

Local Review Body

1 February 2017

Planning Application for Review

Mr I Graham

**Erection of a farm worker's house on Lukestone Farm, Bridge of Weir:
Lukeston Farm, Branchal Road, Quarriers Village (16/0184/IC)**

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- Suggested conditions should planning permission be granted on review

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 100019211-001

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

Type of Application

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

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

Description of Proposal

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

Erection of Farm Workers House on Lukestone Farm, Bridge of Weir.

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:	Denholm Partnership Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Denholm	Building Name:	
Last Name: *	Partnership Architects	Building Number:	11
Telephone Number: *		Address 1 (Street): *	Dunira
Extension Number:		Address 2:	Street
Mobile Number:		Town/City: *	Comrie
Fax Number:		Country: *	Scotland
		Postcode: *	PH6 2LJ
Email Address: *			

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Sheraig Cottage
First Name: *	Iain	Building Number:	
Last Name: *	Graham	Address 1 (Street): *	Kilmacolm
Company/Organisation	Killochries Fold	Address 2:	
Telephone Number: *		Town/City: *	Renfrewshire
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	PA13 4TE
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Inverclyde Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

666435

Easting

232642

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

2228.00

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)

Wooded area within agricultural farm.

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.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *

3

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

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: *

Installation of septic tank or similar with discharge outfall to land via 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.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * Yes No

If Yes or No, please provide further details: * (Max 500 characters)

Provision of domestic bin stands.

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? * Yes No

How many units do you propose in total? *

1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

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

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

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

Signed: Denholm Partnership Architects

On behalf of: Killochries Fold

Date: 13/07/2016

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 principal 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)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

Yes N/A

A Design Statement or Design and Access Statement. *

Yes N/A

A Flood Risk Assessment. *

Yes N/A

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

Yes N/A

Drainage/SUDS layout. *

Yes N/A

A Transport Assessment or Travel Plan

Yes N/A

Contaminated Land Assessment. *

Yes N/A

Habitat Survey. *

Yes N/A

A Processing Agreement. *

Yes N/A

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

Planning Justification Report.

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: . Denholm Partnership Architects

Declaration Date: 13/07/2016

Payment Details

Cheque: Firm of Killochries Fold, 007532

Created: 13/07/2016 17:22

SITE PHOTOGRAPHS







REPORT OF HANDLING DATED 4 NOVEMBER 2016

DEVELOPMENT PLAN POLICIES

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.

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 addition, 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

(d) 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

(e) 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.

Further detailed policy relating to this type of development is contained in the Supplementary Guidance on Planning Application Advice Notes.

Policy ENV6 - Trees and Woodland

Trees, groups of trees and woodland designated as Tree Preservation Orders (TPOs) will be safeguarded. Where it is considered necessary to protect other trees and woodland areas for amenity reasons, new Tree Preservation Orders will be promoted.

Trees and woodland will be protected and enhanced by having regard to the Scottish Government's Woodland Removal Policy and through:

- (a) promoting the planting of broad leaved and native species, or other species with known biodiversity benefits;
- (b) protecting and promoting the positive management of hedgerows, street trees and any other trees considered to contribute to the amenity of the area;
- (c) protecting and promoting the positive management of ancient and semi-ancient natural woodlands; and
- (d) encouraging the planting of appropriate trees as an integral part of new development.

Woodland creation proposals will be guided by the GCV Forestry and Woodland Framework Strategy (FWS), where priority locations for woodland management and expansion in Inverclyde will be assessed against the following criteria in accordance with the UK Forestry Standard:

- (e) the benefits of woodland creation to the value of the existing habitat;
- (f) contribution to the enhancement of the wider Green Network;
- (g) the safeguarding of nature conservation and archaeological heritage interests;
- (h) safeguarding of water supplies;
- (i) the area's landscape character;
- (j) integration with agricultural interests;
- (k) existing and potential public access and recreational use;
- (l) woodland design and the proposed mix of species; and
- (m) points of access to and operational tracks through woodlands.

The the Council's Planning Application Advice Note No 8 (PAAN8) "Siting and Design of New Houses in the Countryside" applies.

CONSULTATIONS

Head of Environmental and Commercial Services - No objections.

Head of Safer and Inclusive Communities – no objections subject to the attachment of conditions to control the storage of waste, external lighting, sound insulation and advisory notes on site drainage, vermin, CDM Regulations, surface water, septic tanks and seagulls.

PUBLICITY

The application was advertised as there are no premises on neighbouring land.

SITE NOTICES

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

PUBLIC PARTICIPATION

No written representations have been received.

ASSESSMENT

The material considerations in the determination of this planning application are the planning history of the site, the Local Development Plan, the Council's Planning Application Advice Note No 8 (PAAN8) "Siting and Design of New Houses in the Countryside", the consultation responses, the (SAC) Labour Requirement Report and the report from the applicant setting out the background to the proposal.

Lukeston Farm has an extensive planning history which it is important to understand in reaching a determination on the proposal to erect a house.

