site is on the west side of Blacksholm Road, which is a minor road. The application site area is 9570sqm.

The site is on the eastern facing slope of a hill. The topography of the site is that it rises up steeply from the road before generally levelling off before rising again to the rear of the site. There are mature trees at the rear of the site and the topography continues to rise up with fields beyond. Within the southern part of the application site there is a shed and an equestrian riding area with sheep pens adjacent to these. Prior approval was granted for the shed under 13/0001/PA and planning permission granted for the equestrian area under 16/0198/IC. There is a track leading from the road up to the shed and equestrian area through a field gate.

There is a caravan positioned on the site. It had been indicated in a previous application 20/0166/IC that this was sited when the shed was under construction and before mains electricity was installed into the site to provide general welfare facilities when tending animals.

The surrounding area is undulating countryside and there are individual farms/houses located in this landscape with the built-up area of Kilmacolm to the east.

PROPOSAL

Planning permission in principle is sought for the erection of a dwellinghouse and livery stables. The drawings accompanying the application show the indicative position of the proposed house towards the west/north-west part of the site with the existing access off Blacksholm Road to be utilised. As this is an application for planning permission in principle no details of the proposed house have been given, such as the number of storeys, overall height, elevations and materials.

The indicative position of the proposed livery stables as well as an isolation box is shown adjacent and to the west of the existing shed.

Information accompanying the application indicates that the proposed house is needed in terms of allowing the development of a mixed equestrian and agricultural pedigree sheep breeding business. It has also been indicated that the house would be of benefit in terms of security and welfare of animals and the ability to offer clients and/or their horses the ability to stay on site during training.

The applicant and the applicant's parents intend to live in the proposed house whereas they currently live in Kilmacolm.

The application has been accompanied with a Planning Supporting Statement, a Rural Enterprise Dwelling Appraisal and a Business Plan.

DEVELOPMENT PLAN POLICIES

ADOPTED 2019 LOCAL DEVELOPMENT PLAN POLICIES

Policy 1 - Creating Successful Places

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing development proposals, consideration must be given to the factors set out in Figure 3. Where relevant, applications will also be assessed against the Planning Application Advice Notes Supplementary Guidance.

Policy 6 - Low and Zero Carbon Generating Technology

Support will be given to all new buildings designed to ensure that at least 15% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies. This percentage will increase to at least 20% by the end of 2022.

Other solutions will be considered where:

- a) it can be demonstrated that there are significant technical constraints to using on-site low and zero-carbon generating technologies; and
- b) there is likely to be an adverse impact on the historic environment

*This requirement will not apply to those exceptions set out in Standard 6.1 of the 2017 Domestic and Non-Domestic Technical Handbooks associated with the Building (Scotland) Regulations 2004, or to equivalent exceptions set out in later versions of the handbook.

Policy 14 - Green Belt and Countryside

Development in the Green Belt and Countryside will only be permitted if it is appropriately designed, located, and landscaped, and is associated with:

- a) agriculture, horticulture, woodland or forestry;
- b) a tourism or recreational use that requires a countryside location;
- c) infrastructure with a specific locational need;
- d) the appropriate re-use of a redundant stone or brick building, the retention of which is desirable for its historic interest or architectural character, subject to that interest or character being retained; or
- e) intensification (including extensions and outbuildings) of an existing use, which is within the curtilage of the associated use and is of an appropriate scale and form.

Proposals associated with the uses set out in criteria a)-c) must provide justification as to why the development is required at the proposed location.

Policy 38 - Path Network

Development that would result in the loss of a core path, right of way or other important outdoor access route will not be permitted unless acceptable alternative provision can be made.

Where applicable, development proposals will be required to provide new paths in order to encourage active travel and/or connectivity to the green network. The provision of routes along water will be an essential requirement on development sites with access to a waterfront, unless not appropriate for operational or health and safety reasons.

Planning Application Advice Note (PAAN) 8 on the “Siting and Design of New Houses in the Green Belt and Countryside” also applies.

PROPOSED 2021 LOCAL DEVELOPMENT PLAN POLICIES

Policy 1 - Creating Successful Places

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing and assessing development proposals, consideration must be given to the factors set out in Figure 2 and demonstrated in a design-led approach. Where relevant, applications will also be assessed against the Planning Application Advice Notes and Design Guidance for New Residential Development Supplementary Guidance. When assessing proposals for the development opportunities identified by this Plan, regard will also be had to the mitigation and enhancement measures set out in the Strategic Environmental Assessment Environmental Report.

Policy 6 - Low and Zero Carbon Generating Technology

Support will be given to all new buildings designed to ensure that at least 20% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies. This percentage will increase to at least 25% by the end of 2025.

Other solutions will be considered where:

- a) it can be demonstrated that there are significant technical constraints to using on-site low and zero-carbon generating technologies; and
- b) there is likely to be an adverse impact on the historic or natural environment.

*This requirement will not apply to those exceptions set out in Standard 6.1 of the 2017 Domestic and Non-Domestic Technical Handbooks associated with the Building (Scotland) Regulations 2004, or to equivalent exceptions set out in later versions of the handbook.

Policy 15 - Green Belt and Countryside

Development in the Green Belt and Countryside will only be permitted if it is appropriately designed, located, and landscaped, and is associated with:

- a) agriculture, horticulture, woodland or forestry;
- b) a tourism or recreational use that requires a countryside location;
- c) infrastructure with a specific locational need;
- d) the appropriate re-use of a redundant stone or brick building, the retention of which is desirable for its historic interest or architectural character, subject to that interest or character being retained; or
- e) intensification (including extensions and outbuildings) within the curtilage of an existing use, which is of an appropriate scale and form.

Proposals associated with the uses set out in criteria a)-c) must provide justification as to why the development is required at the proposed location. Proposals in the green belt must not undermine the objectives of the green belt as set out in Scottish Planning Policy and the Clydeplan Strategic Development Plan. Non-conforming uses will only be considered favourably in exceptional or mitigating circumstances.

Policy 19 - Individual and Small Scale Housing Development in the Green Belt and Countryside

Proposals for individual and small scale housing development (up to 3 houses) in the Green Belt and Countryside will only be supported in the following circumstances:

- a) where the dwelling(s) is justified by the operational needs of a farm or other viable business which is inherently rural in nature and has been in operation for at least 5 years;
- b) where the dwelling(s) is an ancillary and integral part of a development that would bring significant economic benefits to Inverclyde;
- c) demolition and replacement of a habitable dwelling which cannot otherwise be brought up to current building standards, and where the proposed dwelling is similar in scale to the existing dwelling;
- d) sub-division of an existing dwelling to create one or more additional dwellings, but only where any extensions are clearly ancillary to the existing building; or
- e) conversion of redundant stone or brick built non-residential buildings, where the proposal is supported by proof that the existing building is no longer needed for its original purpose, and a structural survey indicates that the building is structurally sound and capable of conversion without substantial alteration, extension or rebuilding, with any new build element clearly ancillary to the existing building.

In all instances, dwellings are required to be designed and located to respect and complement their Green Belt/Countryside location and their landscape setting. Any new development should positively contribute to the established character of the local landscape in terms of siting, scale, design, form and materials.

Policy 34 – Landscape

The siting and design of development should take account of local landscape character and setting in order to conserve, enhance and /or restore landscape character and distinctiveness. Development should aim to conserve those features that contribute to local distinctiveness including:

- a) the setting of buildings and settlements within the landscape
- b) the pattern of woodlands, fields, hedgerows and trees; especially where they define/ create a positive settlement/ urban edge
- c) the character and distinct qualities of river corridors
- d) historic landscapes
- e) topographic features, including important/ prominent views, vistas and panoramas

When assessing development proposals likely to have a significant impact on the landscape, the guidance contained in the Glasgow and Clyde Valley Landscape Character Assessment will be taken into account.

Development that affects the West Renfrew Hills Local Landscape Area is required to protect and, where possible, enhance its special landscape qualities as set out in the Statement of Importance. Where there is potential for development to result in a significant adverse landscape and/or visual impact, proposals should be amended to avoid or mitigate these impacts through being informed by a landscape and visual impact assessment.

Policy 36 – Safeguarding Green Infrastructure

Proposals for new or enhanced open spaces, which are appropriate in terms of location, design and accessibility, will be supported.

Development proposals that will result in the loss of open space which is, or has the potential to be, of quality and value, will not be permitted, unless provision of an open space of equal or enhanced quality and value is provided within the development or its vicinity.

Outdoor sports facilities will be safeguarded from development except where:

- a) the proposed development is ancillary to the principal use of the site as an outdoor sports facility, or involves only a minor part of the facility and would not affect its use for sport and training;
- b) the facility to be lost is to be replaced by a new or upgraded facility of comparable or better quality, which is convenient for the users of the original facility and maintains or improves overall playing capacity in the area; or
- c) a relevant strategy demonstrates a clear excess of provision to meet current and anticipated demand, and the development would not result in a reduction in the overall quality of provision.

Development that would result in the loss of a core path, right of way or other important outdoor access route will not be permitted unless acceptable alternative provision can be made.

CONSULTATIONS

Head of Service – Roads and Transportation - Advises parking should be provided in accordance with National Guidelines; each space on the driveway shall be a minimum of 3.0m by 6.0m; the driveway should be paved for a minimum distance of 2m to prevent loose driveway material being spilled onto the road and the gradient shall not exceed 10%; surface water to be contained within the site; and confirmation from Scottish Water for capacity within the network to take discharge flows.

