

**Local Review Body**

**1 February 2017**

**Planning Application for Review**

**Mr & Mrs McIntyre**

**Construction of dwelling house for agricultural worker (in principle):  
Flatterton Farm, Flatterton Road, Greenock (16/0152/IC)**

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# **PLANNING APPLICATION AND PLANS**

# Inverclyde council

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        100016228-001

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)

Proposed Erection of Dwelling House for Agricultural Worker at Flatterton Farm, Flatterton Road, Greenock, PA16 0AD

Is this a temporary permission? \*

Yes  No

If a change of use is to be included in the proposal has it already taken place?

Yes  No

(Answer 'No' if there is no change of use.) \*

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:	James Harper Architect		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	James	Building Name:	Langslie
Last Name: *	Harper	Building Number:	
Telephone Number: *	01505 843007	Address 1 (Street): *	Langstilly Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Lochwinnoch
Fax Number:		Country: *	Scotland
		Postcode: *	PA12 4DR
Email Address: *	mail@harperarchitect.co.uk		

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr. & Mrs.	Building Name:	Faltterton Farm
First Name: *	John	Building Number:	
Last Name: *	McIntyre	Address 1 (Street): *	Flatterton Road,
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Greenock
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	PA16 0AD
Fax Number:			
Email Address: *			

## Site Address Details

Planning Authority:

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

Northing  Easting

## 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)

Meeting and discussions with Mr. Michael Martin. Mr. Martin advised that justification for the development was required under the policy of the Greenbelt in exceptional or mitigating circumstances. Further supporting documentation to be submitted.

Title:  Other title:

First Name:  Last Name:

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:

1099.00

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 grazing land.

## 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: \*

Foul drainage treatment to be by septic tank with soakaway outfall. Surface water drainage by 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

Do you have any agricultural tenants? \*  Yes  No

## Certificate Required

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

Certificate E

## Land Ownership Certificate

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

Certificate E

I hereby certify that –

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are no agricultural tenants

Or

~~(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.~~

~~(2) – The land to which the application relates constitutes or forms part of an agricultural holding and there are agricultural tenants.~~

Name:

Address:

Date of Service of Notice: \*



~~(4) I have/The applicant has taken reasonable steps, as listed below, to ascertain the names and addresses of the other owners of agricultural tenants and \*have/has been unable to do so—~~

Signed: James Harper

On behalf of: Mr. & Mrs. John McIntyre

Date: 15/06/2016

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)

Agricultural Report. Supplementary Agricultural Report Planning Support Statement.

Provide copies of the following documents if applicable:

- |                                                                                        |                              |                                         |
|----------------------------------------------------------------------------------------|------------------------------|-----------------------------------------|
| A copy of an Environmental Statement. *                                                | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. *                                   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Flood Risk Assessment. *                                                             | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. *                                                                | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan                                                  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. *                                                        | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Habitat Survey. *                                                                      | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. *                                                              | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> 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 James Harper

Declaration Date: 15/06/2016

## Payment Details

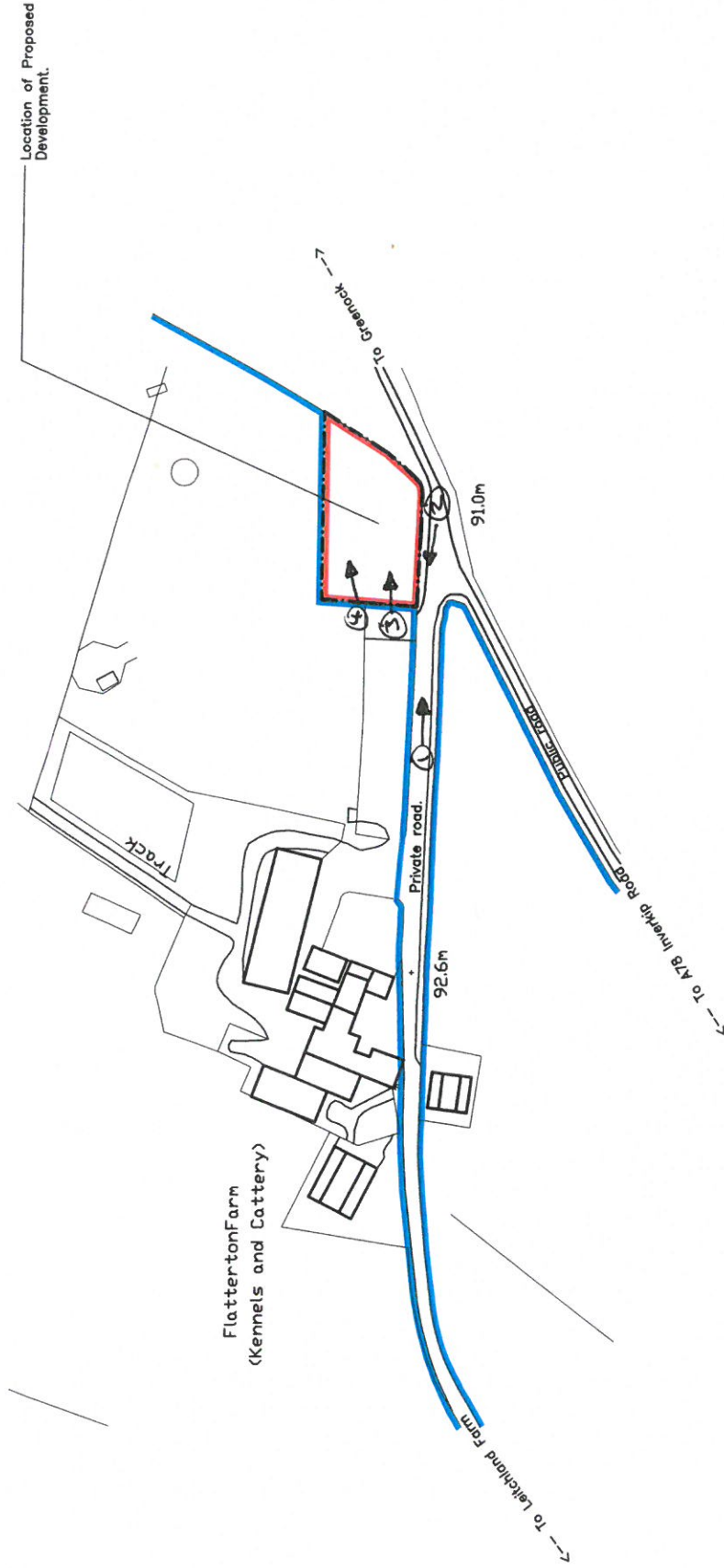
Cheque: Firm of J K McIntyre, 004354

Created: 20/06/2016 15:03

## **SITE PHOTOGRAPHS**

**(taken on 7 July 2016 with Samsung camera phone)**

INDEX OF PHOTOGRAPHS



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Site Plan

Client	Mr. & Mrs. J. McIntyre.		
Project	Erection of Dwelling House at Flatterton Farm, Greenock.		
Drawn	PL 00	Scale	1:1250
Date	May. 16'	Drawn No.	1510
Drawn		Proposed	

James Harper Architect	
The Langels, Langsilly Road, Lochwinnoch, Renfrewshire, PA12 4DR.	
Telephone / Fax	01895 443007
E-mail	mail@jamesharperarchitect.co.uk

4 01024



PHOTO 3



701001



FLAETONS  
FLAT  
CEMET.

PHOTO 1





# **REPORT OF HANDLING DATED 5 AUGUST 2016**

## REPORT OF HANDLING

Report By: David Ashman

Report No:

16/0152/IC

Local Application  
Development

Contact Officer: 01475 712416

Date:

5<sup>th</sup> August 2016

Subject: Construction of dwelling house for agricultural worker (in principle) at  
Flatterton Farm, Flatterton Road, Greenock

## SITE DESCRIPTION

The application site extends to 1,099 square metres and forms part of Flatterton Farm. It is located on the north-east side of the junction of the private access leading up to the Farm from Flatterton Road and consists of undulating ground, some of which appears to be actively used for grazing, the remainder being used for storage of plant and materials. The south-western and south-eastern boundaries are largely defined by existing high boundary hedging. The north-western and north-eastern boundaries are less well defined.

The associated Flatterton Farm steading consists of the single farmhouse dwelling together with a number of agricultural outbuildings providing livestock shelter as well as food and tool storage.

## PROPOSAL

Planning permission is sought, in principle, for the construction of a dwellinghouse for an agricultural worker. As a planning application in principle the plans simply outline the 1,099 square metres application site but show no further details. The application has, however, been supported by three statements.

The first two are a report, supported by a supplementary, from the Scottish Agricultural College (SAC) which, based on the overall 245 hectares area and the numbers of livestock (62 cattle, 535 ewes and 775 lambs), concludes that the business requires 3 full-time workers and one part-time worker. It notes that applicant and his wife run the business with the additional help of seasonal and casual workers. The report concludes that due to increased rules and regulations and the applicant's age (56), a full-time worker now needs to be taken on in addition to the existing staff; that the sheep and beef enterprises require constant supervision on-site; that it is justified by animal welfare and urban fringe security issues; that although a supplementary income enterprise, the kennels and cattery (30 dogs and 30 cats) justify a full-time presence; that the land on which it would be built is not top quality; that it will not result in a lost environmental resource; and that there is only one "available" domestic dwelling (Flatterton Farm House) with no other buildings capable of conversion.

The second is a planning support statement which outlines the history of the site - it is claimed to be the site of a Second World War army base, search light centre and underground air raid shelter - together with a history of the development of Flatterton Farm, concentrating on its expansion in absorbing land previously associated with the neighbouring Leitchland and Bankfoot holdings. The

supporting statement concludes that a new dwelling is justified on 4 grounds: the agricultural report from the Scottish Agricultural Cottage (see above); the historic growth of the land overseen by Flatterton Farm to take in adjacent units justifies the "exceptional circumstances" referred to in local development plan policies; it is required for additional security due to a range of urban fringe pressures such as vandalism and theft; and that the supplementary businesses of kennels and catteries alone require 24 hours presence on the site, 365 days a year.

## **DEVELOPMENT PLAN POLICIES**

### **Policy ENV2 - Assessing Development Proposals in the Green Belt and the Countryside**

Development in the Green Belt will only be considered favourably in exceptional or mitigating circumstances, while development in the Countryside will only be considered favourably where it can be supported with reference to the following criteria:

- (a) it is required for the purposes of agriculture, forestry or, where appropriate, renewable energy (refer Policy INF1); or
- (b) it is a recreation, leisure or tourism proposal which is appropriate for the countryside and has an economic, social and community benefit (refer to Policy ECN6); or
- (c) there is a specific locational requirement for the use and it cannot be accommodated on an alternative site (refer Policies INF3 and INF7); or
- (d) it entails appropriate re-use of redundant habitable buildings, the retention of which is desirable for either their historic interest or architectural character or which form part of an establishment or institution standing in extensive grounds (refer to Policy RES7); and
- (e) it does not adversely impact on the natural and built heritage, and environmental resources;
- (f) it does not adversely impact on landscape character;
- (g) it does not adversely impact on prime quality agricultural land;
- (h) it does not adversely impact on peat land with a high value as a carbon store;
- (i) it does not adversely affect the visual amenity of the area and is capable of satisfactory mitigation;
- (j) there is a need for additional land for development purposes, provided it takes account of the requirements of the Strategic Development Plan; and
- (k) it has regard to Supplementary Guidance on Planning Application Advice Notes.

### **Policy RES7 : Residential Development in the Green Belt and Countryside**

The development of new dwellings in the Green Belt and Countryside, identified on the Proposals Map, will be supported only if the proposal is for either

- (1) a single or small group of dwellings not adjoining the urban area; or
- (2) the conversion of redundant non-residential buildings, that are for the most part intact and capable of conversion for residential use without recourse to substantial demolition and rebuilding.

In additional, all proposals must fall within one of the following categories:

(a) demolition and replacement of habitable dwellings which cannot otherwise be brought up to acceptable building standards and where the proposed building reflects the scale of the existing building and is sympathetic to the character, pattern of development and appearance of the area; or

(b) sub-division of an existing dwelling house(s) for the provision of one or more additional units where any new build element is clearly ancillary to the completed building; or

(c) conversion of redundant, non-residential buildings, where the proposal requires to be supported by proof of the building's redundancy to demonstrate that it no longer meets its original purpose, as well as a structural survey indicating that the building may be utilised for the proposed use substantially in its current form, and that any proposed extensions to existing building(s) or ancillary new build element will need to be proven to be required to make the development financially viable, with details of costs to be submitted; or

(a) is justified by the operational needs of farms or other businesses or activities which are inherently rural in nature and where the applicant will be required to make a land management or business case to the satisfaction of the Council: or

(b) is part of an integrated project with significant employment and/or economic benefits which is in accordance with other policies of the Local Development Plan and where the Council is satisfied that the dwelling(s) are essential to ensure the implementation of the whole development and that such considerations are of sufficient weight to merit support.

#### Policy SDS8 - Green Belt and the Countryside

There will be a presumption against the spread of the built-up area into the designated Green Belt and careful management to prevent sporadic development in the designated Countryside, as identified on the Proposals Map.

Planning Application Advice Notes (PAAN) 3 on "Private and Public Open Space Provision in New Residential Development" and PAAN8 on "Siting and Design of New Houses in the Countryside" apply.

#### CONSULTATIONS

**Head of Safer and Inclusive Communities** - No objection, subject to conditions in respect of waste containers and their location, and external lighting; and advisory notes in respect of site drainage, vermin, drains and sewers, and the Construction (Design & Management) Regulations 2015 (CDM 2015).

**Head of Environmental and Commercial Services** - The access should be a minimum of 25 metres from the junction of Flatterton Road and the private road; the minimum radius should be 4 metres; assuming the access to the site is taken from the private road the minimum visibility should be 2.4 metres by 4.3 metres by 1.05 metres high; parking should be in accordance with the National Guidelines; a driveway should cater for a minimum of 3 cars and should be a minimum of 4.8 metres wide to allow 2 vehicles to pass; driveway to be paved for a minimum distance of 2 metres to prevent loose driveway material being spilled onto the road; the driveway gradient shall not exceed 10%; and the applicant shall demonstrate that vehicles can enter the site, turn and exit in forward gear.