Scottish Water - No objection and advises there is currently sufficient capacity in Greenock Water Treatment Works to service the development and notes the nearest water infrastructure is approximately 420m from the site boundary, crossing private land. Also advises there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development and private treatment options should be investigated. For reasons of sustainability and to protect their customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into their combined sewer system. If connection to the public sewer and/or water main requires to be laid through land outwith public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude. All proposed developments require to submit a Pre-Development Enquiry (PDE) Form, to be submitted directly to Scottish Water prior to any formal Technical Application being submitted to fully appraise the proposals.

PUBLICITY

The application was advertised in the Greenock Telegraph on 27th August 2021 as there are no premises on neighbouring land.

SITE NOTICES

The nature of the proposal did not require a site notice.

PUBLIC PARTICIPATION

There have been 4 representations submitted in support of the application. These representations refer to a significant reduction in equestrian facilities in recent years and that they continue to dwindle; a new equestrian facility within the area will bring choice whilst promoting natural environments and outdoor hobbies and interests; it will be beneficial to have someone in the area that could provide

equestrian facilities; the proposal is much needed within the area, provides choice and will be an asset to the area; the applicant is a local and involved in the community; would give the applicant a home and the opportunity to be close to livestock particularly when problems arise with their health; if stabling of other horses is offered then the same health and security benefits apply and other owners would reap the rewards; and provide security and welfare for the applicant's horses as well as horses owned by others.

Kilmacolm Civic Trust supports the proposal strongly as it will be a good and much needed local rural enterprise. They note that there are no indications of what the house or stables will look like. They indicate if this proposal is granted planning consent they would expect the designs of each building to be appropriate to the local rural setting, taking into account the character of the nearby houses at 'Slates', at Strathgryfe (the house built in 1814), and at Gryffeside.

ASSESSMENT

The material considerations in the determination of this application are the adopted Inverclyde Local Development Plan; the proposed Inverclyde Local Development Plan; the adopted and draft PAAN8 on the "Siting and Design of New Houses in the Green Belt and Countryside"; the planning history of the site; consultation responses; the representations and the amenity impact of the proposal.

It should be noted at the outset that planning permission was refused for planning permission in principle for the erection of dwellinghouse and livery stables (20/0166/IC) at this site on 14th October 2020 for the following reason:

The proposal is contrary to Policy 14 of the adopted Inverclyde Local Development Plan as it has not been demonstrated that a new dwelling is required at this location as a) no information on the viability of the equestrian business has been submitted; b) the operational needs of the sheep business are not at a sufficient level that require a full-time presence in the form of a dwelling at this location.

The previous refused application is the same as the current application with the exceptions that the indicative position of the isolation block was not shown on the submitted plans and the indicative livery stables were smaller.

The site is located in the Green Belt in both the adopted and proposed Inverclyde Local Development Plans (LDP) and covered by Policy 14 of the adopted LDP and Policy 15 of the proposed LDP. The Spatial Development Strategy of both LDPs directs residential development to existing built-up areas and in turn restricts development in the Green Belt and countryside to appropriate types and locations. Policies 14 and 15 outline the circumstances in which development may be acceptable in the Green Belt including demonstrating justification for the development to be at the proposed location. Policy 19 of the proposed LDP indicates the circumstances when support for individual housing proposals in the Green Belt and countryside will be given and the relevant criterion for this proposal is considered to be where the dwelling is justified by the operational needs of a farm or other viable business which is inherently rural in nature and has been in operation for at least 5 years.

It has to be considered whether the principle of a house at this location is acceptable when considered against Policy 14 of the adopted LDP and Policies 15 and 19 of the proposed LDP. The applicant's parents run the sheep business and this currently consists of a flock of 32 rare breed/pedigree sheep made up of 31 breeding ewes and one male (Zwartbles that originate from the Netherlands) that are kept at this location. It is indicated the flock has expanded to over 40 sheep during lambing time depending on the number of lambs born. The number of sheep therefore varies over the course of the year dependent on the number of lambs still on site.

The applicant has indicated the neighbouring farm has given the option to lease a further 21 acres within the next 3 years which is land to the south of the site and on the opposite side of Blacksholm Road with an additional 23 acres also on the opposite side of Blacksholm Road within the next 4 years. The additional land would allow the expansion of the retirement livery to 30 horses and allow

additional space to accommodate horses for sale along with supporting additional sheep. After 5 years the flock would be expanded to 60 breeding ewes.

The land was bought in 2012 and the business started with four sheep. There is 8.4 hectares of land given over to the sheep business and other Scottish breeders are supplied. It has been indicated that the applicant assists at lambing time and is attempting to build a business for supplying locally produced sustainable meat as well as working with a small weaver to produce wool rugs as a way of diversifying the business.

It has been indicated a house would allow the applicant to make a sustainable living, working from home whilst also giving the applicant's parents the ability to retire to a house where they can continue to manage and grow their flock of rare breed sheep with the support of family. One of the applicant's parents is retired and the other currently works part time. Although assisting at lambing time is important, based on the submitted information the applicant's involvement in the sheep business is limited.

Information has been requested from the applicant on the current level of activity associated with the sheep business. It has been indicated the sheep and holding are attended every day and at least twice a day. Any contact handling takes time in gathering the sheep together, sorting, penning then completing the task. Basic daily attendance includes checking they are all present, their condition, that none are caught anywhere, check gates are in the correct position, water is available and checking if anyone is in or at the field. If a sheep needs medical attention and has to be kept inside the shed becomes too hot so multiple visits are required over the day to check the sheep but also open the shed doors to allow ventilation.

Most weeks, routine tasks are performed which include worming, vaccinating, fly spray application, feet trimming, ear tagging, dagging tail areas, shearing and trimming. The sheep have very thick black fleeces that need regular attention. Attendance on site is required should a vet or shearer be there and to receive deliveries as well as carrying out maintenance to the shed and grounds (weeding, gorse cutting, grass flailing, harrowing, hedge trimming, fence repairing, water tanks and sink clearance, repairing field drains and dealing with fallen trees and branches).

It had also been indicated that the water tank and supply for the neighbouring property of Netherwood at this location and attendance is required when access is required.

It had been estimated by the applicant that 4 hours every day is spent on site for routine checks and security and then 5 hours for gathering tasks with the sheep. In addition at least 4 hours per week is spent on ground maintenance. The applicant estimated that around 37 hours per week are spent on site outwith lambing time. Some tasks can be weather dependent and can involve multiple daily trips from the house in Kilmacolm to the site such as attending sheep if they are unwell and in the shed.

The current level of activity associated with the sheep business has been confirmed by the applicant as being the same as for the previous application 20/0166/IC.

Although the applicant had given the information regarding the activity associated with the sheep business the most recent information from the Scottish Government indicates how Standard Labour Requirements (SLR) are calculated. SLR represent the notional amount of labour required by a holding to carry out all of its agricultural activity and is also used as a measure of farm size. Standard Labour Requirements are derived at an aggregate level for each agricultural activity. The total SLR for each farm is calculated by multiplying its crop areas and livestock numbers by the appropriate SLR co-efficients and then summing the results for all agricultural activity on that farm. One SLR equates to 1,900 working hours per year.

The co-efficient for ewes and rams (lowland) is 5.2 and when multiplied by the number of livestock gives 166.4 hours per year. Even if a total of 40 sheep are included in the calculation, to take account of lambing, this gives a figure of 208 hours per year. Both of these figures are well below the figure of 1,900 working hours per year for one SLR. When adding the grazing land to the calculation (8.4ha

multiplied by the co-efficient 3.1) this brings the total to 192.44 hours per year (for 32 sheep) or 234.04 hours per year (for 40 sheep). Both of these figures are again well below the figure of 1,900 working hours per year for one SLR.

It is acknowledged that the activities associated with the sheep business requires the applicant and applicant's parents to be on site at various times, however the limited size of the sheep business at this time means that the labour requirement does not justify a house at this location, irrespective of any intention to lease additional land and to expand the flock in forthcoming years.

Turning to the equestrian part of the business, the applicant is involved in equestrianism both in terms of competing and training. The applicant uses the existing equestrian area at the site for her own horses and for giving lessons. It has been indicated that the applicant's competition horse is stabled elsewhere and there are costs involved in this. Information has been requested from the applicant on the current level of activity associated with the equestrianism carried out at this location. It has been indicated that there 3 horses on the land and lessons are conducted most weekends for riders who are able to ride to the yard on their own horses. One of the horses on the land is also used to give lessons. The applicant also trains horses belonging to a neighbouring horse breeder which again can be ridden or led to the yard and taken home after.

The applicant has also indicated the level of teaching taking place was higher prior to the Covid pandemic and this involved 7 regular riders weekly who attended lessons during the weekend on their own horses and they were all local enough to travel to the site. The applicant also worked with 2 local breeders of horses and this is indicated as involving on average 2 young horses at any one time. Both breeders were close enough to collect the horses from the owners for training and to return them back. Although this added to the time involved the horses did not require to be kept overnight on the site.

The applicant has estimated around 20 hours per week training others on site, as well as travelling to ride and compete on the applicant's own horse and additional teaching off site.

The applicant has indicated that in terms of the intended expansion of the equestrian business initially a total of 20 horses could be accommodated at any one time made up of 6 in training, 10 in retirement and 4 for sale.

There is a limited level of equestrianism carried out at the site at the moment and in the recent past based on the information submitted by the applicant and the desire to expand this activity/business and have livery stables is noted.

The erection of the livery stables would be considered in general terms to be an acceptable development in the countryside being a development that requires a rural location. The indicated scale and position of the livery stables, as well as the isolation box, adjacent to the existing shed would be acceptable and would not be considered to have a significant visual impact on the surrounding area. It has to be considered whether the desire to have a house at this location associated with the equestrian activities is justified. It has been indicated the house is required for 24 hour supervision and in terms of the health and welfare of the horses.