#### PUBLICITY

The application was advertised in the Greenock Telegraph on 1st July 2016 as there are no premises on neighbouring land.

## **SITE NOTICES**

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

## **PUBLIC PARTICIPATION**

No representations were received.

## **ASSESSMENT**

The material considerations in determination of this application are the Inverclyde Local Development Plan, Planning Application Advice Notes (PAAN) 3 on "Private and Public Open Space Provision in New Residential Development" and PAAN8 on "Siting and Design of New Houses in the Countryside", the consultation replies and the applicant's supporting documentation.

The Local Development Plan locates the application site within the Green Belt, under policy SDS8. This policy presumes against the spread of the built-up area into the designated Green Belt. The Green Belt is not intended to prevent development but to support the Plan's spatial strategy of directing new development to the urban area and areas requiring renewal and regeneration. Reference, however requires to be made to the associated policy ENV2. Policy ENV2 addresses the assessment of development proposals in the Green Belt and Countryside. With respect to development in the Green Belt, this is only to be considered favourably in exceptional or mitigating circumstances. As this is a proposed residential development it is necessary that policy RES7 be considered to determine the nature of the exceptional or mitigating circumstances in this instance.

Policy RES7 advises that the development of new dwellings in the Green Belt and Countryside will only be supported if the proposal is either for a single or small group of dwellings not adjoining the urban area or if it involves the conversion of redundant non-residential buildings. The former category applies in this instance, although the policy goes on to indicate that all proposals must fall within one of a number of criteria, the most relevant of which in this instance is criteria (d), which indicates that the proposal must be "justified by the operational needs of farms or other businesses or activities which are inherently rural in nature and where the applicant will be required to make a land management or business case to the satisfaction of the Council".

The first determining factor in this case, therefore, is whether or not a sufficient case has been made by the applicant to support the provision of a new dwelling.

The report by the SAC sets out full details of cropping and livestock numbers and the number of man hours required for the business to operate. Based on criteria set by the Scottish Government Rural Payment and Inspections Directorate the number of labour units required by the business equates to 3 full-time and one part-time worker. The SAC report therefore concludes that there is a need to take on one full-time worker in addition to the season staff currently employed. It also notes that 24 hour supervision of the sheep and beef enterprises is required at key times of the year, especially at lambing and calving times but goes on to state that it is very important, from an animal welfare point of view, that there be someone on hand to observe the livestock at all times throughout the year. It further notes that while the kennels and cattery business is supplementary it is essential to support the main business and that it is imperative for animal welfare and security reasons that one person is present on the site 24 hours a day. To date, the applicant and his wife and any additional staff they have employed have fulfilled this role. The supplementary report provides clarification on the earlier report emphasising that additional 24 hour supervision permanently on site is required all year round on the site (not just during the calving and lambing season) to allow the resident farm operator time off.

On the basis of the submitted information I accept the method by which the SAC calculates that an additional full-time worker is required during key times of the farming year and their central conclusion in this respect, i.e., that an additional worker requires to be present on the Farm to assist with operations at those times. I am not satisfied that a case for the additional worker being

required during the rest of the year has been established. I note, for example, that lambs, at 775 units, form the greatest individual figure in the calculation of man hours, justifying the additional full time worker. Lambs will not be on the Farm all year round. Indeed, if they are taken out of the equation then based on the SAC's calculation method only two full-time workers are justified during the remainder of the year. I am therefore not convinced that the additional worker requires to be permanently resident on the site throughout the entire year and that an additional permanent residence on the Farm cannot be justified on this basis. Temporary residential accommodation could be justified during the peak lambing and calving season and a separate application for such seasonal or temporary accommodation could be entertained.

I am therefore not convinced that the proposal has been justified by the operational needs of the Farm and that a satisfactory business case has not been made to the Council under policy RES7(d). On this basis I conclude that, with respect to policy ENV2, there are no mitigating circumstances which can justify the development in this instance.

I am also concerned by the proposed siting of the dwelling. PAAN8 offers guidance and indicates that sites adjacent to or within groups of other buildings will be favoured. The site is separated from the farmsteading by an open yard and when viewed from Flatterton Road does not appear as part of the group of farm buildings. Therefore, in addition to failing to justify need, I consider the site is inappropriately positioned and contrary to PAAN8. It also would give the appearance of sporadic development.

I note the responses of consultees and the supplementary guidance provided by PAANs 3 and 8 but consider, in light of my conclusion, that no further analysis is necessary in this instance.

With respect to the remaining material considerations, the concerns of the Heads of Safer and Inclusive Communities and Environmental and Commercial Services could be addressed by conditions and advisory notes.

## **RECOMMENDATION**

That the application be refused for the following reasons:

1. The proposed dwelling is not justified by the operational needs of Flatterton Farm, under policy RES7(d) of the Inverclyde Local Development Plan and that there are not the exceptional or mitigating circumstances where development in the Green Belt would be justified under policy ENV2; and
2. The proposed site does not form part of a group of buildings, and as such will result in sporadic development in the countryside, contrary to guidance in PAAN8 and, consequently, policy ENV2(k) and policy SDS8 of the Inverclyde Local Development Plan.

Signed:



Case Officer: David Ashman



Stuart Jamieson  
Head of Regeneration and Planning

**PLANNING APPLICATION ADVICE NOTE No. 3  
(PRIVATE AND PUBLIC OPEN SPACE PROVISION IN NEW  
RESIDENTIAL DEVELOPMENT)**

## Planning Application Advice Note No. 3

### PRIVATE and PUBLIC OPEN SPACE PROVISION in NEW RESIDENTIAL DEVELOPMENT

Open space provides two important functions; it contributes to "Placemaking", providing space around and setting for buildings helping to establish the impression of an area, and it can be used to provide areas for outdoor leisure.

This Advice Note provides guidance on the required levels of public open space and private garden ground that should be included in new residential developments.

#### Types of development

No two sites are the same and residential development can range from the single house to sites in excess of 100 units. The standards required vary depending upon the scale of the development. The following definitions apply:

#### SMALL SCALE INFILL, INCLUDING SINGLE PLOTS

- 10 houses or fewer in a vacant / redevelopment site within a built up area.

#### LARGE SCALE INFILL

- more than 10 houses in a vacant / redevelopment site within a built up area.

#### GREENFIELD / EDGE OF TOWN

- the development of a site on the edge of or outside a town or village.

#### FLATTED INFILL

- the development of a block of flats, irrespective of number of units, on a vacant / redevelopment site within a built up area.

#### FLATTED DEVELOPMENT WITHIN A LARGE SCALE INFILL OR GREENFIELD / EDGE OF TOWN SITE

- the development of a block of flats, irrespective of number of units, as part of a larger infill development within a town or village, or on a greenfield / edge of town or village site.

#### Private Garden Ground

#### SMALL SCALE INFILL DEVELOPMENTS, INCLUDING SINGLE PLOTS

- new development should accord with the established density and pattern of development in the immediate vicinity with reference to front and rear garden sizes and distances to plot boundaries.

#### FLATTED INFILL DEVELOPMENTS

- flats should reflect the existing scale of buildings and townscape in the immediate environs. Open space need only be provided where surplus land is available following the provision of any off-street parking required.

#### LARGE SCALE (INFILL) OR GREENFIELD / EDGE OF SETTLEMENT SITE

- the following minimum sizes shall apply:
  - Rear / private garden depth - 9 metres, although where the rear garden does not back onto residential property, this may be reduced if an area of screened side garden of size equivalent

to a rear garden with a 9 metre depth can be provided.

- Front / public garden depth - 6 metres.
- Distance from house to side boundary - 2 metres.
- Distance from house to side boundary when the house has an attached garage - 3 metres.

#### FLATTED WITHIN A LARGE SCALE INFILL OR GREENFIELD / EDGE OF SETTLEMENT SITE

- 10 square metres per bedspace based upon an occupancy rate of two persons per double bedroom and one person per single bedroom.

#### Public Open Space

In developments other than small scale and flatted infill sites, public open space is required to be provided to achieve both an appropriate landscape setting for the development and play space.

In such circumstances the following criteria will apply:

- Public open space should be provided at the indicative ratio of 1.64 ha per 1000 population. Population estimates are based upon occupancy rates of two persons per double bedroom and one person per single bedroom.
- It will be the responsibility of the developer to equip the play areas. Children's play areas and kickabout areas should comprise 0.32 ha per 1000 population.

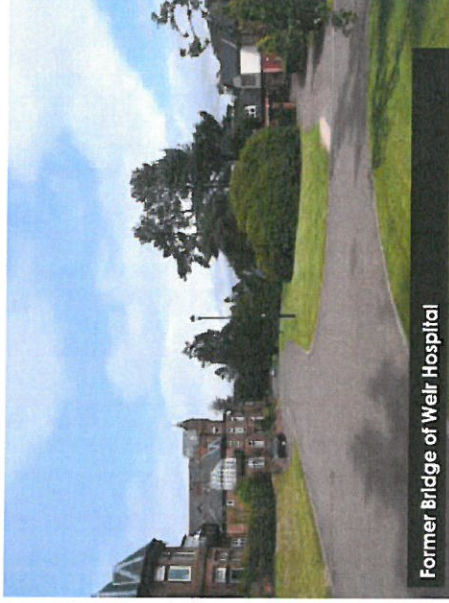


# PLANNING APPLICATION ADVICE NOTES

- Developers may request that the Council take over maintenance of the open space and play areas. The decision is at the discretion of the Council, and will require the following criteria to be achieved:
  - The design and layout of play equipment and safety surface shall be of a design agreed with the Council as part of the planning application process.
  - That an accredited play area inspector confirm the conformity of the design and installation to the relevant standard prevailing at the time.
  - 12 months defects liabilities and warranties shall apply.
  - The land and any associated assets are disposed to the Council free of any charges or fees.
  - That a sum equal to 10 years maintenance of the site is paid to the Council in advance.
- Where the developer selects not to pass maintenance to the Council, it will be a requirement for the obtaining of planning permission that the developer passes ownership and maintenance of all open space and play equipment to a management company. A bond to cover the cost of maintenance and replacement over a 10 year period will also require to be provided.

## Location of Play Areas

- Play areas should be located to ensure that they are overlooked, but at the same time must be positioned at least 10 metres distant from the boundary of the nearest residence.
- Where developments are located in close proximity to established parks or play areas, the Council may, in appropriate cases, consider as an alternative to on-site provision of play equipment the supplementing, at the expense of the developer, of existing play equipment in the nearby park or play area. This, however, will not absolve the developer of the requirement to provide amenity landscaped areas to enhance the setting of the development. Toddler play provision may not be required when the developer provides flat rear/private garden ground in excess of 9 metres.



Former Bridge of Weir Hospital

**PLANNING APPLICATION ADVICE NOTE NO. 8  
(SITING AND DESIGN OF NEW HOUSES IN  
THE COUNTRYSIDE)**

## Planning Application Advice Note No. 8

### SITING and DESIGN of NEW HOUSES in 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 New 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

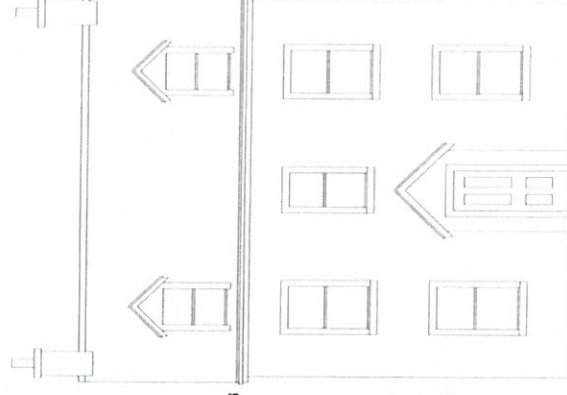
- When required, they should be located at the rear roof plane, have a vertical emphasis and be flush fitted with secret guttering.

#### 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 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.



Roof minimum 35 degree pitch

Dormer lines up with windows below

Windows & doors with vertical emphasis and smooth cement margins

Natural stone or wet dash render

Traditional porch

No doorstep

No basecourse

## 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, largely intact and capable of conversion without substantial demolition and rebuild.
- A structural survey of the property may require 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 New Housing".



Auchtenboihie Mains, Kilmacolm

## 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 New Housing" in the case of traditional buildings.

# AGRICULTURAL REPORT



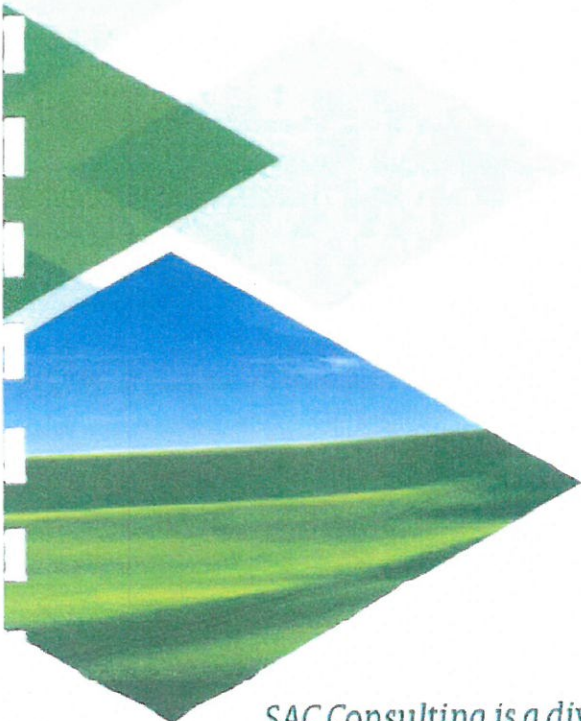
## Agricultural Report

Prepared for: J K McIntyre

Prepared by: SAC Consulting

Contact: Andrew T Leggate  
Senior Agricultural Consultant  
Farm & Rural Business Services  
Auchincruive  
Ayr KA6 5HW  
Andrew.leggate@sac.co.uk

Date: September 2015



*SAC Consulting is a division of SRUC  
Leading the way in Agriculture and Rural Research, Education and Consulting*

**Prepared for:**

J K McIntyre  
Flatterton Farm  
Greenock  
PA16 0AD

**Map Reference:** NS 225745

**Farm Code:** 90/733/0017

**Prepared by:**

SAC Consulting

**Contact:**

Andrew T Leggate  
Senior Agricultural Consultant  
SAC Consulting  
Farm & Rural Business Services  
John F Niven Building  
Auchincruive  
Ayr KA6 5HW

Tel: 01292 525263

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Email: [Andrew.leggate@sac.co.uk](mailto:Andrew.leggate@sac.co.uk)

Fax: 01292 525146

*This report has been prepared exclusively for the use of the above client, on the basis of information supplied, and no responsibility can be accepted for actions taken by any third party arising from their interpretation of the information contained in this document. No other party may rely on the report and if they do, then they rely upon it at their own risk. No responsibility or liability is accepted for any interpretation made by any party that may be made of the contents of this report.*

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## Contents

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2.	Current Farming System	1
3.	Cropping and Livestock Numbers	2
4.	Additional Comments	3



## 1. Introduction

J K McIntyre is a long established family farming business run in partnership by John McIntyre (56) and Wilma McIntyre (52) plus casual and seasonal assistance. The main enterprises are breeding beef cows and breeding sheep. The land is all in grass and encompasses the farms of Flatterton, Leitchland and Bankfoot. The business has also diversified into a separate enterprise – Kennels and Cattery.