Information has also been submitted in relation to the labour requirement for the equestrian business that is based on data researched and produced by Argo Business Consultants in the Equine Business Guide 7th edition 2019. It is indicated this is used as industry guidelines in the calculation of labour requirement and to determine the number of Standard Man Days (SMD) i.e., the number of full-time workers needed. A full-time worker is assumed to work 2,225 hours per year.

The labour requirement in the first year is indicated as 1.6 workers, based on a total of 16 horses which is made up of 6 in training and 10 in retirement livery. For the first 6 months the labour requirement is indicated as 1.2 workers if it is assumed that 50% of the number of horses i.e., 8 are at the site.

A Business Plan has been submitted that indicates the level of investment that is intended to be carried out with an initial investment of working capital will to ensure cash flow for the first 3 months to allow the business to establish and cover the set up costs. It is indicated in a rolling 12 month period these figures are expected to be met with potential to expand into the available additional land. It is also indicated that in years 2 to 5 the business has an option on the rental of an additional 44 acres from the neighbouring farm, expanded initially to an additional 21 acres in year 3, then extend into the further land. This progression would allow the business to grow steadily and accumulate funds for further investment into upgrading fencing, establishing field shelters and upgrades to any water pipes serving the fields.

The labour requirement figures for the intended equestrian business are noted however these are based on the intended expansion of the equestrian business which has not occurred yet.

It is considered that the current equestrian activities/business is not dependent on having a house on the site particularly as it has been indicated that those who received lessons prior to the Covid pandemic lived relatively local to the site to allow them to travel there and back with their own horses. This situation also applied to the local horse breeders.

It would normally be expected that a business in a rural location would be established for a number of years and it would have been demonstrated to be a viable business that in turn justifies a house on site. A period of 5 years for this is specifically referred to in Policy 19 of the proposed LDP. The application for a proposed house is premature until the business has successfully operated for a number of years.

It is evident from the information accompanying the application that the proposed house is reliant on the intended future development of the equestrian business and expansion of the flock of sheep rather than the current situation or that which applied prior to the Covid pandemic. Criterion a) of Policy 19 of the proposed LDP is of relevance as a new house in the Green Belt or countryside needs to be justified by the operational needs of a farm or other viable business which is inherently rural in nature and has been in operation for at least 5 years. It is considered that both the intended expansion of the sheep and equestrian business needs to be established and operating for a number of years as well as being demonstrated as a viable business before a house is considered on this site. It is acknowledged that supervision may be required for a business of this nature in terms of animal welfare and site security however it is considered that such supervision can be provided through other means rather than a new house. The applicant has therefore not demonstrated the need for a new house at this time.

It should be noted that the site is not in a remote rural location and is only a short distance from the built-up area of Kilmacolm. Supervision and running of the business can be carried out without having to live at the site and this could be located in a building such as a site office/cabin.

Turning to other policies and advice that are relevant to this proposal, both the adopted and draft PAAN8 on the siting and design of new houses in the Green Belt and the countryside indicates that prominent positions for houses on skylines, ridgelines and hill tops are inappropriate with buildings being set into the landform and excavation or infill minimised. Both the adopted and draft PAAN8 indicate that sites adjacent to or within groups of other buildings will be favoured and tree belts/wooded areas can be used as a backdrop.

The position of the proposed house is away from the existing shed and the proposed position of the livery stables however it would have the existing mature trees and upward slope as a backdrop that would lessen the visual impact. It is considered that the proposed position of the house generally accords with both the adopted and draft PAAN8.

Both the adopted and draft PAAN8 go on to give advice on the design of housing, however as this is an application for planning permission in principle the details of the proposed house are not required and therefore the proposal is not being assessed against this part of the advice. Should planning

permission be granted the actual design of the house would be assessed in any subsequent detailed application.

Policy 6 of both the adopted and proposed Local Development Plans seeks to ensure that all new buildings are energy efficient and that at least 15% and 20% respectively of the carbon dioxide emissions standard (rising to at least 20% by the end of 2022 and 25% by the end of 2025 respectively) reduction set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies. If planning permission in principle is granted the requirement for low and zero carbon generating technologies can be addressed by a planning condition and will be assessed in greater further when the details of the house are subsequently applied for. The provision of electric vehicle charging facilities, which would be one trickle charging point in this instance, can also be addressed by a planning condition if this application is approved.

Blacksholm Road is identified in both the adopted and proposed Inverclyde Local Development Plans as being part of the Core Path network. Access into the site is being taken from the existing access from Blacksholm Road and will not result in the loss of the core path. As a consequence the proposal is not considered to have significant implications for Policy 38 of the adopted LDP and Policy 36 of the proposed LDP.

The comments in support are noted however they do not outweigh the assessment of the proposal against the relevant policies of the development plan and any material planning considerations.

The comments from the Kilmacolm Civic Trust are noted. If planning permission in principle was to be approved, the details of the house and stables would be assessed further in any subsequent application for the approval of matters specific in conditions.

In conclusion, the application that has been submitted has to be determined in its entirety irrespective of whether aspects of the proposal may be acceptable in policy terms. It is therefore considered that the proposal is contrary to Policy 14 of the adopted Local Development Plan and Policies 15 and 19 of the proposed Local Development Plan as it has not been demonstrated that a new dwelling is required at this location at this time. There are no material considerations that outweigh these policies. It is therefore recommended that the application be refused.

RECOMMENDATION

That the application be refused for the following reason:

1. The proposal is contrary to Policy 14 of the adopted Inverclyde Local Development Plan and Policies 15 and 19 of the proposed Inverclyde Local Development Plan as it has not been demonstrated that a new dwelling is required at this location as the operational needs of both the sheep business and equestrian business are not at a sufficient level that require a full-time presence in the form of a dwelling at this location.

Signed:



Case Officer: Sean McDaid



Stuart Jamieson
Interim Service Director
Environment & Economic Recovery

5. INVERCLYDE LOCAL DEVELOPMENT PLAN 2019 POLICY EXTRACTS

3.0 CREATING SUCCESSFUL PLACES

Introduction

3.1 Inverclyde has many fantastic and unique places. Examples include the Free French Memorial and Lyle Hill, which offer panoramic views over the Firth of Clyde; Quarriers Village, built in the 19th century as an orphans' village and filled with individually designed homes of that period; the A-listed Edwardian Wemyss Bay railway station; and the grid-pattern Greenock West End conservation area, which is contained to the north by the popular Greenock Esplanade. These, and other places, have stood the test of time and remain places where people want to live and visit.

3.2 The Council is keen to have more successful places in Inverclyde, and all new development will be expected to contribute to creating successful places. This is particularly important in relation to the Plan's Priority Projects and Priority Places, which reflect major Council investments and the larger scale regeneration opportunities in Inverclyde.

Creating Successful Places

3.3 The Council is keen that all development contributes to making Inverclyde a better place to live, work, study, visit and invest. To differing degrees, all scales and types of development have the potential to make an impact on the surrounding environment and community. It is important to the Council that this impact is a positive one. To this end, the Council will have regard to the six qualities of a successful place when considering all development proposals.

Distinctive

Adaptable

Resource Efficient

Easy to Move Around

Safe and Pleasant

Welcoming

3.4 **Figure 3** illustrates the factors that contribute to the six qualities of a successful place. Not all will be relevant to every development proposal and planning application, but where they are, the Council will expect development proposals to have taken account of them, and it will have regard to them in the assessment of planning applications.



Quarriers Village

POLICY 1 – CREATING SUCCESSFUL PLACES

Inverclyde Council requires all development to have regard to the six qualities of successful places. In preparing development proposals, consideration must be given to the factors set out in Figure 3. Where relevant, applications will also be assessed against the Planning Application Advice Notes Supplementary Guidance.



Wemyss Bay Railway Station

FIGURE 3: Factors Contributing to Successful Places



4.6 Wind turbines are a means of generating electricity from a renewable resource. The Council's Supplementary Guidance on Energy will set out a spatial framework and other criteria to guide and assess proposals for wind turbines and wind farms, as well as guidance for other renewable energy technologies.

POLICY 4 – SUPPLYING ENERGY

Proposals for infrastructure for the generation, storage or distribution of heat and electricity will be supported in principle where they contribute to a reduction in greenhouse gas production. Proposals will be assessed with regard to impact on:

- a) the green network (including landscape), and historic buildings and places;
- b) the amenity and operations of existing and adjacent uses;
- c) tourism and recreational resources;
- d) air quality;
- e) aviation and defence interests;
- f) telecommunication and broadcasting interests; and
- g) traffic and pedestrian safety

Relevant proposals are required to accord with the Council's Supplementary Guidance on Energy.



Heat Networks

4.7 Heat networks offer the opportunity for a more efficient and sustainable means of generating and delivering heat by removing the generation of heat from within individual properties to a communal facility. Heat networks, which are also referred to as district heating, are part of the step-change required towards a more sustainable future and less reliance on gas, and other carbon fuels, as a heat source.

POLICY 5 – HEAT NETWORKS

Major Development applications will be required to include an energy statement which considers the feasibility of meeting the development's heat demand through a district heating network or other low-carbon alternatives. All proposed developments located adjacent to significant heat sources or proposed/existing heat networks should be designed in such a way as to be capable of connecting to a heat network from that source and any land required for heat network infrastructure should be protected.

Low and Zero Carbon Generating Technology

4.8 The Plan is obliged by the Climate Change (Scotland) Act 2009 to include a policy requiring all new buildings to avoid greenhouse gas emissions through the installation of low and zero carbon generating technologies.

POLICY 6 – LOW AND ZERO CARBON GENERATING TECHNOLOGY

Support will be given to all new buildings designed to ensure that at least 15% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero-carbon generating technologies. This percentage will increase to at least 20% by the end of 2022. Other solutions will be considered where:

- (a) it can be demonstrated that there are significant technical constraints to using on-site low and zero-carbon generating technologies; and
- (b) there is likely to be an adverse impact on the historic environment.

**This requirement will not apply to those exceptions set out in Standard 6.1 of the 2017 Domestic and Non-Domestic Technical Handbooks associated with the Building (Scotland) Regulations 2004, or to equivalent exceptions set out in later versions of the handbook.*

6.10 The Council's preferred location for new development is within the existing towns and villages, particularly where this re-uses previously developed land.

Green Belt and Countryside

6.11 The pattern of development within Inverclyde has been very much shaped by its geography, with a densely developed coastal strip giving way to a sparsely developed rural hinterland. This has been reinforced through the years by a planning strategy that has sought to contain development within the built up area and minimise development in the Green Belt and Countryside. The benefits of this strategy have been a focus on the regeneration and renewal of the urban areas, the placing of development into sustainable locations close to existing services and infrastructure, and the protection of our rural environment. This has been achieved through policies which direct development to existing towns and villages, and restrict development in the Green Belt and Countryside to appropriate types and locations. This approach is supported by national policy and Clydeplan and remains appropriate.

POLICY 14 – GREEN BELT AND COUNTRYSIDE

Development in the Green Belt and Countryside will only be permitted if it is appropriately designed, located, and landscaped, and is associated with:

- a) agriculture, horticulture, woodland or forestry;
- b) a tourism or recreational use that requires a countryside location;
- c) infrastructure with a specific locational need;
- d) the appropriate re-use of a redundant stone or brick building, the retention of which is desirable for its historic interest or architectural character, subject to that interest or character being retained; or
- e) intensification (including extensions and outbuildings) of an existing use, which is within the curtilage of the associated use and is of an appropriate scale and form.

Proposals associated with the uses set out in criteria a)-c) must provide justification as to why the development is required at the proposed location.



Kilmacolm, looking south

POLICY 38 – PATH NETWORK

Development that would result in the loss of a core path, right of way or other important outdoor access route will not be permitted unless acceptable alternative provision can be made.

Where applicable, development proposals will be required to provide new paths in order to encourage active travel and/or connectivity to the green network. The provision of routes along water will be an essential requirement on development sites with access to a waterfront, unless not appropriate for operational or health and safety reasons.

Water Environment

11.27 In many ways, the geography and character of Inverclyde is defined by water. It sits proudly on the Firth of Clyde, is the source of the River Gryffe, has a countryside dotted with reservoirs, and includes the Greenock Cut, which is a 19th century example of water engineering which has Scheduled Monument status.

11.28 Whilst these waterbodies add to the attractiveness of Inverclyde, the area can also be adversely affected by water, primarily through flooding, caused by high tides on the Clyde and heavy rainfall. Climate change is predicted to increase the frequency and severity of flooding events.

11.29 It is important therefore to manage the water environment in a way which protects and enhances its function as a natural drainage system by, for example, minimising and removing hard engineering which affects the natural flow of water, and by increasing its attractiveness as a habitat and for recreation.

11.30 This Plan also seeks to be consistent with Scotland's National Marine Plan which was approved in 2015, and with the forthcoming Clyde Regional Marine Plan.

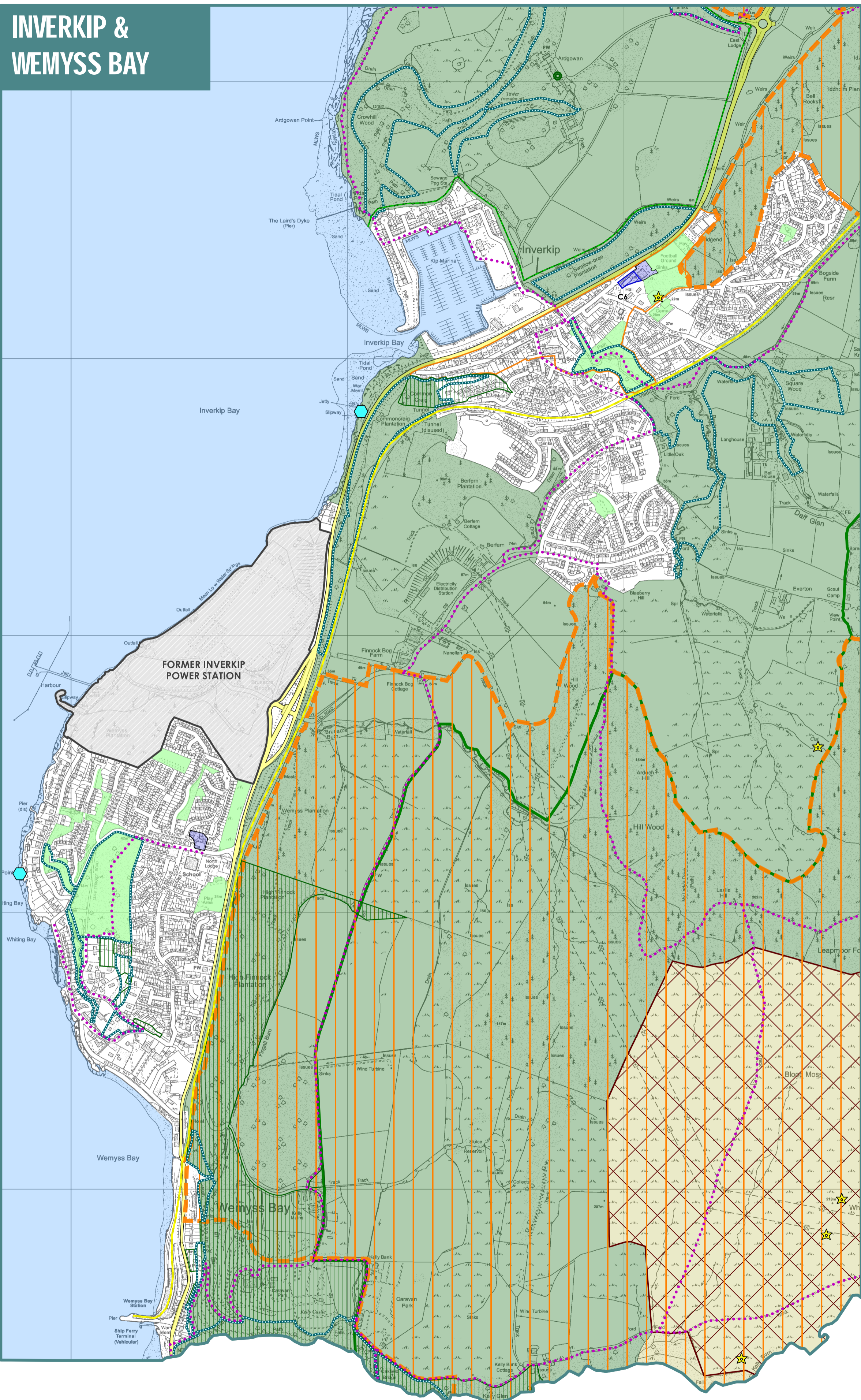
POLICY 39 – WATER ENVIRONMENT

Development proposals affecting the water environment will be required to safeguard and improve water quality and the enjoyment of the water environment by:

- a) supporting the strategies and actions of the national and regional marine plans, and supporting the objectives and actions of the River Basin Management Plan for Scotland and the Clyde Area Management Plan, where applicable;
- b) minimising adverse impacts on, or improving, water quality, flow rate, morphology, riparian habitat and groundwater dependent terrestrial ecosystems;
- c) the removal of existing culverts. This will be a requirement on development sites, unless it can be clearly demonstrated as not practical or resulting in the development not being viable;
- d) avoiding the hard engineering and culverting of waterways and the building over of existing culverts in new developments unless clearly demonstrated to be essential. Where culverts are required, they should be designed to maintain existing flow conditions and aquatic life, with long term maintenance arrangements;
- e) maintaining or improving waterside and water-based habitats; and
- f) providing appropriately sized buffer strips between development and watercourses, in line with SEPA guidance, and providing access to the water and waterside, where appropriate.