## 2. Current Farming System

The main enterprise is the 535 ewe flock producing store lambs off grass for further finishing. Lambing percentage is high with over 775 lambs sold.

In addition, a beef breeding herd of 32 suckler cows is carried to produce suckled calves for sale in the spring as forward stores.

The cows are of mixed breeds and mated to a Charolais sire in an attempt to produce a large framed store animal.

A supplementary enterprise is run at Flatterton to make use of the farm's location close to Greenock and surrounding villages. A cattery and kennels has been established which provides much needed supplementary income.

The cattery and kennels have proved really popular with the local community and they are now open 7 days a week. They are both at or near full capacity.

### 3. Cropping and Livestock Numbers

<b>Crops</b>	<b>ha</b>	<b>(Hours/ha)</b>	<b>Total</b>
Grazing:			
Permanent Pasture	89	4	356
Rough	138	1.5	207
Silage	18	12	<u>126</u>
		Sub Total	779
<b>Livestock</b>	<b>No.</b>	<b>Hours/head</b>	<b>Total</b>
Sucklers	32	12	384
Store Cattle	30	9	270
Ewes	535	5.2	2,782
Lambs	775	3.3	<u>2,557</u>
		Sub Total	5,993
<b>Overall Total Hours:</b>			<b>6,772</b>

SGRPID's (Scottish Government Rural Payments and Inspections Directorate) standard man year = 1,900 hours.

The number of labour units required by this business is therefore 3.56.

This farming business requires 3 full-time and one part-time worker.

#### 4. Additional Comments

1. *The business has been expanding in recent years and, coupled with the increased rules and regulations in farming and the fact that John is now over 55, there is a need to take on a full-time worker in addition to the seasonal staff currently employed.*
2. The sheep and beef enterprises both require constant supervision at key times during the year, especially at lambing and calving times. There is a need to have 24 hour supervision.
3. It is very important from an animal welfare viewpoint to have someone on hand to observe the livestock at all times throughout the year.
4. Flatterton Farm is close to the urban fringe and can be subject to accidental and deliberate vandalism due to the general public leaving gates open, dropping dangerous litter, causing dogs to stray and generally upsetting the livestock when grazing.
5. While it is only a supplementary enterprise to the main farming activities, the cattery and kennels are essential to this business. It is imperative for animal welfare and security reasons that one person is present on site 24 hours/day.
6. The proposed site of the proposed dwelling house is close to the farm road leading to the farm. The land is classed as 4.2 according to the Land Capability Map of the James Hutton Institute. This is not top quality land.
7. The proposed site will not result in the loss of any important environmental features or wildlife habitats.
8. There is currently only one available domestic dwelling – Flatterton Farm House. There are no available farm buildings suitable for conversion.

If any further information or clarification on any aspect of this report is required please contact SAC Consulting.

# **SUPPLEMENTARY AGRICULTURAL REPORT**


## **Supplementary Agricultural Report**

Prepared for: J K McIntyre

Prepared by: SAC Consulting

Contact: Andrew T Leggate  
Senior Agricultural Consultant  
Farm & Rural Business Services  
Auchincruive  
Ayr KA6 5HW  
[Andrew.leggate@sac.co.uk](mailto:Andrew.leggate@sac.co.uk)

Date: June 2016



*SAC Consulting is a division of SRUC*

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

**Prepared for:**

J K McIntyre  
Flatterton Farm  
Greenock  
PA16 0AD

**Map Reference:** NS 225745

**Farm Code:** 90/733/0017

**Prepared by:**

SAC Consulting

**Contact:**

Andrew T Leggate  
Senior Agricultural Consultant  
SAC Consulting  
Farm & Rural Business Services  
John F Niven Building  
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## 1. Introduction

This supplementary report has been prepared following feedback from Inverclyde Council (Mr Michael Martin) to Mr James Harper, Architect for the business of J K McIntyre.

## 2. Supplementary Information

This farming business has grown in size over the years to its current size of over 245 ha (605 acres). The livestock numbers now carried by the farm have also significantly increased with over 60 cattle and 535 breeding ewes.

The business justifies and needs over 3.5 labour units.

While farming has become more mechanised over the years, all grassland livestock farms still need a high labour input, otherwise there will be severe animal welfare implications. There is a requirement to have someone on site at all times. The reference in the original report to calving and lambing being 'key times' in the year should not be read as there not being a need to have supervision at other times of the year. All year round supervision is required. To allow staff time off, the business needs 3.5 labour units.

Lambing and calving times need all staff to work round the clock. It is very common for some farmers to 'survive' on only a few hours sleep in a week at these key times.

The business needs to adhere to the many statutory rules and regulations imposed by a local and European Governments. Many of these rules involve animal identification such as tagging and clipping (removing hair before sale) cattle.

These operations have a high labour input.

John McIntyre is in his late 50s and needs sufficient time off. He needs additional labour to assist him. This labour must be on hand living on site.

No reference has been made in the report to the supplementary enterprise – kennels and cattery. This enterprise is vital to the financial viability of the business. Most farming businesses now need to rely on a diversified enterprise such as kennels or cattery.





# PLANNING SUPPORT STATEMENT

**Proposed Erection of Dwelling House at  
Flatterton Farm, Greenock.**

**Planning Support Statement.**

**Site Background.**

The proposed development site lies to the east of the existing farmhouse and steading of Flatterton Farm adjacent to the farm access road junction with the public road.

The site is an area formerly of an old army base during the second world war. The area was utilised as a search light centre and underground air raid shelter. The site was inspected by Historic Scotland in 2009 but recorded not of any interest.

The site location has been carefully chosen for a number of reasons.

Firstly, for supervision of the main farm access and steading providing security.

Secondly, the location allows for future farm steading and yard expansion.

Thirdly, the site is of low agricultural value, classed as 4.2 on approved land value guidelines. This rating is NOT top quality land.

Finally, the site is of no environmental value or of wildlife importance.



View of site from public roadway with farm access road to the left hand side.



View of site frontage to the right hand side from the public roadway with the farm access road in the background.



View of site from the farm access road with the farm yard in the foreground.

**Farm Background.**

The farm was first established by Mr. & Mrs. McIntyre in 1983. At this time the farm was leased from the Ardgowan Estates and extended to approximately 200 acres most of which was hill land. Originally the farm was a dairy farm with stock of 30 milk cattle and 70 sheep.

In 1993 an additional 130 acres was leased from Ardgowan Estates. This was part of the farm unit known as Bankfoot. It is noted that the farmhouse and steading was retained by Ardgowan Estates and leased separately. With the additional acreage to the unit the stock number of sheep increased to 250.

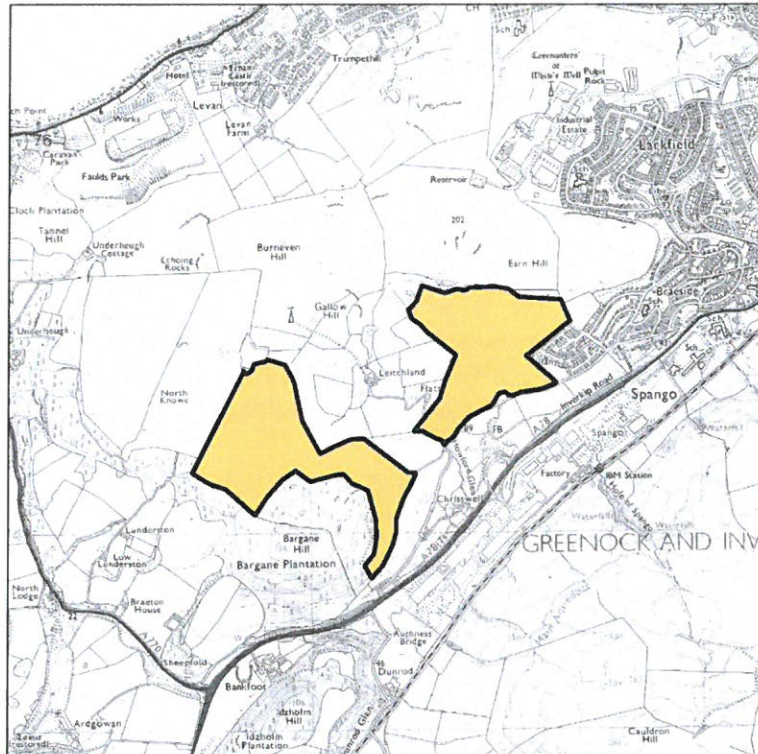
In 2010 a further 285 acres was added to the farm unit. This consisted of the lands of Leitchland. Again it is noted that the farmhouse, steading and cottages forming part of the Leitchland unit were retained by the Ardgowan Estates. The stock numbers increased to the present day levels with 62 cattle, 535 ewes and 775 lambs as reported in the Agricultural Report prepared by SAC consulting, farm and agricultural consultants.

In addition to the agricultural business Mr. & Mrs. McIntyre established a Dog and Cat Boarding kennels and Cattery in 1992. This consists of 24 kennels and 20 cat chalets with a Council Approved licence for 30 dogs and 30 cats.

In 2013 Mr. & Mrs McIntyre managed to purchase Flatterton Farm, steading and 25 acres from the Ardgowan Estates together with a long term tenancy agreement for the lands.

The farm steading consists of a single farmhouse dwelling with a number of agricultural outbuildings providing livestock shelter as well as food and implement storage. There are no buildings within the steading that would be suitable for conversion.

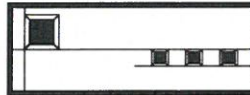
Erection of Dwelling House at:  
 Flatterton Farm, Greenock.  
 Mr. & Mrs. J. McIntyre.



1983

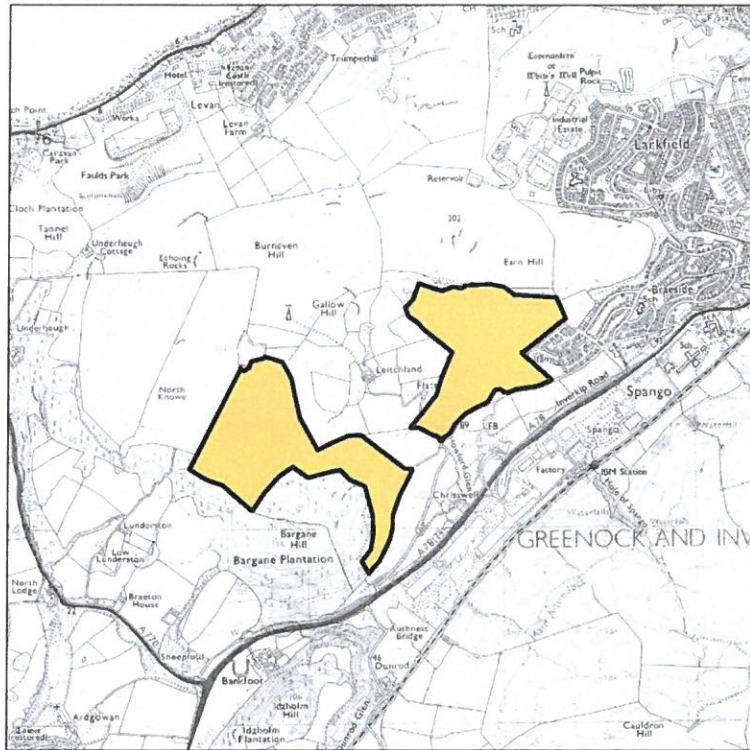
Original Farming Grounds of Flatterton  
 Farm.

1:25,000



James Harper Architect  
 The Langate, Langatilly Road, Lochwinnoch, Renfrewshire, PA12 4DR.  
 Telephone/Fax 01505 843007 E-mail mad@harperarchitect.co.uk

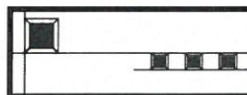
Erection of Dwelling House at:  
 Flatterton Farm, Greenock.  
 Mr. & Mrs. J. McIntyre.



1983

Original Farming Grounds of Flatterton  
 Farm.

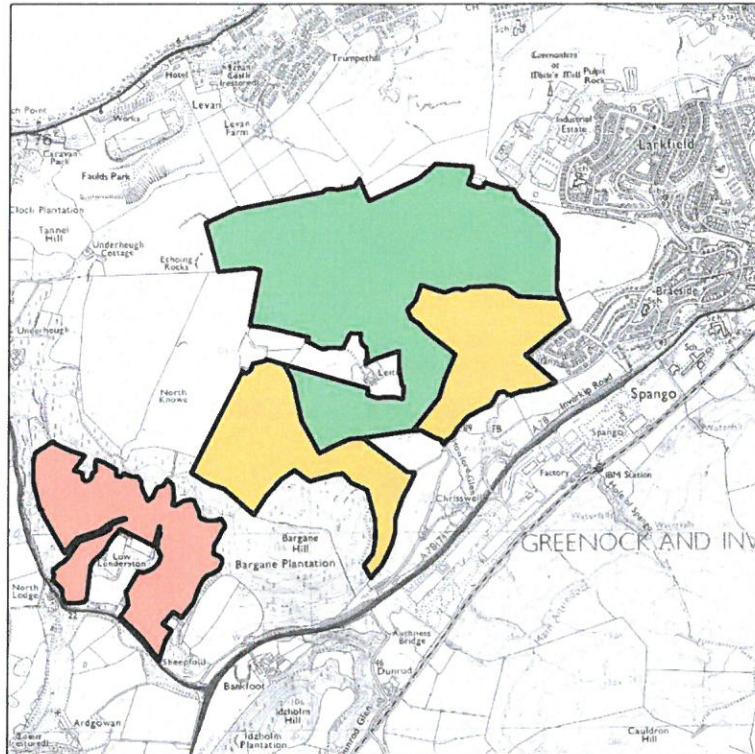
1:25,000



James Harper Architect

The Langate, Langrilly Road, Lochwinnoch, Renfrewshire, PA12 1DR.  
 Telephone / Fax 01503 495007 E-mail mail@harperarchitect.co.uk

Erection of Dwelling House at:  
Flatterton Farm, Greenock.  
Mr. & Mrs. J. McIntyre.



2010

Farming Grounds of Flatterton, Bankfoot  
And Leitchland. 1:25,000



James Harper Architect

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

**Applicant Background.**

Mr. & Mrs. McIntyre are both in their fifties. They were married in 1984. Mr. McIntyre, farmer and Mrs. McIntyre, veterinary assistant of farming background.

They have 2 children, Laura and Katy born in 1986 and 1989 respectively. Both girls have now left home and have jobs of their own.



**Development Support Statement.**

The submitted Planning Approval application is for the provision of a dwelling house for an agricultural worker. The need for an additional employee to maintain and work the agricultural business is clearly shown and justified in the attached agricultural report prepared by the Scottish Agricultural College of Auchincruive. This report is prepared under recognised national guidelines based upon the agricultural demands of livestock and land needs. Taking the present farm stock and land use the report states that the number of labour units required to maintain the running of the business is 3.56units. That is, the farm requires 3 fulltime employees and one part time employee. At present Mr. McIntyre is the only full time employee with Mrs. McIntyre and a part time worker employed during seasonal periods for the Boarding Kennels and Cattery.

The agricultural report together with the supplementary statement from Mr. Leggate clearly states that the livestock welfare requires on hand attendance throughout the year, not only at peak periods such as calving or lambing times. It is during these periods that 24hour a day supervision is required. At present and since the establishment of the business this role has been met by Mr. & Mrs. McIntyre themselves. This dedication is demonstrated by the fact that in 2013 Mr. & Mrs. McIntyre took their first holiday and break since they started in 1983. That was over 30years. This was only possible when their daughters insisted that they would move back to the farmhouse and would provide cover during the time Mr. & Mrs. McIntyre were away.

Over the past few years as a result of increased government rules and regulations coupled with the reduction in financial subsidy it has become essential for the farm unit and working practice to become more efficient and to increase the numbers of livestock, both sheep and hill cattle. This increase in livestock has meant an increase in the labour burden on Mr. McIntyre.

It has also been recorded that over the past few years the incidence of vandalism, theft and general livestock disturbance by outsiders has increased. The farm is on the edge of the town of Greenock, with the housing estate less than a ¼ of a mile from the farm steading. The farm has always had issues of dog worrying to livestock, public vandalism to gates and fences leading to livestock straying onto public roads. However, incidents such as these have increased in the past few years with more serious cases of steading vandalism, theft and even animal disturbance by children. These have been reported to the Police Authority and are on record.

Another issue due to the location of the farm being accessed from the minor roadway leading from the housing estate to the A78 Inverkip Road is the incidence of Fly Tipping. As with the increase in vandalism and theft so has the amount of fly tipping both on the public road but also on the private farm access road.



Farm and steading viewed from the farm yard with the farm access road on the left hand side.

This photograph demonstrates the restricted view of the farmhouse to the yard and steading.



Site view from the edge of the farm steading with the town estate housing in the background.



View of farm steading from the rear with the roof and chimneys of the main farmhouse in the background.

This photograph demonstrates the concealed nature of the farm steading from the farmhouse allowing anyone to come and go unobserved.

### **Planning policy**

It is noted that the proposed development shall be assessed under the terms of the Council Policy RES 7 Residential Development in the Greenbelt and Countryside and also ENV 2 Assessing Development Proposals in the Green Belt and the Countryside.

Under policy RES 7 this states that development shall be supported if the proposal is 'a single dwelling or small group of dwellings not adjoining the urban area' in addition the development must fall within one of the following categories:

- a) Demolition and replacement of habitable dwelling or
- b) Sub-division of an existing dwelling or
- c) Conversion of redundant non-residential buildings or
- d) Is justified by the operational needs of the farm or business.

The proposed development is for a single dwelling house for an agricultural worker justified by the agricultural report by SAC consulting.

Under policy ENV 2 this states that development in the green belt will only be considered favourably in exceptional or mitigating circumstances and where it is supported with reference to the following criteria:

- a) It is required for the purposes of agriculture, forestry or renewable energy and
- e) It does not adversely impact on the natural and built heritage and environmental resources.
- f) It does not adversely impact on landscape character.
- g) It does not adversely impact on prime quality agricultural land.
- h) It does not adversely impact on peat land with a high value as a carbon store.
- i) It does not adversely affect the visual amenity of the area and is capable of satisfactory mitigation.

Given the factors clearly described and demonstrated within the SAC consulting report, supplementary statement and in the foregoing sections of this development background statement the development meets all of these requirements

### **Conclusion**

It is submitted that the planning application meets with the policy requirements of the Council and therefore be approved. In summary the grounds for approval are:

- A) The need for accommodation for a farm worker is clearly demonstrated in the attached independent agricultural report carried out and prepared by SAC, Auchencruive, Ayr. This need alone is justification for the development.
- B) As a result of the expansion of the farm unit over the past 25 years the existing farmhouse at Flatterton now oversees the lands of Flatterton, Bankfoot and Leitchland. These lands formerly supported 3 main farmhouses and a number of cottages. This expansion is clearly demonstrated under the agricultural section of this statement with the site plan drawings providing a visual representation of the extent of the growth of the agricultural unit. This is inarguably exceptional circumstances.
- C) The security of the existing farm steading and livestock requires a second established residence. As demonstrated in the earlier sections of this statement, at present the farmhouse has limited supervision of the steading and farm yard. The formation of a new dwelling house where proposed gives additional visual cover of the steading and located close to the farm access road creates a presence important to deal with vandalism, theft, etc. These are obviously mitigating circumstances.
- D) The supplementary business of Kennels and Cattery are essential to the viability of the overall farm business. These businesses alone require a human presence on site 24 hours a day, 365 days in the year. A factor that is both exceptional and mitigating.

# CONSULTATION RESPONSES

To: Head of Regeneration & Planning Your Ref: 16/0152/IC  
 From: Head of Environmental & Commercial Services Our Ref: EP/14/04/16/0152/IC  
 Contact: E Provan  
 Tel: (01475) 714814  
 Subject: Observations On Planning Application PA Ref: 16/0152/IC  
 Detail: Construction of dwelling house for agricultural workers (in principle) Dated: 24/06/2016  
 Received: 24/06/2016  
 Site: Flatterton Farm, Flatterton Road, Greenock, PA16 0AD Applicant: Mr & Mrs John McIntyre

Type of Consent: ~~Detailed Permission~~/ In Principle/ ~~Approval of Matters~~/ Change of Use

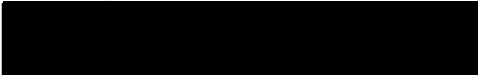
**Comments:**

1.	The access should be a minimum of 25m from the junction of Flatterton Road and the private road.						
2.	The minimum radius for the access should be 4m.						
3.	Assuming the access to the site is taken from the private road the minimum visibility should be 2.4m by 43m by 1.05m high.						
4.	Parking should be provided in accordance with the National Guidelines: <table border="1" data-bbox="303 940 730 1034"> <tr> <td>1 bedroom</td> <td>1 parking space</td> </tr> <tr> <td>2-3 bedrooms</td> <td>2 parking spaces</td> </tr> <tr> <td>4 bedrooms</td> <td>3 parking spaces</td> </tr> </table>	1 bedroom	1 parking space	2-3 bedrooms	2 parking spaces	4 bedrooms	3 parking spaces
1 bedroom	1 parking space						
2-3 bedrooms	2 parking spaces						
4 bedrooms	3 parking spaces						
5.	Driveway to cater for a minimum of 3 cars and should be a minimum of 4.8m wide to allow 2 vehicles to pass.						
6.	Driveway to be paved for a minimum distance of 2m to prevent loose driveway material being spilled onto the road.						
7.	Driveway gradient should not exceed 10%.						
8.	The applicant should demonstrate that vehicles can enter the site, turn and exit in forward gear.						

**Notes For Intimation To Applicant**

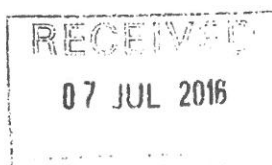
Construction Consent (S21)*	Not Required/ <del>Required for all road works</del>
Road Bond (S17)*	Not Required/ <del>Required if building works are to be undertaken before roads are completed</del>
Road Opening Permit (S56)*	<del>Not Required</del> / Required for all works in the public road
Other	Not Required/ <del>xxx</del>

\*Relevant Section of the Roads (Scotland) Act 1984



Signed: Steven Walker, Service Manager (Roads)

Date: 1/7/16



## Rona McGhee

---

**From:** David Ashman on behalf of Devcont Planning  
**Sent:** 05 July 2016 08:44  
**To:** Laura Graham  
**Subject:** FW: Planning Consultation - Flatterton Farm, Flatterton Road, Greenock 16/0152/IC  
**Attachments:** 160152IC Flatterton Farm Flatterton Rd GNK.doc

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**From:** Jim Blair  
**Sent:** 04 July 2016 16:44  
**To:** Devcont Planning; David Ashman  
**Cc:** Janet Stitt; Sharon Lindsay; Roslyn McIntosh  
**Subject:** Planning Consultation - Flatterton Farm, Flatterton Road, Greenock 16/0152/IC

Please find attached the comments from this Service on the above application.

Jim Blair,  
Environmental Health Officer,  
Public Health and Housing  
Safer and Inclusive Communities,  
Inverclyde Council  
Tel: 01475 71 4305

**Inverclyde Council – Best Government Services Employer in the UK 2016 – Bloomberg Business Best Employer Awards 2016**



## Memorandum

### Safer Communities Planning Application Consultation Response

To: <b>Planning Services</b> For the Attention of David Ashman	
From: <b>Safer and Inclusive Communities</b>	Planning response date <b>15.7.16</b> Date sent <b>4.7.16</b>

Lead Officer: <b>JIM BLAIR</b>
Tel: <b>01475 71 4305</b> Email: <b>jim.blair@inverclyde.gov.uk</b>

Safer Communities Reference (optional):	
Planning Application Reference:	<b>16/0152/IC</b>
Planning Application Address:	<b>Flatterton Farm Flatterton Road Greenock PA16 0AD</b>
Planning Application Proposal:	<b>Construction of dwelling house for agricultural worker (in principle)</b>

Team	Officer	Date
Food & Health	Michael Lapsley	
Air Quality <i>Contaminated Land</i>	Sharon Lindsay Roslyn McIntosh	29.6.16 30/06/2016
Public Health & Housing	Jim Blair	27.6.16
Noise	Sharon Lindsay	29.6.16

Amend table entries as appropriate and insert date when each officer review is completed.

**Recommended Conditions:**

It is recommended that the undernoted conditions be placed on any consent the council may grant:

*Delete or amend as appropriate*

**Food & Health**

**No Comments**

**Air Quality**

**No Comments**

*Contaminated Land*

**Advice only:** In the event contamination is suspected during ground preparation works for the proposed dwellinghouse to contact Inverclyde Council's Contaminated Land Officer for guidance.

**Public Health & Housing**

1. The applicant shall submit to the Planning Authority a detailed specification of the containers to be used to store waste materials and recyclable materials produced on the premises as well as specific details of the areas where such containers are to be located. The use of the residential accommodation shall not commence until the above details are approved in writing by the Planning Authority and the equipment and any structural changes are in place.

Reason: To protect the amenity of the immediate area, prevent the creation of nuisance due to odours, insects, rodents or birds.

2. All external lighting on the application site should comply with the Scottish Government Guidance Note "Controlling Light Pollution and Reducing Lighting Energy Consumption".

Reason: To protect the amenity of the immediate area, the creation of nuisance due to light pollution and to support the reduction of energy consumption.

**Noise**

**No Comments**

### *Recommended Advisory Notes*

It is strongly recommended that the undernoted Advisory Notes be placed on any consent the Council may grant:

- i. **Site Drainage:** Suitable and sufficient measures for the effective collection and disposal of surface water should be implemented during construction phase of the project as well as within the completed development to prevent flooding within this and nearby property.
- ii. **Rats, drains and sewers:** Prior to the construction phase it is strongly recommended that any existing, but redundant, sewer/drainage connections should be sealed to prevent rat infestation and inhibit the movement of rats within the area via the sewers/drains.
- iii. The applicant should be fully aware of the **Construction (Design & Management) Regulations 2015 (CDM 2015)** and it's implications on client duties etc.