6. INVERCLYDE LOCAL DEVELOPMENT PLAN 2019 MAP EXTRACTS

INVERKIP & WEMYSS BAY



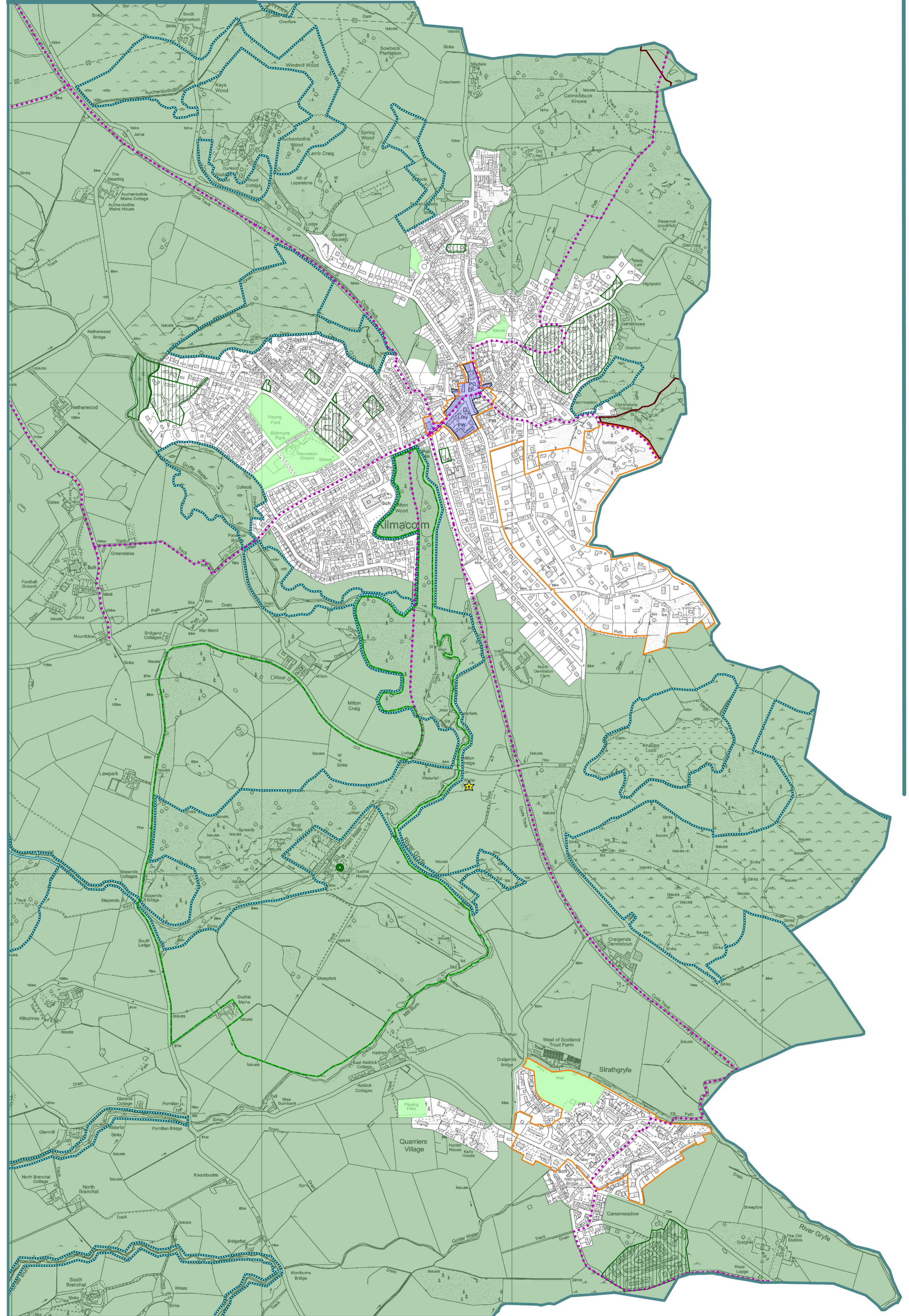
KEY

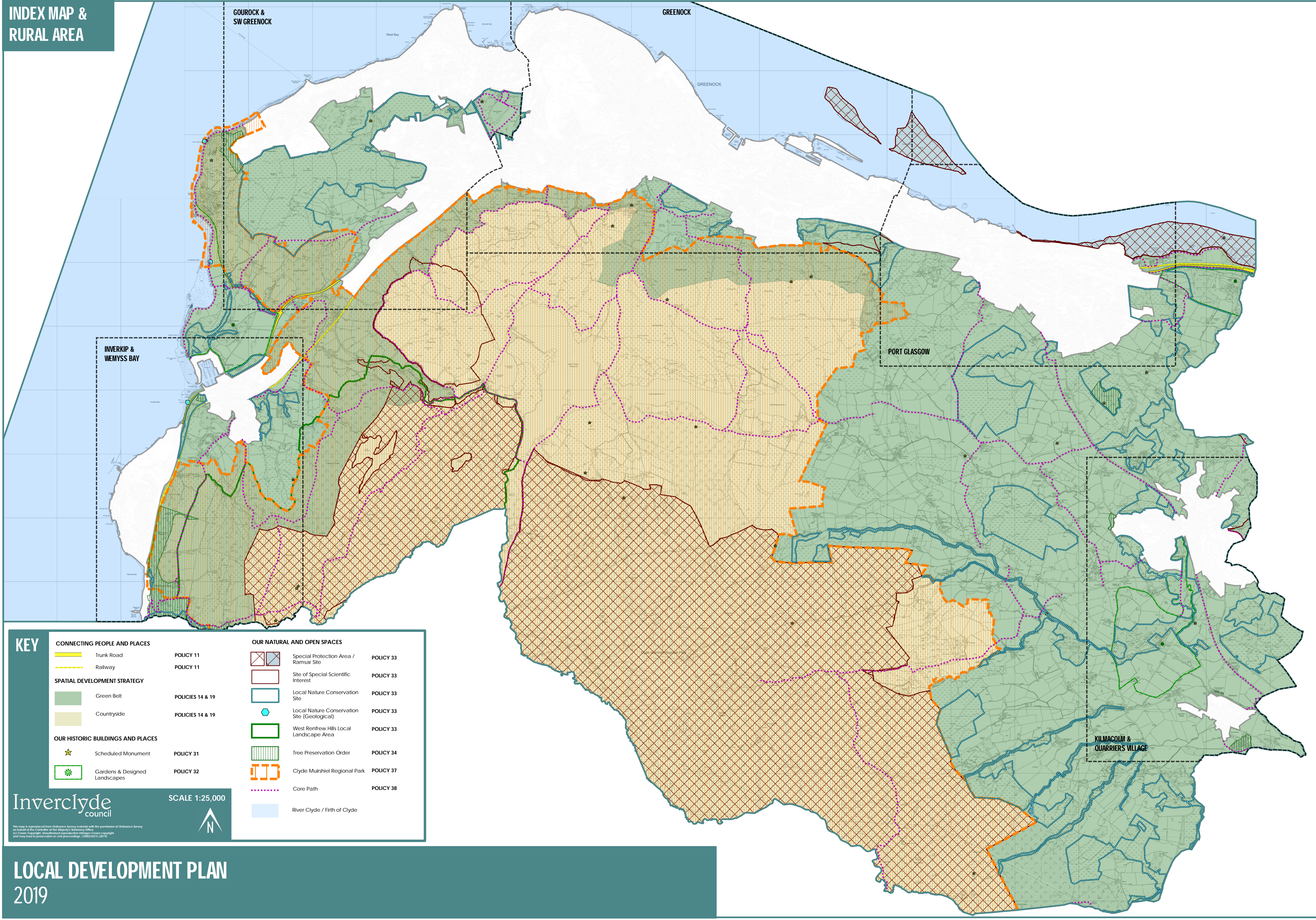
- | | | |
|---|--|------------------|
| SUSTAINABLE DEVELOPMENT STRATEGY | | |
| Priority Place | | POLICY 3 |
| CONNECTING PEOPLE AND PLACES | | |
| Trunk Road | | POLICY 11 |
| Railway | | POLICY 11 |
| SPATIAL DEVELOPMENT STRATEGY | | |
| Green Belt | | POLICIES 14 & 19 |
| Countryside | | POLICIES 14 & 19 |
| OUR TOWN AND LOCAL CENTRES | | |
| Town Centre / Local Centre | | POLICY 22 |
| Network of Centres Opportunity | | POLICY 22 |
| OUR JOBS AND BUSINESSES | | |
| Business & Industrial Area | | POLICY 25 |
| Business & Industrial Development Opportunity | | POLICY 26 |
| OUR HISTORIC BUILDINGS AND PLACES | | |
| Conservation Area | | POLICY 28 |
| Scheduled Monument | | POLICY 31 |
| Gardens & Designed Landscapes | | POLICY 32 |
| OUR NATURAL AND OPEN SPACES | | |
| Special Protection Area / Ramsar Site | | POLICY 33 |
| Site of Special Scientific Interest | | POLICY 33 |
| Local Nature Conservation Site | | POLICY 33 |
| Local Nature Conservation Site (Geological) | | POLICY 33 |
| West Renfrew Hills Local Landscape Area | | POLICY 33 |
| Tree Preservation Order | | POLICY 34 |
| Open Space | | POLICY 35 |
| Clyde Muirshiel Regional Park | | POLICY 37 |
| Core Path | | POLICY 38 |
| River Clyde / Firth of Clyde | | |

Inverclyde council SCALE 1:10,000

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. (© Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100022413 02/14)

KILMACOLM & QUARRIERS VILLAGE





KEY

CONNECTING PEOPLE AND PLACES		OUR NATURAL AND OPEN SPACES	
	Trunk Road		Special Protection Area / Ramsar Site
	Railway		Site of Special Scientific Interest
SPATIAL DEVELOPMENT STRATEGY			Local Nature Conservation Site
	Green Belt		Local Nature Conservation Site (Geological)
	Countryside		West Renfrew Hills Local Landscape Area
OUR HISTORIC BUILDINGS AND PLACES			Tree Preservation Order
	Scheduled Monument		Clyde Muirshiel Regional Park
	Gardens & Designed Landscapes		Core Path
POLICY 11			River Clyde / Firth of Clyde
POLICY 11		POLICY 33	
POLICIES 14 & 19		POLICY 33	
POLICIES 14 & 19		POLICY 33	
POLICY 31		POLICY 33	
POLICY 32		POLICY 33	
		POLICY 34	
		POLICY 37	
		POLICY 38	

Inverclyde council

SCALE 1:25,000

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office.
© Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. (100033421) (2019)

**7. INVERCLYDE LOCAL DEVELOPMENT PLAN 2019
SUPPLEMENTARY GUIDANCE ON PLANNING
APPLICATION ADVICE NOTES POLICY EXTRACTS**

Planning Application Advice Note No. 8

SITING and DESIGN of HOUSES in the GREEN BELT and the COUNTRYSIDE

Inverclyde's countryside is a valuable resource. Much of it is within the Clyde Muirshiel Regional Park and, in general, development is sparse. It is important that the character of the countryside is retained and that where development occurs it merges into the landscape. Where policies permit the development of new houses, the following design principles apply.

Siting of New Housing

- Prominent positions on skylines, ridgelines and hill tops and, where in silhouette the buildings will break the landform, are inappropriate.
- Buildings should be set into the landform with excavation or infill minimised.
- Sites adjacent to or within groups of other buildings will be favoured.
- Tree belts and wooded areas can be used as a backdrop to a house to minimise the visual impact.

Design of Housing

EXTERNAL WALL FINISH

- Natural stone or wet dash render are traditional to the Inverclyde countryside and should be used.

BASECOURSES

- Where a traditional wet dash finish is used, it is expected that this will be applied down to ground level.
- Where a basecourse is used, this should be minimal and finished in a smooth cement render.

UNDERBUILDING

- Excessive underbuilding should be avoided.

WINDOWS AND DOORS

- All windows should have a vertical emphasis and be surrounded by a smooth cement margin.
- Doors should similarly be surrounded by a cement margin.

ROOF

- A minimum pitch of 35 degrees should be achieved.
- The roof should be finished in natural slate or a synthetic slate look-a-like tile which reflects the size, colour and edge detail of a natural slate.

EAVES / SKEWS

- Boxed eaves, with large fascia boards and barge boards should be avoided.

ROOFLIGHTS

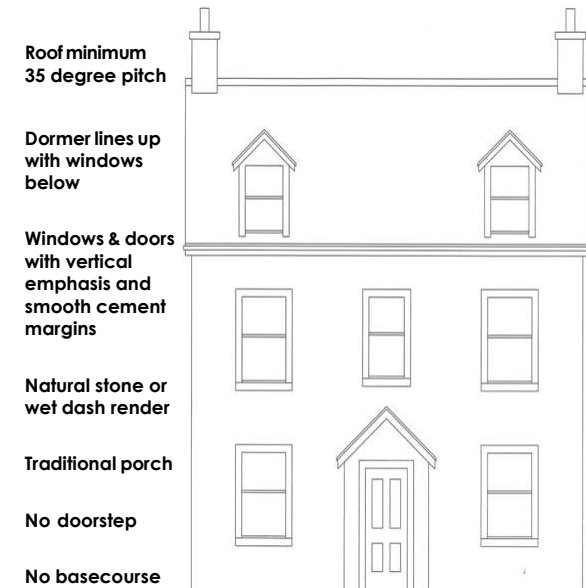
- When required, they should be located at the rear roof plane, have a vertical emphasis and be flush fitted with secret guttering.

DORMERS

- The design of dormer windows should accord with the design guidance contained in **Planning Application Advice Note No. 6** on dormer windows. They should be positioned on the roof to vertically line up with windows and / or doors on the facade below and be symmetrical.

PORCHES

- If required, these should be designed as an integral part of the building.
- Wall finishes, windows, roofs and eaves / skews should reflect the remainder of the building.



Converting Buildings to Residential Use

The conversion or re-use of existing buildings in the countryside for residential use will be acceptable subject to the following :

- The building should be structurally sound, must be originally constructed of brick or stone with a slate roof or similar and be largely intact and capable of conversion without substantial demolition and rebuild.
- A structural survey of the property has to be submitted to accompany any planning application.
- The original scale, character, proportion and architectural integrity of the building shall remain intact and any extension shall require, at all times, to be subsidiary to the original building.



- Where a traditional building, the detail of design shall follow the criteria specified previously under the heading "Design of Housing".

Extending Existing Residential Buildings

Residential buildings are of a variety of shapes and sizes and it is important that alterations to such buildings ensure that their original character is maintained. In this respect, any extension to an existing residential building shall require the following:

- To be subsidiary in scale and position to the original dwellinghouse
- To follow the design details specified in the "Design of Housing" in the case of traditional buildings.

8. REPRESENTATIONS IN RELATION TO PLANNING APPLICATION

Laura Graham

From: Sean McDaid
Sent: 07 September 2021 17:03
To: Sean McDaid
Subject: Application 21/0251/IC: Kilmacolm Civic Trust comment

From: Nicol Cameron [REDACTED]
Sent: 05 September 2021 16:55
To: Stuart Jamieson <Stuart.Jamieson@inverclyde.gov.uk>; dmplanning <dmplanning@inverclyde.gov.uk>
Subject: Application 21/0251/IC: Kilmacolm Civic Trust comment

From: Mr R.N Cameron (Chairman Kilmacolm Civic Trust)

To: Mr Stuart Jamieson (Head of Regeneration and Planning)

Dear Mr Jamieson,

KILMACOLM CIVIC TRUST COMMENT ON

**APPLICATION 21/0251/IC : HOUSE AND LIVERY STABLES BLOCK AT
'LAND AT BLACKSHOLM ROAD' (ADJACENT TO THE PROPERTY 'SLATES')**

The 15 x members of the Kilmacolm Civic Trust Executive Committee have considered this application very carefully.

[Comment](#)

We support the proposal strongly. It will clearly be a good and much needed local rural enterprise.

We note that there are no indications of what the house or stables will look like. If this PPIp proposal is granted planning consent we understand that a formal application will then be submitted for the design of the house and stables block. We would expect the designs of each to be appropriate to the local rural setting, taking into account the character of the nearby houses at 'Slates'; at Strathgryfe (the house built in 1814); and at Gryffeside.

Yours Sincerely,

Nicol Cameron

(Mr R.N. Cameron - Chairman Kilmacolm Civic Trust)

Comments for Planning Application 21/0251/IC

Application Summary

Application Number: 21/0251/IC

Address: Land At Blacksholm Road (north Of Slates Farm) Kilmacolm PA13 4SX

Proposal: Erection of dwellinghouse and livery stables (planning permission in principle)

Case Officer: Sean McDaid

Customer Details

Name: Miss Emma Sturtivant

Address: 33 Hillfoot Houston

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Being a member of the local equestrian community I feel there has been a significant reduction in equestrian facilities in recent years, they continue to dwindle. I feel a new equestrian facility within the area will bring choice whilst promoting natural environments and outdoor hobbies and interests. It's much needed within the area and I feel this is a wonderful idea !

Comments for Planning Application 21/0251/IC

Application Summary

Application Number: 21/0251/IC

Address: Land At Blacksholm Road (north Of Slates Farm) Kilmacolm PA13 4SX

Proposal: Erection of dwellinghouse and livery stables (planning permission in principle)

Case Officer: Sean McDaid

Customer Details

Name: Mrs Helen Cook

Address: 1 Finlaystone Crescent Kilmacolm

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I support this application.

Morven was born in the village and is dedicated to making the village her permanent residence.

She involves herself in the community and supports others to do the same.

If she was allowed to create this base it would not only give her a home but also give her the opportunity to be close to her livestock. This is ideal especially when problems arise with the health of the animals. If stabling of other horses is offered then the same benefits apply and other owners would reap the rewards.

Comments for Planning Application 21/0251/IC

Application Summary

Application Number: 21/0251/IC

Address: Land At Blacksholm Road (north Of Slates Farm) Kilmacolm PA13 4SX

Proposal: Erection of dwellinghouse and livery stables (planning permission in principle)

Case Officer: Sean McDaid

Customer Details

Name: Ms Catherine Moody

Address: 39 Burnlea Crescent Houston

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I own the field next to the proposed planning and also have horses there, I am fully supportive and understand why a dwelling house and stables would be beneficial for the applicants as I myself live in Houston but my horses are over in Kilmacolm which is a constant worry really that they are effectively left on their own when I'm not there and subject to anything untoward happening to which I would be none the wiser until I get there on my next visit. I go twice a day everyday to my horses and the applicants do the same also, I would certainly feel a bit happier knowing someone was living next door to my horses and could keep an extra eye on them!!! It can feel quite isolated there especially in the long winter months so it would be beneficial for the animals to have someone close by. People don't always appreciate how much work effort time and attention horses require, it's just as much if not more so than animals which come under the 'agricultural' umbrella. Please consider this.

Comments for Planning Application 21/0251/IC

Application Summary

Application Number: 21/0251/IC

Address: Land At Blacksholm Road (north Of Slates Farm) Kilmacolm PA13 4SX

Proposal: Erection of dwellinghouse and livery stables (planning permission in principle)

Case Officer: Sean McDaid

Customer Details

Name: Mr Andrew Barnes

Address: 33 Dougliehill Place Port Glasgow

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:As a horse owner from Port Glasgow I am in support of additional equestrian services in the Inverclyde area. At present there are very few services available often having to travel to Ayrshire for the use of facilities or coaching. In the last 18 months this more relevant through Covid when travel restrictions were in place so it would have been beneficial to have someone in the area that could provide this.

Miss Armour's has known my Clydesdale horse from a young age when she started her education as a ridden horse. Due to this I have used her equestrian services in the past for advice on how to improve and get the best out of her. It would be good to have someone in the area that not only myself could visit and use to improve, but recommend to other riders as well. This type of equestrian facility would be an asset to the area

**9. DECISION NOTICE DATED 22 OCTOBER 2021
ISSUED BY HEAD OF REGENERATION &
PLANNING**

DECISION NOTICE

Refusal of Planning Permission

Issued under Delegated Powers

**Regeneration and Planning
Municipal Buildings
Clyde Square
Greenock PA15 1LY**

Planning Ref: 21/0251/IC

Online Ref:100457711-001

***TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(SCOTLAND)REGULATIONS 2013***

**Miss Morven Armour
8 Rannoch Road
KILMACOLM
PA13 4LT**

**Bryce Boyd Planning Solutions
Bryce Boyd
Ellersleigh
Castlehill Road
KILMACOLM
PA13 4EL**

With reference to your application dated 18th August 2021 for planning permission under the above mentioned Act and Regulation for the following development:-

Erection of dwellinghouse and livery stables (planning permission in principle) at

Land at Blacksholm Road, (north Of Slates Farm), Kilmacolm

Category of Application Local Application Development

The INVERCLYDE COUNCIL in exercise of their powers under the abovementioned Act and Regulation hereby refuse planning permission for the said development.