## **DECISION NOTICE DATED 9 AUGUST 2016**

# DECISION NOTICE

Inverclyde  
council

## *Planning Permission in Principle- Refusal*

Issued under Delegated Powers

Regeneration and Planning  
Municipal Buildings  
Clyde Square  
Greenock PA15 1LY

Planning Ref: 16/0152/iC

Online Ref:100016228-001

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

Mr. & Mrs. John McIntyre  
Flatterton Farm  
Flatterton Road  
GREENOCK  
PA16 0AD

James Harper Architects  
James Harper  
Langslie  
Langstilly Road  
LOCHWINNOCH  
PA12 4DR

With reference to your application dated 15.06.2016 for planning permission under the abovementioned Act and Regulation for the following development:-

Construction of dwelling house for agricultural worker (in principle) at

Flatterton Farm, Flatterton Road, Greenock

Category of Application: Local Application Development

The INVERCLYDE COUNCIL in exercise of their powers under the abovementioned Act and Regulation hereby refuse planning permission in principle for the said development in accordance with the plan(s) docketted as relative hereto and the particulars given in the application subject however to the following reasons:-

1. The proposed dwelling is not justified by the operational needs of Flatterton Farm, under policy RES7(d) of the Inverclyde Local Development Plan and that there are not the exceptional or mitigating circumstances where development in the Green Belt would be justified under policy ENV2
2. The proposed site does not form part of a group of buildings, and as such will result in sporadic development in the countryside, contrary to guidance in PAAN8 and, consequently, policy ENV2(k) and policy SDS8 of the Inverclyde Local Development Plan.

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

Dated this 9th day of August 2016

  
Head of Regeneration and Planning



- 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:
1510 PL01	A	01.05.2016
1510 PL00		01.05.2016
100022432		

**LETTER DATED 3 NOVEMBER 2016 FROM JAMES HARPER,  
ARCHITECT, ENCLOSING NOTICE OF REVIEW FORM  
AND SUPPORTING DOCUMENTS**



James Harper Architect

**McIntyre1510005**  
03.11.16

Inverclyde Council,  
Regeneration and Planning,  
Municipal Buildings,  
Greenock,  
PA15 1LY.

Dear Sir / Madam,

**Notice of review under Section 43A of the Town and Country Planning  
(Scotland) Act 1997**

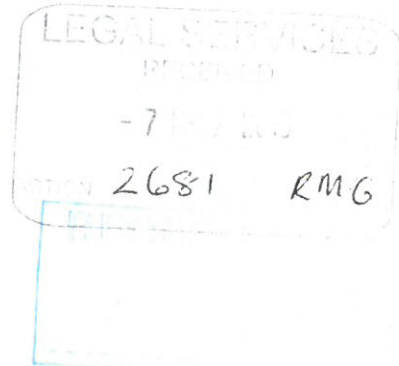
**Refusal of Planning Permission Ref:16/0152/IC -Proposed Construction  
of Dwelling House for agricultural worker (in principle) at  
Flatterton Farm, Greenock.  
Mr. and Mrs. John McIntyre.**

On behalf of my client Mr. & Mrs. John McIntyre, I submit a notice of review to Inverclyde Council's Review Body. I request a review of the decision made by the appointed person relating to the refusal of the above application for planning permission.

I would request that the local review Body visits the site and immediate area prior to making a determination.

Yours faithfully,

**James B. Harper, R.I.B.A.**





# NOTICE OF REVIEW

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

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

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2013

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

Use **BLOCK CAPITALS** if completing in manuscript

## Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

## Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

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

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

Yes  No

Planning authority

Planning authority's application reference number

Site address

Description of proposed development

Date of application  Date of decision (if any)

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

**Nature of application**

- 1. Application for planning permission (including householder application)
- 2. Application for planning permission in principle
- 3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition)
- 4. Application for approval of matters specified in conditions

**Reasons for seeking review**

- 1. Refusal of application by appointed officer
- 2. Failure by appointed officer to determine the application within the period allowed for determination of the application
- 3. Conditions imposed on consent by appointed officer

**Review procedure**

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

- 1. Further written submissions
- 2. One or more hearing sessions
- 3. Site inspection
- 4. Assessment of review documents only, with no further procedure

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

**Site inspection**

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

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

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

**Statement**

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

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

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

See attached supporting documents.

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?

Yes  No

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

**List of documents and evidence**

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

See attached documents.

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

**Checklist**

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

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

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

**Declaration**

I the agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed



Date

4<sup>th</sup>. November, 2016

## Notice of Review.

Refusal of planning permission Ref: 16/0152/IC

Construction of dwelling house for agricultural worker(in principle)  
at  
Flatterton Farm, Greenock.

Mr. and Mrs. John McIntyre.

## **INDEX**

Introduction.

Background.

The Site.

Reasons for Refusal.

Conclusions.

Appendix A.

Documents:

Document 1      Refusal decision notice and report of handling.

Document 2      Planning Application form, submitted plans and supporting planning statements.

## Introduction.

- 1) Planning Permission (in principle), ref: 16/0152/IC, was refused by the appointed officer on the 9<sup>th</sup>. August, 2016 for the construction of a dwelling house for an agricultural worker. The planning Application was refused for two reasons.
  - A) *The proposed dwelling is not justified by the operational needs of Flatterton Farm, under policy RES7(d) of the Inverclyde Local Development Plan and that there are not the exceptional or mitigating circumstances where development in the Green Belt would be justified under policy ENV2.*
  - B) *The proposed site does not form part of a group of buildings, and as such will result in sporadic development in the countryside, contrary to guidance in PAAN8 and, consequently, policy ENV2(k) and policy SDS8 of the Inverclyde Local Development Plan.*
- 2) A copy of the decision notice and report of handling are attached as document 1. Copies of the Planning Application Form, submitted plans and supporting planning statement are attached as document 2.
- 3) It is strongly contended that the proposal complies with the Council Development Plan and should be approved.
- 4) The information that follows within this statement will demonstrate that the proposed development is justified, exceptional and would not constitute sporadic development.

**Background.**

Flatteron Farm has been occupied and operated by the applicant, Mtr. And Mrs. McIntyre for over 33 years.

During this time the farm unit has expanded from 200 acres in 1983 with livestock of 30milk cattle and 70 sheep to the present day with 615acres and stock of 62cattle, 535sheep and 775lambs. This expansion has been with the acquisition of lands of the former self-contained agricultural units of Leitchland and Bankfoot which were adjoining Flatterton. It is stressed that although the lands of these former agricultural holdings were acquired at no time was any of the dwelling units or steading buildings obtained with the land.

In addition to the agricultural business Mr. and Mrs. McIntyre established a Dog and cat boarding kennels and cattery to supplement the income from the farm, which by its nature was and still is extremely unstable.



### **The Site.**

The proposed development site itself lies to the east of the existing farmhouse and steading and is adjacent to the farm access road junction with the minor public road known as Flatterton Road.

As stated in the originally submitted support statement the site is not of high quality agricultural land and was in fact an area formerly used as an army base during the second world war.

The site was carefully chosen for several reasons:

Firstly, the site is easily accessed from the public / farm access road and is in a prime location for the supervision of the farm steading and yards for security.

Secondly, the siting allows for the possible future expansion of the farm steading buildings.

Thirdly, the site is of low agricultural value.

Fourthly, the site is not of any environmental value or of wildlife importance.

### **Reasons for Refusal.**

Two reasons were given for refusing the planning application. In essence the reasons for refusal relate to the following matters.

- 1) The proposed development is not justified by the operational needs of the farm.
- 2) There are no exceptional or mitigating circumstances which would justify the development in the Green Belt.
- 3) The siting of the development would constitute sporadic development in the countryside.

Each of these matters will be addressed in turn.

#### *Development not justified by the operational needs of the farm.*

Within the originally submitted application support documents was an agricultural report prepared by the Scottish Agricultural College at Auchincruive which assessed the existing farm demands based upon the farm acreage and livestock with national guidelines. This report clearly demonstrates that the farm demands a workforce of 3.56 persons. This report itself justifies the need for an agricultural workers house.

Within the report of handling the appointed officer has failed to understand the nature of the business and the required work relationship in a farm of this type. It seems he has tried to simplify the agricultural report by the College to numbers without appreciating the nature of the work involved on the farm. Following the receipt of the planning refusal notice the Scottish Agricultural College were invited to comment of this decision. A supplementary report prepared by the Scottish Agricultural College is attached to this review notice which clearly demonstrates and explains the nature of the business and how farming, although governed by the seasons is not a seasonal operation but a year long cycle requiring constant attention. This report explains where the appointed officer misunderstood the work demands throughout the year and not at specific periods of time.

#### *Exceptional or mitigating circumstances.*

It is submitted that a business enterprise which has expanded by over 300% in a period of over 30 years without any increase in staff is exceptional. This is what has taken place at Flatterton Farm and is due to the hard work and dedication of both Mr. and Mrs. McIntyre who have put their entire life into the running of the farm. It was stated in the originally submitted support statement that since setting up the farm in 1983 Mr. and Mrs. McIntyre took their first holiday in 2013. That is 30 years. This was only possible when their family insisted that they take a break and they would provide cover during the time Mr. and Mrs. McIntyre were away.

It is also submitted that in addition to the demands of the farm operation the establishment of the dog and cat boarding business has placed a 24hours a day 365days in the year demand for a physical presence on site.

Given the foregoing these are clearly exceptional and I would submit mitigating circumstances.

*Sporadic development.*

The appointed officer stated in his report that the siting of the proposed development is isolated from the farm steading and separated by an open yard which would lead to sporadic development. What he fails to appreciate is that the 'open yard' is used throughout the year for the storage of animal feeds, farm implements, gathering of stock and therefore changes from in the summer months from an open yard to a very congested space during the Autumn and winter months essential to the working of the farm.

I would also contend that at no time did the appointed officer raise this matter with myself or the applicant for discussion. It was therefore a decision based upon his own views and opinions.

**Conclusions.**

It is contended that the reasons given by the appointed person for refusing the proposal do not stand up to close scrutiny and cannot be substantiated by evidence.

This review statement, along with the initial statement and evidence submitted in support of the planning application demonstrates that there are no sound reasons as to why the application should not be supported.

I would therefore ask that the Local Review Body find in favour of the proposal and grant planning permission subject to appropriate conditions.



**Mr & Mrs John McIntyre  
Flatterton Farm  
Flatterton Road  
Greenock PA16 0AD**

I refer to the refusal notice, 16/0152/IC, for planning permission in principle for the erection of an agricultural worker's house at the above property and specifically the reason that the proposed dwelling is not justified by the operational needs of Flatterton Farm.

As a senior agricultural consultant with SAC Consulting, I visited Flatterton Farm in September 2015. I viewed and assessed the whole steading and farm land and obtained all the up to date information on the range of farming enterprises.

The completed report, based on the area of crops and grassland and the numbers of livestock, clearly showed that the business needs 3.56 labour units. The farming business has expanded over the years and livestock numbers have increased.

The planning officer makes reference to the fact that the lambs on the farm are not present for a full year. Sheep farming is very demanding all year round. The sheep year starts in the autumn in preparing all the stock – male and female for the breeding season. The previous year's lambs are marketed in late autumn/early winter before lambing commences in early spring. When the lambs are born there are routine sheep tasks that need to be carried out including health treatments. The lambs are present on the farm for over 9 months of the year. Lambing starts in mid March and lambs are sold off the farm in late autumn and early winter through to January. In the 3 months or so when there are no lambs on the farm, the ewes are heavily pregnant and need additional labour input in providing feeding and housing. There are no quiet times in the sheep calendar. The calculated labour requirement accurately reflects the need for labour at Flatterton. If it is possible to get some additional seasonal or casual labour at lambing time this will allow the regular staff some extra sleeping time.

It is essential that there is a presence on the farm every day of the year. Animals need to be checked daily - every day of the year. Sheep farming is a very demanding job but farmers do it because they enjoy it!

The farm business also augments its income by running a kennel and cattery business. These enterprises have not been included in the labour unit calculation as they are supplementary enterprises and not primary agricultural ones, which is what the report was based upon.

The demands of this type of business are often seven days a week with constant premises security and on site presence essential.



The income from the kennels and cattery is vital to the farm's survival as well as providing a much needed service to the surrounding urban population.

It is now a well known fact that the majority of farm businesses in Scotland and in particular those farms near the urban fringe, now have a diversified supplementary enterprise, examples include farm shop outlets, tourism and leisure attractions, provision of storage facilities and many others.

**Andrew T Leggate**

Assistant Regional Manager  
SAC Consulting  
Auchincruive  
Ayr KA6 5HW

Tel. 01292 525263

Mob: 07720 700280

Email: [Andrew.leggate@sac.co.uk](mailto:Andrew.leggate@sac.co.uk)

October 2016

# DECISION NOTICE

Inverclyde  
council

## *Planning Permission in Principle- Refusal*

Issued under Delegated Powers

Regeneration and Planning  
Municipal Buildings  
Clyde Square  
Greenock PA15 1LY

Planning Ref: 16/0152/iC

Online Ref:100016228-001

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

Mr. & Mrs. John McIntyre  
Flatterton Farm  
Flatterton Road  
GREENOCK  
PA16 0AD

James Harper Architects  
James Harper  
Langslie  
Langstilly Road  
LOCHWINNOCH  
PA12 4DR

With reference to your application dated 15.06.2016 for planning permission under the abovementioned Act and Regulation for the following development:-

Construction of dwelling house for agricultural worker (in principle) at

Flatterton Farm, Flatterton Road, Greenock

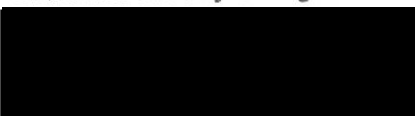
Category of Application: Local Application Development

The INVERCLYDE COUNCIL in exercise of their powers under the abovementioned Act and Regulation hereby refuse planning permission in principle for the said development in accordance with the plan(s) docketted as relative hereto and the particulars given in the application subject however to the following reasons:-

1. The proposed dwelling is not justified by the operational needs of Flatterton Farm, under policy RES7(d) of the Inverclyde Local Development Plan and that there are not the exceptional or mitigating circumstances where development in the Green Belt would be justified under policy ENV2
2. The proposed site does not form part of a group of buildings, and as such will result in sporadic development in the countryside, contrary to guidance in PAAN8 and, consequently, policy ENV2(k) and policy SDS8 of the Inverclyde Local Development Plan.

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

Dated this 9th day of August 2016



Head of Regeneration and Planning



- 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:
1510 PL01	A	01.05.2016
1510 PL00		01.05.2016
100022432		



**REPORT OF HANDLING**

**Report By:** David Ashman

**Report No:** 16/0152/IC

**Local Application  
Development**

**Contact  
Officer:** 01475 712416

**Date:** 5<sup>th</sup> August 2016

**Subject:** Construction of dwelling house for agricultural worker (in principle) at  
Flatterton Farm, Flatterton Road, Greenock

**SITE DESCRIPTION**

The application site extends to 1,099 square metres and forms part of Flatterton Farm. It is located on the north-east side of the junction of the private access leading up to the Farm from Flatterton Road and consists of undulating ground, some of which appears to be actively used for grazing, the remainder being used for storage of plant and materials. The south-western and south-eastern boundaries are largely defined by existing high boundary hedging. The north-western and north-eastern boundaries are less well defined.

The associated Flatterton Farm steading consists of the single farmhouse dwelling together with a number of agricultural outbuildings providing livestock shelter as well as food and tool storage.

**PROPOSAL**

Planning permission is sought, in principle, for the construction of a dwellinghouse for an agricultural worker. As a planning application in principle the plans simply outline the 1,099 square metres application site but show no further details. The application has, however, been supported by three statements.

The first two are a report, supported by a supplementary, from the Scottish Agricultural College (SAC) which, based on the overall 245 hectares area and the numbers of livestock (62 cattle, 535 ewes and 775 lambs), concludes that the business requires 3 full-time workers and one part-time worker. It notes that applicant and his wife run the business with the additional help of seasonal and casual workers. The report concludes that due to increased rules and regulations and the applicant's age (56), a full-time worker now needs to be taken on in addition to the existing staff; that the sheep and beef enterprises require constant supervision on-site; that it is justified by animal welfare and urban fringe security issues; that although a supplementary income enterprise, the kennels and cattery (30 dogs and 30 cats) justify a full-time presence; that the land on which it would be built is not top quality; that it will not result in a lost environmental resource; and that there is only one "available" domestic dwelling (Flatterton Farm House) with no other buildings capable of conversion.

The second is a planning support statement which outlines the history of the site - it is claimed to be the site of a Second World War army base, search light centre and underground air raid shelter - together with a history of the development of Flatterton Farm, concentrating on its expansion in absorbing land previously associated with the neighbouring Leitchland and Bankfoot holdings. The

supporting statement concludes that a new dwelling is justified on 4 grounds: the agricultural report from the Scottish Agricultural Cottage (see above); the historic growth of the land overseen by Flatterton Farm to take in adjacent units justifies the "exceptional circumstances" referred to in local development plan policies; it is required for additional security due to a range of urban fringe pressures such as vandalism and theft; and that the supplementary businesses of kennels and catteries alone require 24 hours presence on the site, 365 days a year.

## **DEVELOPMENT PLAN POLICIES**

### **Policy ENV2 - Assessing Development Proposals in the Green Belt and the Countryside**

Development in the Green Belt will only be considered favourably in exceptional or mitigating circumstances, while development in the Countryside will only be considered favourably where it can be supported with reference to the following criteria:

- (a) it is required for the purposes of agriculture, forestry or, where appropriate, renewable energy (refer Policy INF1); or
- (b) it is a recreation, leisure or tourism proposal which is appropriate for the countryside and has an economic, social and community benefit (refer to Policy ECN6); or
- (c) there is a specific locational requirement for the use and it cannot be accommodated on an alternative site (refer Policies INF3 and INF7); or
- (d) it entails appropriate re-use of redundant habitable buildings, the retention of which is desirable for either their historic interest or architectural character or which form part of an establishment or institution standing in extensive grounds (refer to Policy RES7); and
- (e) it does not adversely impact on the natural and built heritage, and environmental resources;
- (f) it does not adversely impact on landscape character;
- (g) it does not adversely impact on prime quality agricultural land;
- (h) it does not adversely impact on peat land with a high value as a carbon store;
- (i) it does not adversely affect the visual amenity of the area and is capable of satisfactory mitigation;
- (j) there is a need for additional land for development purposes, provided it takes account of the requirements of the Strategic Development Plan; and
- (k) it has regard to Supplementary Guidance on Planning Application Advice Notes.

### **Policy RES7 : Residential Development in the Green Belt and Countryside**

The development of new dwellings in the Green Belt and Countryside, identified on the Proposals Map, will be supported only if the proposal is for either

- (1) a single or small group of dwellings not adjoining the urban area; or
- (2) the conversion of redundant non-residential buildings, that are for the most part intact and capable of conversion for residential use without recourse to substantial demolition and rebuilding.

In additional, all proposals must fall within one of the following categories:

(a) demolition and replacement of habitable dwellings which cannot otherwise be brought up to acceptable building standards and where the proposed building reflects the scale of the existing building and is sympathetic to the character, pattern of development and appearance of the area; or

(b) sub-division of an existing dwelling house(s) for the provision of one or more additional units where any new build element is clearly ancillary to the completed building; or

(c) conversion of redundant, non-residential buildings, where the proposal requires to be supported by proof of the building's redundancy to demonstrate that it no longer meets its original purpose, as well as a structural survey indicating that the building may be utilised for the proposed use substantially in its current form, and that any proposed extensions to existing building(s) or ancillary new build element will need to be proven to be required to make the development financially viable, with details of costs to be submitted; or

(a) is justified by the operational needs of farms or other businesses or activities which are inherently rural in nature and where the applicant will be required to make a land management or business case to the satisfaction of the Council: or

(b) is part of an integrated project with significant employment and/or economic benefits which is in accordance with other policies of the Local Development Plan and where the Council is satisfied that the dwelling(s) are essential to ensure the implementation of the whole development and that such considerations are of sufficient weight to merit support.

#### Policy SDS8 - Green Belt and the Countryside

There will be a presumption against the spread of the built-up area into the designated Green Belt and careful management to prevent sporadic development in the designated Countryside, as identified on the Proposals Map.

Planning Application Advice Notes (PAAN) 3 on "Private and Public Open Space Provision in New Residential Development" and PAAN8 on "Siting and Design of New Houses in the Countryside" apply.

#### CONSULTATIONS

**Head of Safer and Inclusive Communities** - No objection, subject to conditions in respect of waste containers and their location, and external lighting; and advisory notes in respect of site drainage, vermin, drains and sewers, and the Construction (Design & Management) Regulations 2015 (CDM 2015).

**Head of Environmental and Commercial Services** - The access should be a minimum of 25 metres from the junction of Flatterton Road and the private road; the minimum radius should be 4 metres; assuming the access to the site is taken from the private road the minimum visibility should be 2.4 metres by 4.3 metres by 1.05 metres high; parking should be in accordance with the National Guidelines; a driveway should cater for a minimum of 3 cars and should be a minimum of 4.8 metres wide to allow 2 vehicles to pass; driveway to be paved for a minimum distance of 2 metres to prevent loose driveway material being spilled onto the road; the driveway gradient shall not exceed 10%; and the applicant shall demonstrate that vehicles can enter the site, turn and exit in forward gear.

#### PUBLICITY

The application was advertised in the Greenock Telegraph on 1st July 2016 as there are no premises on neighbouring land.

## **SITE NOTICES**

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

## **PUBLIC PARTICIPATION**

No representations were received.

## **ASSESSMENT**

The material considerations in determination of this application are the Inverclyde Local Development Plan, Planning Application Advice Notes (PAAN) 3 on "Private and Public Open Space Provision in New Residential Development" and PAAN8 on "Siting and Design of New Houses in the Countryside", the consultation replies and the applicant's supporting documentation.

The Local Development Plan locates the application site within the Green Belt, under policy SDS8. This policy presumes against the spread of the built-up area into the designated Green Belt. The Green Belt is not intended to prevent development but to support the Plan's spatial strategy of directing new development to the urban area and areas requiring renewal and regeneration. Reference, however requires to be made to the associated policy ENV2. Policy ENV2 addresses the assessment of development proposals in the Green Belt and Countryside. With respect to development in the Green Belt, this is only to be considered favourably in exceptional or mitigating circumstances. As this is a proposed residential development it is necessary that policy RES7 be considered to determine the nature of the exceptional or mitigating circumstances in this instance.

Policy RES7 advises that the development of new dwellings in the Green Belt and Countryside will only be supported if the proposal is either for a single or small group of dwellings not adjoining the urban area or if it involves the conversion of redundant non-residential buildings. The former category applies in this instance, although the policy goes on to indicate that all proposals must fall within one of a number of criteria, the most relevant of which in this instance is criteria (d), which indicates that the proposal must be "justified by the operational needs of farms or other businesses or activities which are inherently rural in nature and where the applicant will be required to make a land management or business case to the satisfaction of the Council".

The first determining factor in this case, therefore, is whether or not a sufficient case has been made by the applicant to support the provision of a new dwelling.

The report by the SAC sets out full details of cropping and livestock numbers and the number of man hours required for the business to operate. Based on criteria set by the Scottish Government Rural Payment and Inspections Directorate the number of labour units required by the business equates to 3 full-time and one part-time worker. The SAC report therefore concludes that there is a need to take on one full-time worker in addition to the season staff currently employed. It also notes that 24 hour supervision of the sheep and beef enterprises is required at key times of the year, especially at lambing and calving times but goes on to state that it is very important, from an animal welfare point of view, that there be someone on hand to observe the livestock at all times throughout the year. It further notes that while the kennels and cattery business is supplementary it is essential to support the main business and that it is imperative for animal welfare and security reasons that one person is present on the site 24 hours a day. To date, the applicant and his wife and any additional staff they have employed have fulfilled this role. The supplementary report provides clarification on the earlier report emphasising that additional 24 hour supervision permanently on site is required all year round on the site (not just during the calving and lambing season) to allow the resident farm operator time off.

On the basis of the submitted information I accept the method by which the SAC calculates that an additional full-time worker is required during key times of the farming year and their central conclusion in this respect, i.e., that an additional worker requires to be present on the Farm to assist with operations at those times. I am not satisfied that a case for the additional worker being

required during the rest of the year has been established. I note, for example, that lambs, at 775 units, form the greatest individual figure in the calculation of man hours, justifying the additional full time worker. Lambs will not be on the Farm all year round. Indeed, if they are taken out of the equation then based on the SAC's calculation method only two full-time workers are justified during the remainder of the year. I am therefore not convinced that the additional worker requires to be permanently resident on the site throughout the entire year and that an additional permanent residence on the Farm cannot be justified on this basis. Temporary residential accommodation could be justified during the peak lambing and calving season and a separate application for such seasonal or temporary accommodation could be entertained.

I am therefore not convinced that the proposal has been justified by the operational needs of the Farm and that a satisfactory business case has not been made to the Council under policy RES7(d). On this basis I conclude that, with respect to policy ENV2, there are no mitigating circumstances which can justify the development in this instance.

I am also concerned by the proposed siting of the dwelling. PAAN8 offers guidance and indicates that sites adjacent to or within groups of other buildings will be favoured. The site is separated from the farmstead by an open yard and when viewed from Flatterton Road does not appear as part of the group of farm buildings. Therefore, in addition to failing to justify need, I consider the site is inappropriately positioned and contrary to PAAN8. It also would give the appearance of sporadic development.

I note the responses of consultees and the supplementary guidance provided by PAANs 3 and 8 but consider, in light of my conclusion, that no further analysis is necessary in this instance.

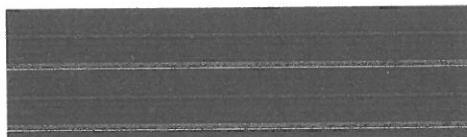
With respect to the remaining material considerations, the concerns of the Heads of Safer and Inclusive Communities and Environmental and Commercial Services could be addressed by conditions and advisory notes.

## **RECOMMENDATION**

That the application be refused for the following reasons:

1. The proposed dwelling is not justified by the operational needs of Flatterton Farm, under policy RES7(d) of the Inverclyde Local Development Plan and that there are not the exceptional or mitigating circumstances where development in the Green Belt would be justified under policy ENV2; and
2. The proposed site does not form part of a group of buildings, and as such will result in sporadic development in the countryside, contrary to guidance in PAAN8 and, consequently, policy ENV2(k) and policy SDS8 of the Inverclyde Local Development Plan.

Signed:



Case Officer: David Ashman



**Stuart Jamieson**  
Head of Regeneration and Planning

# Inverclyde council

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 100016228-001

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)

Proposed Erection of Dwelling House for Agricultural Worker at Flatterton Farm, Flatterton Road, Greenock, PA16 0AD

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:	James Harper Architect		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	James	Building Name:	Langslie
Last Name: *	Harper	Building Number:	
Telephone Number: *	01505 843007	Address 1 (Street): *	Langstilly Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Lochwinnoch
Fax Number:		Country: *	Scotland
		Postcode: *	PA12 4DR
Email Address: *	mail@harperarchitect.co.uk		

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr. & Mrs.	Building Name:	Falletterton Farm
First Name: *	John	Building Number:	
Last Name: *	McIntyre	Address 1 (Street): *	Flatterton Road,
Company/Organisation:		Address 2:	
Telephone Number: *		Town/City: *	Greenock
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	PA16 0AD
Fax Number:			
Email Address: *			

## Site Address Details

Planning Authority:

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

Northing

Easting

## 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)

Meeting and discussions with Mr. Michael Martin. Mr. Martin advised that justification for the development was required under the policy of the Greenbelt in exceptional or mitigating circumstances. Further supporting documentation to be submitted.

Title:

Other title:

First Name:

Last Name:

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:

1099.00

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 grazing land.

## 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: \*

Foul drainage treatment to be by septic tank with soakaway outfall. Surface water drainage by 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

Do you have any agricultural tenants? \*  Yes  No

## Certificate Required

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

Certificate E

## Land Ownership Certificate

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

Certificate E

I hereby certify that –

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are no agricultural tenants

Or

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are agricultural tenants.

Name:

Address:

Date of Service of Notice: \*

(4) – I have/The applicant has taken reasonable steps, as listed below, to ascertain the names and addresses of the other owners or agricultural tenants and \*have/has been unable to do so –

Signed: James Harper  
On behalf of: Mr. & Mrs. John McIntyre  
Date: 15/06/2016

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)

Agricultural Report. Supplementary Agricultural Report Planning Support Statement.