The reasons for the Council's decision are:-

1. The proposal is contrary to Policy 14 of the adopted Inverclyde Local Development Plan and Policies 15 and 19 of the proposed Inverclyde Local Development Pan as it has not been demonstrated that a new dwelling is required at this location as the operational needs of both the sheep business and equestrian business are not at a sufficient level that require a full-time presence in the form of a dwelling at this location.

The reason why the Council made this decision is explained in the attached Report of Handling.

Dated this 22nd day of October 2021


**Mr Stuart W. Jamieson
Interim Service Director
Environment and Economic Recovery**

- 1 If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for or approval required by condition in respect of the proposed development, or to grant permission or approval subject to conditions, he may seek a review of the decision within three months beginning with the date of this notice. The request for review shall be addressed to The Head of Legal and Administration, Inverclyde Council, Municipal Buildings, Greenock, PA15 1LY.

- 2 If permission to develop land is refused or granted subject to conditions, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997

Refused Plans: Can be viewed Online at <http://planning.inverclyde.gov.uk/Online/>

Drawing No:	Version:	Dated:
E 00		
E 01		
E 02		
OP 02		

**10. NOTICE OF REVIEW FORM DATED 8 NOVEMBER
2021 WITH SUPPORTING STATEMENT FROM
BRYCE BOYD PLANNING SOLUTIONS**

Municipal Buildings Clyde Square Greenock PA15 1LY Tel: 01475 717171 Fax: 01475 712 468 Email: devcont.planning@inverclyde.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100498033-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	bryce boyd planning solutions		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	bryce	Building Name:	ellersleigh
Last Name: *	boyd	Building Number:	
Telephone Number: *	01505874489	Address 1 (Street): *	castlehill road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	kilmacolm
Fax Number:		Country: *	UK
		Postcode: *	pa13 4el
Email Address: *	bboydplanning@aol.com		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Ms"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Morven"/>	Building Number:	<input type="text" value="8"/>
Last Name: *	<input type="text" value="Armour"/>	Address 1 (Street): *	<input type="text" value="Rannoch Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Kilmacolm"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="U K"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="pa13 4LT"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

Site Address Details

Planning Authority:	<input type="text" value="Inverclyde Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

<input type="text" value="land at Blacksholm Road north of Slates Farm Kilmacolm"/>

Northing	<input type="text" value="669573"/>	Easting	<input type="text" value="234175"/>
----------	-------------------------------------	---------	-------------------------------------

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Erection of Dwellinghouse and Livery Stables

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please see attached Grounds of Appeal

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 the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

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. You can attach these documents electronically later in the process: * (Max 500 characters)

Grounds of Appeal together with Productions 1-4

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

21/0251/IC

What date was the application submitted to the planning authority? *

18/08/2021

What date was the decision issued by the planning authority? *

22/10/2021

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.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

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

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: 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. 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.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

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 (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr bryce boyd

Declaration Date: 08/11/2021



TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

GROUNDS OF APPEAL

**SUBMISSION AGAINST REFUSAL OF PLANNING PERMISSION BY
INVERCLYDE COUNCIL FOR THE ERECTION OF DWELLINGHOUSE
AND LIVERY STABLES (IN PRINCIPLE) AT LAND AT BLACKSHOLM
ROAD (NORTH OF SLATES FARM) KILMACOLM**

PLANNING REF: 21/0251/IC

1.0 INTRODUCTION

- 1.1 In August 2021 a Planning Application was submitted to Inverclyde Council for Planning Permission for the erection of a dwellinghouse and livery stables (In Principle) at land at Blacksholm Road (North of Slates Farm) Kilmacolm.
- 1.2 The Planning Application was accompanied by two Supporting Statements. The first of these, Supporting Statement 1, was a Rural Enterprise Dwelling Appraisal, prepared by a company specialising in the requirements of equestrian businesses. The second, Supporting Statement 2, provided further more general information on the history of the use of the site and the development of both the sheep and equestrian businesses.

Production 1 – Supporting Statement 1

Production 2 – Supporting Statement 2

- 1.3 A Business Plan was also submitted in support of the Planning Application, however, as it contained information of a confidential nature it was not included in the papers made available to the general public.
- 1.4 The Applicant is a highly experienced and qualified trainer and rider for both horses and riders and has been operating from the site since 2014, all as outlined in greater detail in Productions 1 and 2.
- 1.5 On 22 October 2021, Inverclyde Council issued a Decision Notice in respect of the Planning Application refusing planning permission on the following grounds:

The proposal is contrary to Policy 14 of the adopted Inverclyde Local Development Plan and Policies 15 and 19 of the proposed Inverclyde Local Development Plan as it has not been demonstrated that a new dwelling is required at this location as the operational needs of both the sheep business and equestrian business are not at a sufficient level that require a full-time presence in the form of a dwelling at this location.

Production 3 – Decision Notice

- 1.6 The Decision Notice was accompanied by the Report of Handling prepared in respect of the Planning Application which outlines the justification for the Refusal of Planning Permission.

Production 4 – Report of Handling

2.0 HISTORY

- 2.1 A previous Planning Application was submitted to the Council in 2020 by the Applicant (Ref:20/0166/IC).
- 2.2 The Application was refused Planning Permission on 14 October 2020 on the following grounds:

The proposal is contrary to Policy 14 of the adopted Inverclyde Local Plan as it has not been demonstrated that a new dwelling is required at this location as a) no information on the viability of the equestrian business has been submitted; b) the operational needs of the sheep business are not at a sufficient level that require a full-time presence in the form of a dwelling at this location.

- 2.3 Having carefully examined the reasons given for the Refusal of Planning Permission the Applicant decided to re-apply for Planning Permission providing full details of the equestrian business together with a detailed report, entitled Rural Enterprise Dwelling Appraisal, which provided full and detailed justification of the need for a dwellinghouse to support the equestrian business.
- 2.4 This new application, Ref: 21/0251/IC, is the subject of this submission to the Inverclyde Local Review Body.

3.0 THE APPEAL SITE AND PROPOSED DEVELOPMENT

- 3.1 The Application site is located adjacent to Blacksholm Road, to the west of Kilmacolm and slightly to the north of Slates Farm. The site covers an area of just under 2.5 acres, which is the proposed site of the proposed dwelling, stables and equestrian area.

- 3.2 The site lies adjacent to Slaters farm and in close proximity to Netherwood House and Netherwood Cottage. The former Balrossie School borders the land owned by the Applicant to the south.
- 3.3 The site slopes up from the adjacent road and with fields behind. There is a level area at the site where it is proposed to construct the dwelling and stable blocks. The site is served by an existing gate and track leading from Blacksholm Road.
- 3.4 An equestrian exercise area and a shed have already been built at the site, both of which have received planning approval. Additionally, a small caravan is located at the site to provide some basic facilities.

4.0 GROUNDS OF APPEAL

- 4.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.2 In refusing planning permission, the Interim Service Director, Environment and Economic Recovery has indicated that it has not been demonstrated that a new dwelling is required for the operational needs of both the sheep and equestrian businesses and as such the proposal is contrary to Policy 14 of the Inverclyde Local Development Plan.
- 4.3 It is submitted that the supporting information submitted with the Planning Application clearly demonstrates that the need for a dwelling is fully justified in terms of animal welfare and, as such, the proposal is in conformity with Policy 14 of the Inverclyde Local Development Plan.

5.0 ANALYSIS OF GROUNDS OF REFUSAL IN RESPECT OF THE DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS

- 5.1 As outlined above, the Planning Officials have indicated that the reason for refusing planning permission is based solely on their view that it has not been demonstrated by the applicant that a new dwelling is required as the operational needs of the equestrian and sheep businesses are not of a sufficient level as to justify a dwelling at this location.
- 5.2 It is submitted that, in fact, the supporting information, in terms of Supporting Statements 1 and 2, more than justify the need for a dwelling to support the agricultural activities at this location.
- 5.3 It is also important to note that there have been absolutely no objections lodged to this application by any of the consultees or members of the public,

indeed four individual representations have been submitted by members of the local community in support of the proposal.