Provide copies of the following documents if applicable:

- |                                                                                        |                                                                      |
|----------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| A copy of an Environmental Statement. *                                                | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. *                                   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Flood Risk Assessment. *                                                             | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. *                                                                | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan                                                  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. *                                                        | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Habitat Survey. *                                                                      | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. *                                                              | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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 James Harper

Declaration Date: 15/06/2016

## Payment Details

Cheque: Firm of J K McIntyre, 004354

Created: 15/06/2016 09:55

## **Proposed Erection of Dwelling House at Flatterton Farm, Greenock.**

### **Planning Support Statement.**

#### **Site Background.**

The proposed development site lies to the east of the existing farmhouse and steading of Flatterton Farm adjacent to the farm access road junction with the public road.

The site is an area formerly of an old army base during the second world war. The area was utilised as a search light centre and underground air raid shelter. The site was inspected by Historic Scotland in 2009 but recorded not of any interest.

The site location has been carefully chosen for a number of reasons.

Firstly, for supervision of the main farm access and steading providing security.

Secondly, the location allows for future farm steading and yard expansion.

Thirdly, the site is of low agricultural value, classed as 4.2 on approved land value guidelines. This rating is NOT top quality land.

Finally, the site is of no environmental value or of wildlife importance.



View of site from public roadway with farm access road to the left hand side.



View of site frontage to the right hand side from the public roadway with the farm access road in the background.



View of site from the farm access road with the farm yard in the foreground.

**Farm Background.**

The farm was first established by Mr. & Mrs. McIntyre in 1983. At this time the farm was leased from the Ardgowan Estates and extended to approximately 200 acres most of which was hill land. Originally the farm was a dairy farm with stock of 30 milk cattle and 70 sheep.

In 1993 an additional 130 acres was leased from Ardgowan Estates. This was part of the farm unit known as Bankfoot. It is noted that the farmhouse and steading was retained by Ardgowan Estates and leased separately. With the additional acreage to the unit the stock number of sheep increased to 250.

In 2010 a further 285 acres was added to the farm unit. This consisted of the lands of Leitchland. Again it is noted that the farmhouse, steading and cottages forming part of the Leitchland unit were retained by the Ardgowan Estates. The stock numbers increased to the present day levels with 62 cattle, 535 ewes and 775 lambs as reported in the Agricultural Report prepared by SAC consulting, farm and agricultural consultants.

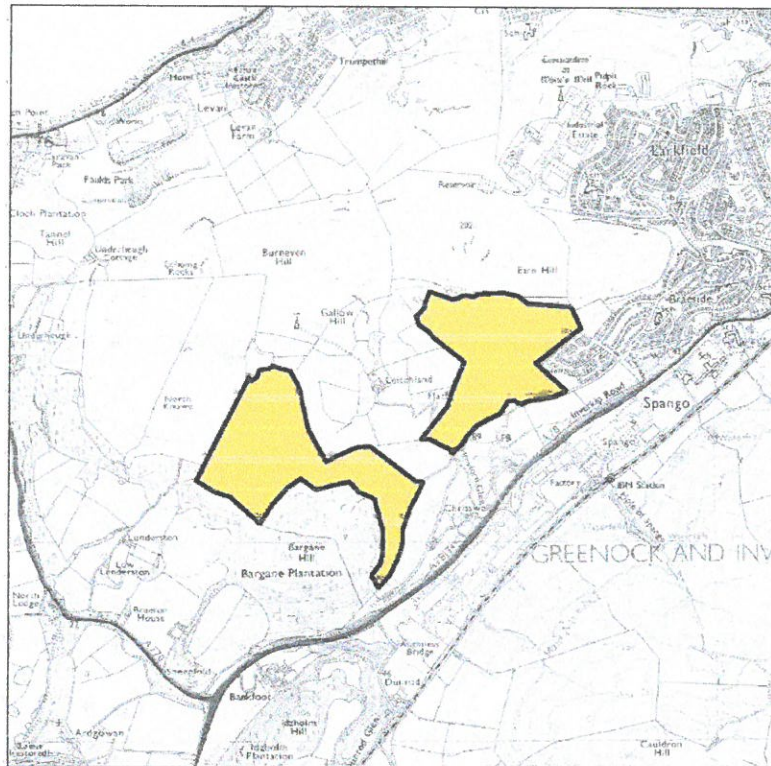
In addition to the agricultural business Mr. & Mrs. McIntyre established a Dog and Cat Boarding kennels and Cattery in 1992. This consists of 24 kennels and 20 cat chalets with a Council Approved licence for 30 dogs and 30 cats.

In 2013 Mr. & Mrs McIntyre managed to purchase Flatterton Farm, steading and 25 acres from the Ardgowan Estates together with a long term tenancy agreement for the lands.

The farm steading consists of a single farmhouse dwelling with a number of agricultural outbuildings providing livestock shelter as well as food and implement storage. There are no buildings within the steading that would be suitable for conversion.



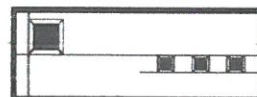
Erection of Dwelling House at:  
 Flatterton Farm, Greenock.  
 Mr. & Mrs. J. McIntyre.



1983

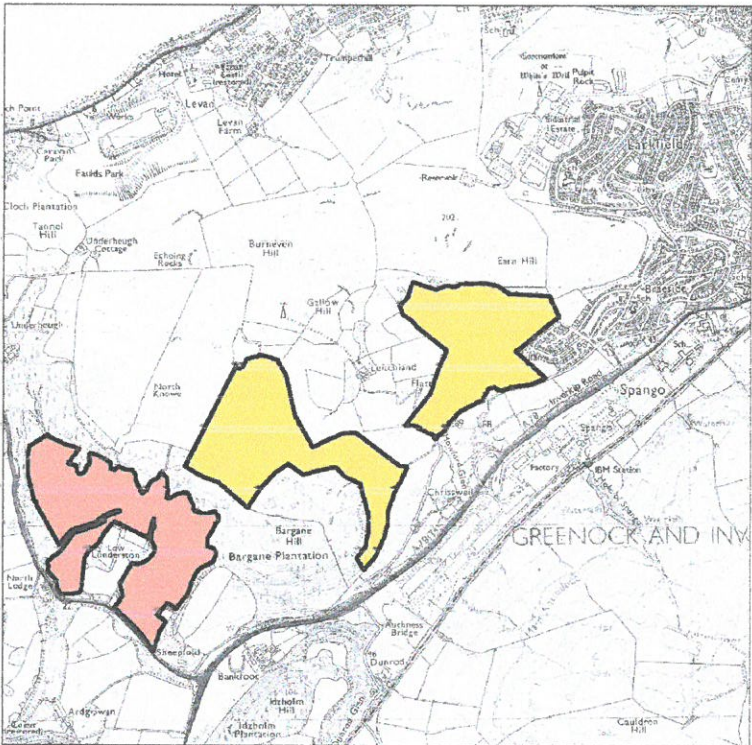
Original Farming Grounds of Flatterton  
 Farm.

1:25,000



James Harper Architect  
 The Langels, Langatilly Road, Lochwinnoch, Renfrewshire, PA12 4DR.  
 Telephone / Fax: 01505 845007 E-mail: james@jsharperarchitect.co.uk

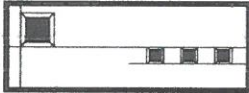
Erection of Dwelling House at:  
 Flatterton Farm, Greenock.  
 Mr. & Mrs. J. McIntyre.



1993

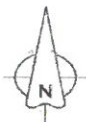
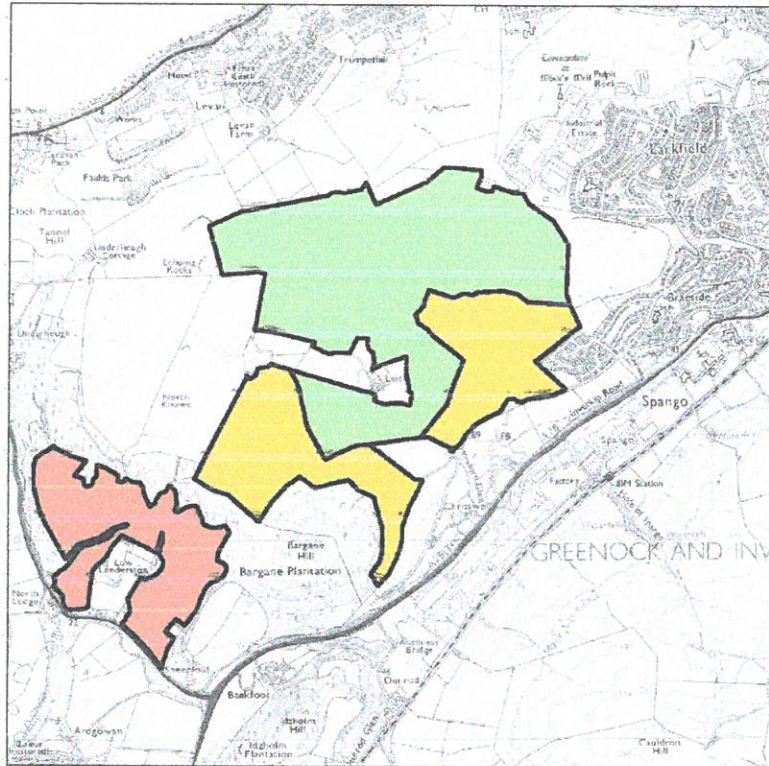
Farming Grounds of Flatterton And  
 Bankfoot.

1:25,000



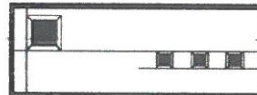
James Harper Architect  
 The Lurgalls, Lurgally Road, Lochwinnoch, Renfrewshire, PA12 4DR.  
 Telephone / Fax 01 905 643007 E-mail: james@jharperarchitect.co.uk

Erection of Dwelling House at:  
 Flatterton Farm, Greenock.  
 Mr. & Mrs. J. McIntyre.



2010

Farming Grounds of Flatterton, Bankfoot  
 And Leitchland. 1:25,000



James Harper Architect  
 The Langels, Langstelly Road, Lochmnoch, Renfrewshire, PA12 4DR.  
 Telephone / Fax 01505 845007 E-mail nial@harperarchitect.co.uk

**Applicant Background.**

Mr. & Mrs. McIntyre are both in their fifties. They were married in 1984. Mr. McIntyre, farmer and Mrs. McIntyre, veterinary assistant of farming background.

They have 2 children, Laura and Katy born in 1986 and 1989 respectively. Both girls have now left home and have jobs of their own.

**Development Support Statement.**

The submitted Planning Approval application is for the provision of a dwelling house for an agricultural worker. The need for an additional employee to maintain and work the agricultural business is clearly shown and justified in the attached agricultural report prepared by the Scottish Agricultural College of Auchincruive. This report is prepared under recognised national guidelines based upon the agricultural demands of livestock and land needs. Taking the present farm stock and land use the report states that the number of labour units required to maintain the running of the business is 3.56units. That is, the farm requires 3 fulltime employees and one part time employee. At present Mr. McIntyre is the only full time employee with Mrs. McIntyre and a part time worker employed during seasonal periods for the Boarding Kennels and Cattery.

The agricultural report together with the supplementary statement from Mr. Leggate clearly states that the livestock welfare requires on hand attendance throughout the year, not only at peak periods such as calving or lambing times. It is during these periods that 24hour a day supervision is required. At present and since the establishment of the business this role has been met by Mr. & Mrs. McIntyre themselves. This dedication is demonstrated by the fact that in 2013 Mr. & Mrs. McIntyre took their first holiday and break since they started in 1983. That was over 30years. This was only possible when their daughters insisted that they would move back to the farmhouse and would provide cover during the time Mr. & Mrs. McIntyre were away.

Over the past few years as a result of increased government rules and regulations coupled with the reduction in financial subsidy it has become essential for the farm unit and working practice to become more efficient and to increase the numbers of livestock, both sheep and hill cattle. This increase in livestock has meant an increase in the labour burden on Mr. McIntyre.

It has also been recorded that over the past few years the incidence of vandalism, theft and general livestock disturbance by outsiders has increased. The farm is on the edge of the town of Greenock, with the housing estate less than a ¼ of a mile from the farm steading. The farm has always had issues of dog worrying to livestock, public vandalism to gates and fences leading to livestock straying onto public roads. However, incidents such as these have increased in the past few years with more serious cases of steading vandalism, theft and even animal disturbance by children. These have been reported to the Police Authority and are on record.

Another issue due to the location of the farm being accessed from the minor roadway leading from the housing estate to the A78 Inverkip Road is the incidence of Fly Tipping. As with the increase in vandalism and theft so has the amount of fly tipping both on the public road but also on the private farm access road.



Farm and steading viewed from the farm yard with the farm access road on the left hand side.

This photograph demonstrates the restricted view of the farmhouse to the yard and steading.



Site view from the edge of the farm steading with the town estate housing in the background.



View of farm steading from the rear with the roof and chimneys of the main farmhouse in the background.

This photograph demonstrates the concealed nature of the farm steading from the farmhouse allowing anyone to come and go unobserved.

### **Planning policy**

It is noted that the proposed development shall be assessed under the terms of the Council Policy RES 7 Residential Development in the Greenbelt and Countryside and also ENV 2 Assessing Development Proposals in the Green Belt and the Countryside.

Under policy RES 7 this states that development shall be supported if the proposal is 'a single dwelling or small group of dwellings not adjoining the urban area' in addition the development must fall within one of the following categories:

- a) Demolition and replacement of habitable dwelling or
- b) Sub-division of an existing dwelling or
- c) Conversion of redundant non-residential buildings or
- d) Is justified by the operational needs of the farm or business.

The proposed development is for a single dwelling house for an agricultural worker justified by the agricultural report by SAC consulting.

Under policy ENV 2 this states that development in the green belt will only be considered favourably in exceptional or mitigating circumstances and where it is supported with reference to the following criteria:

- a) It is required for the purposes of agriculture, forestry or renewable energy and
- e) It does not adversely impact on the natural and built heritage and environmental resources.
- f) It does not adversely impact on landscape character.
- g) It does not adversely impact on prime quality agricultural land.
- h) It does not adversely impact on peat land with a high value as a carbon store.
- i) It does not adversely affect the visual amenity of the area and is capable of satisfactory mitigation.

Given the factors clearly described and demonstrated within the SAC consulting report, supplementary statement and in the foregoing sections of this development background statement the development meets all of these requirements



### **Conclusion**

It is submitted that the planning application meets with the policy requirements of the Council and therefore be approved. In summary the grounds for approval are:

- A) The need for accommodation for a farm worker is clearly demonstrated in the attached independent agricultural report carried out and prepared by SAC, Auchencruive, Ayr. This need alone is justification for the development.
- B) As a result of the expansion of the farm unit over the past 25 years the existing farmhouse at Flatterton now oversees the lands of Flatterton, Bankfoot and Leitchland. These lands formerly supported 3 main farmhouses and a number of cottages. This expansion is clearly demonstrated under the agricultural section of this statement with the site plan drawings providing a visual representation of the extent of the growth of the agricultural unit. This is inarguably exceptional circumstances.
- C) The security of the existing farm steading and livestock requires a second established residence. As demonstrated in the earlier sections of this statement, at present the farmhouse has limited supervision of the steading and farm yard. The formation of a new dwelling house where proposed gives additional visual cover of the steading and located close to the farm access road creates a presence important to deal with vandalism, theft, etc. These are obviously mitigating circumstances.
- D) The supplementary business of Kennels and Cattery are essential to the viability of the overall farm business. These businesses alone require a human presence on site 24 hours a day, 365 days in the year. A factor that is both exceptional and mitigating.

## Agricultural Report

Prepared for: J K McIntyre

Prepared by: SAC Consulting

Contact: Andrew T Leggate  
Senior Agricultural Consultant  
Farm & Rural Business Services  
Auchincruive  
Ayr KA6 5HW  
Andrew.leggate@sac.co.uk

Date: September 2015



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*SAC Consulting is a division of SRUC*

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



**Prepared for:**

J K McIntyre  
Flatterton Farm  
Greenock  
PA16 0AD

**Map Reference:** NS 225745

**Farm Code:** 90/733/0017

**Prepared by:**

SAC Consulting

**Contact:**

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## 1. Introduction

*J K McIntyre is a long established family farming business run in partnership by John McIntyre (56) and Wilma McIntyre (52) plus casual and seasonal assistance. The main enterprises are breeding beef cows and breeding sheep. The land is all in grass and encompasses the farms of Flatterton, Leitchland and Bankfoot. The business has also diversified into a separate enterprise – Kennels and Cattery,*

## 2. Current Farming System

The main enterprise is the 535 ewe flock producing store lambs off grass for further finishing. Lambing percentage is high with over 775 lambs sold.

In addition, a beef breeding herd of 32 suckler cows is carried to produce suckled calves for sale in the spring as forward stores.

The cows are of mixed breeds and mated to a Charolais sire in an attempt to produce a large framed store animal.

A supplementary enterprise is run at Flatterton to make use of the farm's location close to Greenock and surrounding villages. A cattery and kennels has been established which provides much needed supplementary income.

The cattery and kennels have proved really popular with the local community and they are now open 7 days a week. They are both at or near full capacity.

### 3. Cropping and Livestock Numbers

<b>Crops</b>	<b>ha</b>	<b>(Hours/ha)</b>	<b>Total</b>
Grazing:			
Permanent Pasture	89	4	356
Rough	138	1.5	207
Silage	18	12	<u>126</u>
		Sub Total	779
<b>Livestock</b>	<b>No.</b>	<b>Hours/head</b>	<b>Total</b>
Sucklers	32	12	384
Store Cattle	30	9	270
Ewes	535	5.2	2,782
Lambs	775	3.3	<u>2,557</u>
		Sub Total	5,993
<b>Overall Total Hours:</b>			<b>6,772</b>

SGRPID's (Scottish Government Rural Payments and Inspections Directorate) standard man year = 1,900 hours.

The number of labour units required by this business is therefore 3.56.

This farming business requires 3 full-time and one part-time worker.

#### 4. Additional Comments

1. The business has been expanding in recent years and, coupled with the increased rules and regulations in farming and the fact that John is now over 55, there is a need to take on a full-time worker in addition to the seasonal staff currently employed.
2. The sheep and beef enterprises both require constant supervision at key times during the year, especially at lambing and calving times. There is a need to have 24 hour supervision.
3. It is very important from an animal welfare viewpoint to have someone on hand to observe the livestock at all times throughout the year.
4. Flatterton Farm is close to the urban fringe and can be subject to accidental and deliberate vandalism due to the general public leaving gates open, dropping dangerous litter, causing dogs to stray and generally upsetting the livestock when grazing.
5. While it is only a supplementary enterprise to the main farming activities, the cattery and kennels are essential to this business. It is imperative for animal welfare and security reasons that one person is present on site 24 hours/day.
6. The proposed site of the proposed dwelling house is close to the farm road leading to the farm. The land is classed as 4.2 according to the Land Capability Map of the James Hutton Institute. This is not top quality land.
7. The proposed site will not result in the loss of any important environmental features or wildlife habitats.
8. There is currently only one available domestic dwelling – Flatterton Farm House. There are no available farm buildings suitable for conversion.

If any further information or clarification on any aspect of this report is required please contact SAC Consulting.

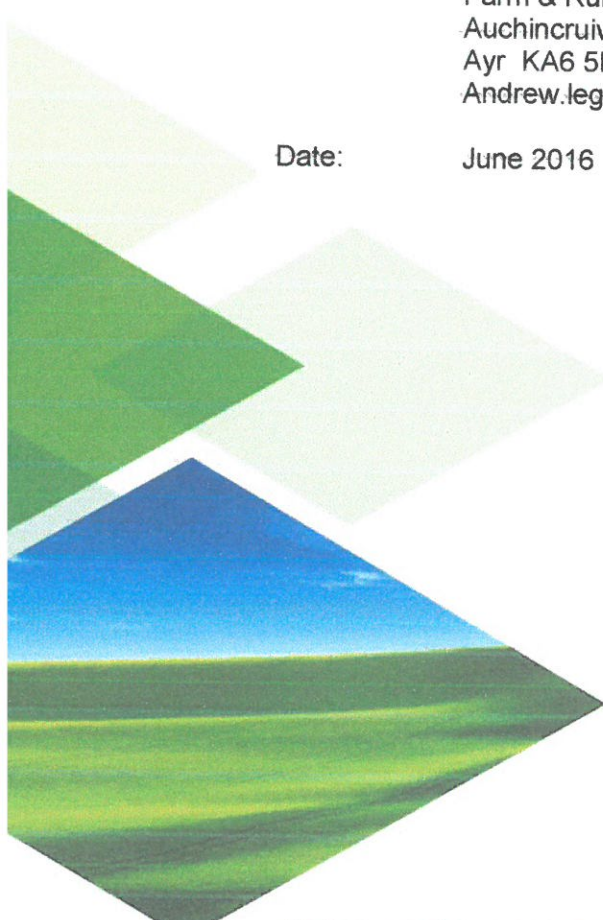
## **Supplementary Agricultural Report**

Prepared for: J K McIntyre

Prepared by: SAC Consulting

Contact: Andrew T Leggate  
Senior Agricultural Consultant  
Farm & Rural Business Services  
Auchincruive  
Ayr KA6 5HW  
[Andrew.leggate@sac.co.uk](mailto:Andrew.leggate@sac.co.uk)

Date: June 2016



*SAC Consulting is a division of SRUC  
Leading the way in Agriculture and Rural Research, Education and Consulting*



**Prepared for:**

J K McIntyre  
Flatterton Farm  
Greenock  
PA16 0AD

**Map Reference:** NS 225745

**Farm Code:** 90/733/0017

**Prepared by:**

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## 1. Introduction

This supplementary report has been prepared following feedback from Inverclyde Council (Mr Michael Martin) to Mr James Harper, Architect for the business of J K McIntyre.

## 2. Supplementary Information

This farming business has grown in size over the years to its current size of over 245 ha (605 acres). The livestock numbers now carried by the farm have also significantly increased with over 60 cattle and 535 breeding ewes.

The business justifies and needs over 3.5 labour units.

While farming has become more mechanised over the years, all grassland livestock farms still need a high labour input, otherwise there will be severe animal welfare implications. There is a requirement to have someone on site at all times. The reference in the original report to calving and lambing being 'key times' in the year should not be read as there not being a need to have supervision at other times of the year. All year round supervision is required. To allow staff time off, the business needs 3.5 labour units.

Lambing and calving times need all staff to work round the clock. It is very common for some farmers to 'survive' on only a few hours sleep in a week at these key times.

The business needs to adhere to the many statutory rules and regulations imposed by a local and European Governments. Many of these rules involve animal identification such as tagging and clipping (removing hair before sale) cattle.

These operations have a high labour input.

John McIntyre is in his late 50s and needs sufficient time off. He needs additional labour to assist him. This labour must be on hand living on site.

No reference has been made in the report to the supplementary enterprise – kennels and cattery. This enterprise is vital to the financial viability of the business. Most farming businesses now need to rely on a diversified enterprise such as kennels or cattery.

**EMAIL DATED 16 DECEMBER 2016 FROM  
JAMES HARPER, ARCHITECT, IN RELATION TO  
AGRICULTURAL REPORT AND SUPPLEMENTARY  
AGRICULTURAL REPORT**

## Rona McGhee

---

**From:** James Harper <mail@harperarchitect.co.uk>  
**Sent:** 16 December 2016 09:58  
**To:** Rona McGhee  
**Subject:** RE: Review of Decision to Refuse Planning Permission - Construction of Dwelling House for Agricultural Worker (in Principle), Flatterton Farm, Flatterton Road, Greenock (16/0152/IC)

Dear Rona,

I refer to your e-mail dated 13<sup>th</sup>. December regarding the issue of the confidentiality to the Agricultural report and supplementary report prepared by SAC consulting. I have spoken with both Mr McIntyre, client and Mr Leggate, SAC consulting who prepared the reports and they have confirmed that the reports may be opened to the review board and for public viewing.

I trust this meets your requirements.

Regards,

James.

James B. Harper, R.I.B.A.  
The Langslie, Langstilly Road, Lochwinnoch, PA12 4DR.  
Tel: 01505 843007

---

**From:** Rona McGhee [mailto:[Rona.McGhee@inverclyde.gov.uk](mailto:Rona.McGhee@inverclyde.gov.uk)]  
**Sent:** 13 December 2016 12:21  
**To:** James Harper <mail@harperarchitect.co.uk>  
**Subject:** Review of Decision to Refuse Planning Permission - Construction of Dwelling House for Agricultural Worker (in Principle), Flatterton Farm, Flatterton Road, Greenock (16/0152/IC)

Dear Mr Harper

I refer to my email of 8 December in connection with the meeting of the Local Review Body to consider the above to be held on 1 February.

I note that the Agricultural Report and Supplementary Agricultural Report prepared by SAC Consulting submitted by you as part of the supporting documentation is marked "confidential" on every page and that the statement at the foot of the second page indicates that each of the reports has been prepared exclusively for the use of J K McIntyre and that no other party may rely on these. In the circumstances, I should be obliged if you would provide the Local Review Body with a letter confirming that the reports may be included in the agenda papers, which will be publicly available and published on the Council's website, and that these can be relied upon by the Local Review Body.

I look forward to hearing from you.

Regards,  
Rona

CC Mr & Mrs McIntyre, Flatterton Farm, Flatterton Road, Greenock PA16 0AD

Rona McGhee

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

**CONSTRUCTION OF DWELLING HOUSE FOR AGRICULTURAL WORKER (IN PRINCIPLE), FLATTERTON FARM, FLATTERTON ROAD, GREENOCK (16/0152/IC)**

**Suggested conditions should planning permission be granted on review**

**Conditions:**

1. In compliance with Section 59 of the Town and Country Planning (Scotland) Act 1997 the development granted may not commence until matters required to be approved by conditions imposed have been so by the Planning Authority or, as the case may be, the Scottish Ministers.
2. The application for the approval of those matters referred to in condition 1 (the requisite approval) must be made before whichever is the latest of the following-
  - (i) the expiration of 3 years from the date of the grant of the permission,
  - (ii) the expiration of 6 months from the date on which an earlier application for the requisite approval was refused, and
  - (iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed and may be made for
    - (a) different matters, and
    - (b) different parts of the development, at different times. But, in relation to any matter, only one application may be made by virtue of (ii) and (iii) after the expiration of the 3 year period mentioned in (i) above.
3. Planning Permission in Principle lapses on the expiration of 2 years from the requisite approval being obtained (or, in the case of approval of different matters on different dates, from the requisite approval for the last such matter being obtained) unless the development to which the permission relates is begun before that expiration.
4. That prior to their use, samples of all facing materials shall be submitted to and approved in writing by the Planning Authority.
5. That the access shall be a minimum of 25 metres from the junction of Flatterton Road and the private road.
6. That the minimum kerb radius for the access shall be 4 metres.
7. In the event that the site access is from the private road the minimum visibility splay shall be 43 metres by 2.4 metres by 1.05 metres and shall be provided prior to occupation of the dwellinghouse hereby approved and shall be maintained thereafter.
8. The driveway shall cater for a minimum of 3 cars and shall be a minimum of 4.8 metres wide to allow to 2 vehicles to pass.
9. The driveway shall be paved for a minimum of 2 metres from the connection to the road.
10. The driveway gradient shall not exceed 10%.

11. That prior to the commencement of development the applicant shall demonstrate that vehicles can enter and leave the site in forward gear.
12. That prior to the commencement of development details shall be provided and approved in writing by the Planning Authority of all boundary treatment.
13. That prior to the commencement of development details shall be provided and approved in writing by the Planning Authority of sewerage arrangements.
14. That all surface water run-off shall be intercepted within the application site.

**Reasons:**

1. To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997.
2. To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997.
3. To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997.
4. To ensure the acceptability of finishes to the dwellinghouse.
5. In the interests of vehicular safety.
6. In the interests of vehicular safety.
7. In the interests of vehicular safety.
8. In the interests of vehicular safety.
9. In the interests of vehicular safety.
10. In the interests of vehicular safety.
11. In the interests of vehicular safety.
12. In the interests of visual amenity.
13. To ensure the provision of adequate facilities.
14. In the interests of public safety.