- 5.4 Kilmacolm Civic Trust has indicated its strong support for the proposal and notes that this is a good, and much needed, local rural enterprise.
- 5.5 Turning to the statements by the Planning Officials that the proposal has not been justified, Productions 1 and 2 submitted in support of the Application clearly, and unequivocally provide justification for the need for a dwelling to support the continued development of the businesses.
- 5.6 The Ground of Refusal issued by the Planning Officials indicates that the proposal is contrary to Policy 14 of the Adopted Local Development Plan and Policies 15 and 19 of the Proposed Local Development Plan.
- 5.7 Policies 14 and 15 referred to above both indicate that Development in the Green Belt will be permitted for development associated with agriculture, horticulture, woodland or forestry.
- 5.8 Clearly the proposed development is in conformity with these Policies.
- 5.9 Policy 19 of the Proposed Local Development Plan deals with Individual and Small Scale Housing Development in the Green Belt and Countryside.
- 5.10 The relevant section of the Policy relating to this Application indicates:

Proposals for individual and small scale housing development in the Green Belt and Countryside will only be supported in the following circumstances:

 - (a) *Where the dwelling is justified by the operational needs of the farm or other viable businesses which is inherently rural in nature and has been in operation for at least 5 years.*
- 5.11 Productions 1 and 2 referred to above, and submitted in support of the Application, provide detailed information on the history of agricultural activities at the site.
- 5.12 These submissions confirm that agricultural activity at the site commenced in 2014 both in terms of the sheep and equestrian operations. In 2013, Planning Permission was granted for the erection of a large agricultural shed, 80 ft. x 30 ft. and in 2017, further planning permission was obtained for the formation of an Equestrian Arena.
- 5.13 The scale of operations relating to the sheep and equestrian side of the business are clearly detailed in Productions 1 and 2 and outline the scale of operations which have been undertaken during these years, all within the restrictions of not having a 24-hour presence at the site. This restriction inhibits further, more intensive, use of the site owing to concerns relating primarily to animal welfare and security.

- 5.14 However, it is clear from the information provided in support of the Application that agricultural activity at the site has existed since 2014, some seven years, and clearly the activity is inherently rural.
- 5.15 The Grounds of Refusal indicates that the level of activity associated with the two arms of the business are not at a sufficient level to require a full time presence in the form of a dwelling.
- 5.16 Productions 1 and 2 provide a substantial amount of information explaining, both in terms of animal welfare and security, why it is necessary to have a 24-hour presence at the site to enable the agricultural activities at the site to develop and provide a service to the local community.
- 5.17 There is a suggestion in the Report of Handling, Production 4, that a full time presence is not required at the site due to the local nature of owners who currently bring their horses to the site for training. This is, in fact, a limitation of the current situation due to the site not being supervised on a 24-hour basis. Both the Business Case and Supporting Statement, Productions 1 and 2, are explicit that there is a wider market which would have their horses trained at the site if customers were offered piece of mind that their animals were supervised on a 24-hour basis.
- 5.18 The requirements for the care of horses is provided in great detail, primarily in Production 1 relating to animal welfare and security and concludes in paragraph 5.21:

For the reasons set out, it is clearly vital that the horses are 'within sight and sound' at all times. The provision of skilled supervision around the clock is essential, not only for the welfare of the horses, but to ensure the future of the business. It is imperative that horse owners have complete confidence in the supervision of their horses at all times'.

- 5.19 The figures, detailed in Production 1, relating to the labour requirements for the equestrian side of the operations alone, indicate that in the first year of the proposed increased operations, the labour need requirement will be more than a full-time worker, 1.6 workers. Indeed, even if only half the proposed operations are up and running over the first six months, the labour need generated is 1.2. See paragraphs 6.3 to 6.5 of Production 1.
- 5.20 A further complication in terms of running the business without a 24-hour presence at the site is that it is not possible to obtain comprehensive business insurance without such presence. Obviously a 24-hour presence at the site ensures that the livestock and buildings have a level of security which enables such insurance to be obtained. The recent fire at the disused Balrossie School illustrates the problems which unattended premises face in this area and can often be the target of vandals.

5.21 The issue, therefore, is clearly that it is not possible to develop the business further without a 24-hour presence at the site.

5.22 In the Assessment section of the Report of Handling, Production 4, the Planning Officials indicate:

'It is acknowledged that supervision may be required for a business of this nature in terms of animal welfare and site security however it is considered that such supervision can be provided by other means rather than a new house' 'Supervision and running of the business can be carried out without having to live at the site and this could be located in a building such as a site office/cabin.'

5.23 This statement appears to suggest that in order to satisfy the requirements of the Policy, as interpreted by the Planning Officials, it would be necessary for the Applicant to live in a cabin or small caravan for 5 years while attempting to run an equestrian business and sheep farm.

5.24 The suggestion that such an enterprise can be run from a temporary building with only minimum infrastructure available is a comment which flies in the face of the realities of operating with and caring for animals.

5.25 The cold, wet and muddy conditions in Scotland which are present over many months of the year, including spring time, are major issues when working with animals where it is a regular occurrence to come into contact with dung, urine, blood and birthing fluids. This means that it is essential that adequate facilities are available on site for washing and showering, laundry facilities, drying facilities etc. etc. to ensure the health of those working with the animals and also the animals themselves.

5.26 Considerable costs would require to be made in providing adequate infrastructure for the provision of a temporary structure at the site. This would include the provision of on-site drainage and sanitation in the form of a septic tank, together with surface water drainage, access roads, groundworks, power supply etc. All these costs of providing infrastructure would have to be made for a temporary building with no guarantee of a permanent structure eventually being granted planning permission.

5.27 It is clear, therefore, that the suggestion of some form of temporary structure is impractical both in terms of operational needs and the very high costs of servicing such a temporary building.

6.0 CONCLUSIONS

- 6.1 The proposal before the Local Review Body is for the erection of a house and stables to enable a Rural Enterprise, first established in 2014, to continue to develop and expand to provide training for horses and riders and provide a full livery service to the wider community.
- 6.2 The Appellant is a highly qualified and experienced trainer and rider who has been operating at the site since 2014.
- 6.3 Sheep rearing and equestrian activities have been taking place at this location since 2014 and, over the years, considerable investments have been made at the site in the form of a large shed and equestrian exercise area. This Application would enable this provision to be improved and developed as the business progresses.
- 6.4 The Application has been made, by a local person, on the basis of hard experience gained over seven years and is backed up by a Business Plan and Supporting Information. It is not some spurious proposal based on an idealistic notion about running a rural business in the Inverclyde area.
- 6.5 The Planning Submissions clearly demonstrate the need for a dwelling to provide the proper facilities to run an equestrian business where 24-hour supervision of the animals is essential for their welfare and security.
- 6.6 The submission demonstrates that the dwelling is justified by the operational needs of the business which is inherently rural in nature and has been in operation for more than 5 years. The proposal is therefore in conformity with the Local Development Plan.
- 6.7 Any decision to refuse Planning Permission for this proposal impedes the future development of a much valued local service and inhibits the potential for growth of an established local rural business.
- 6.8 For all of the reasons outlined above it is requested that this Appeal be upheld and planning permission granted for the Erection of Dwellinghouse and Livery Stables (Planning Permission in Principle) at Land at Blacksholm Road (North of Slates farm) Kilmacolm.

**11. SUGGESTED CONDITIONS SHOULD PLANNING
PERMISSION BE GRANTED ON REVIEW**

21/0251/IC - Review - Suggested Conditions

Should planning permission in principle be granted on review the following conditions are suggested.

1. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the proposed site layout. The proposed layout shall be shown on a plan at a scale of 1:500 showing the position of the proposed dwellinghouse and the proposed livery stables with isolation box, means of access, parking areas and vehicular turning areas.

Thereafter the matters that are approved shall be implemented in their approved form.

2. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the proposed floor plans and elevations of the proposed dwellinghouse and the proposed livery stables with isolation box and shall show dimensions as well as the type and colour of all external materials.

Thereafter the matters that are approved shall be implemented in their approved form.

3. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the type and colour of all hard surfacing materials to be used on hardstanding areas.

Thereafter the matters that are approved shall be implemented in their approved form.

4. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the proposed ground levels throughout the site and proposed finished floor levels of the proposed dwellinghouse and proposed livery stables with isolation box, in relation to a fixed datum point. The application shall include existing ground levels taken from the same fixed datum point.

Thereafter the matters that are approved shall be implemented in their approved form.

5. Development shall not commence until an application for approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the details of surface water management and Sustainable Urban Drainage Systems proposals. For the avoidance of doubt the surface water management shall be contained within the site.

Thereafter the matters that are approved shall be implemented in their approved form.

6. For the avoidance of doubt the applications submitted in relation to conditions 1 and 2 above shall allow for the following:

- i) Parking should be provided in accordance with the National Guidelines:

1 parking space for a 1 bedroom house;
2 parking spaces for a 2 or 3 bedroom house;
3 parking spaces for a 4 bedroom house.

Note - for a garage to be counted as a parking space, it must be a minimum of 3.0m by 7.0m.

- ii) The minimum dimensions of the parking spaces shall be shall be 3m wide by 6m long.

- iii) The driveway shall be paved for a minimum distance of 2m to prevent loose driveway material being spilled onto the road and the gradient shall not exceed 10%.
7. For the avoidance of doubt the dwellinghouse shall be designed to ensure that at least 15% of the carbon dioxide emissions reduction standard set by Scottish Building Standards is met through the installation and operation of low and zero carbon generating technologies (rising to at least 20% by the end of 2022). Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the proposed low and zero carbon generating technologies to be installed in the dwellinghouse. Thereafter the matters that are approved shall be implemented in their approved form before the occupation of the dwellinghouse.
 8. For the avoidance of doubt the dwellinghouse shall have an Electric Vehicle Charging Point. Development shall not commence until an application for an approval of matters specified in conditions has been submitted to and approved in writing by the Planning Authority relating to the proposed Electric Vehicle Charging Point. Thereafter the matters that are approved shall be implemented in their approved form before the occupation of the dwellinghouse.

Reasons:

1. To ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.
2. To ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.
3. To ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.
4. To ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.
5. To ensure the Planning Authority has the necessary information to determine the application and to ensure the matters are acceptable at this location.
6. To ensure that the required level of parking is provided in the site is acceptable.
7. To comply with the requirements of Section 72 of the Climate Change (Scotland) Act 2009.
8. In the interests of sustainable development and to accord with the Inverclyde Council Supplementary Guidance on Energy.