In August 2002 outline planning permission was refused for the erection of two houses at Lukeston as the proposal was contrary to the then Glasgow & Clyde Valley Joint Structure Plan 2000 and Local Plan in leading to isolated and sporadic development in the countryside, agricultural need not having been proven and as to grant planning permission may lead to further applications of a similar nature.

In January 2003 planning permission was granted for a temporary period of three years to site a static caravan on the site. The purpose of the caravan was to allow a farm manager to have a permanent presence to watch over a herd of Highland cattle. In December 2005 a further two year temporary planning permission was granted in respect of the caravan.

In March 2008 planning permission was granted for the erection of a four apartment bungalow with an integral double garage subject to a Section 75 Agreement under the Town & Country Planning (Scotland) Act 1997 restricting the occupancy of the house to a person employed in agriculture being concluded.

In April 2011 planning permission was granted for the incorporation of a one bedroom flat in the roofspace of the house previously approved in 2008. The applicant confirmed that the flat was to provide accommodation for two agricultural apprentices and would also serve as occasional accommodation for veterinary students. Condition 1 of the 2011 planning permission requires that occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed in the locality in agriculture or to a widow or a widower of such a person and to any dependents.

In September 2012 the Section 75 Agreement entered into in respect of the 2008 planning permission was discharged. The Council accepted the application to discharge the Section 75 Agreement pursuant to the planning permission granted for the erection of a house and flat five months previously in April 2011. The 2011 planning permission varied from the planning permission granted in 2008 in that it did not have a Section 75 Agreement attached to it to control occupancy.

The Local Development Plan locates the site within the Green Belt. The protected nature of the Green Belt is reinforced by policy SDS8 which indicates that there will be a presumption against the spread of the built-up area into the designated Green Belt. Policy ENV2 indicates that development in the Green Belt will only be considered favourably in exceptional or mitigating circumstances and will only be considered favourably with reference to a range of criteria. The relevant criteria in this instance are: (a) it is required for the purposes of agriculture, forestry or, where appropriate, renewable energy; (c) there is a specific locational requirement for the use and it cannot be accommodated on an alternative site); (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; (l) it does not adversely affect the visual amenity of the area and is capable of satisfactory mitigation.

Policy RES7 sets out a range of criteria against which new dwellings in the Green Belt and Countryside require to comply. The relevant criterion in this instance is: (d) it 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.

Considering whether or not the proposal is required for agriculture and can be justified by the operational needs of the Farm, I am concerned that the approximately six year old farmhouse and flat at Lukeston were built to meet the needs of the owners working on the farm. The applicant works on the farm, lives there and has a flat within his house where the stockman could go when demands on his services are high during calving and lambing. The SAC Labor Requirement Report identifies the farm's labour requirement. It does not, however, make any case for more parties requiring to live on the farm. I am not, therefore, satisfied that there is sufficient argument to justify a stockman being based at the farm in new separate accommodation. Given these circumstances, I consider that the proposal to erect a stockman's house, the SAC Labour Requirement Report and the applicant's supporting report combine to fail to satisfy criterion (d) of policy RES7's requirement that the proposal be justified by the operational needs of the farm. I further consider that the proposal also fails to satisfy policy ENV2's requirement that there be exceptional or mitigating circumstances.

Regarding the requirement that the proposal should not adversely impact on the natural and built heritage and environmental resources, the site does not lie within any of the natural heritage designations identified on the Local Development Plan's environmental constraints map. The existing farm access road to the proposed house does, however, come close to the northern edge of the Mill Burn Site Of Importance For Nature Conservation (SINC) site. As the farm road is to be retained as existing, I am satisfied that there is no impact upon the Mill Burn SINC. Given these circumstances I am content that the proposal satisfies criterion (e) of policy ENV2.

Potential impact on landscape character is, I consider, best determined by assessment against the Council's PAAN8 "Siting and Design of New Houses in the Countryside". The proposal satisfies PAAN8's design guidance in terms of location in that the proposed single storey house does not break the skyline and is set against an existing wood thus using the existing landform to minimise its visual impact. The proposal further accords with PAAN8's design guidance regarding the front windows being of a predominantly vertical emphasis and the roof being of an appropriate pitch and clad in natural slate. While the proposed timber clad wall finish is a departure from PAAN8's recommended natural stone and wet dash render finishes, I consider that the location adjacent to trees is a justification for a timber finish which would further assist in assimilating the building into the landscape. I am, therefore satisfied that the proposal is sympathetic to the landscape character

of the area and does not adversely impact visual amenity, thus meeting the requirements of criteria (f) and (i) of policy ENV2.

The SAC Labour Requirement Report confirms that Lukeston Farm does not fall within the category of prime agricultural land. Accordingly the proposal satisfies criterion (g) of policy ENV2.

Policy ENV6 advises that trees and woodland will be protected and enhanced having regard to the Scottish Government's Woodland Policy and through a range of measures including: (a) promoting the planting of broad leaved and native species, or other species with known biodiversity benefits; (d) encouraging the planting of appropriate trees as an integral part of new development. While the woodland where it is proposed to construct the stockman's house is not covered by a tree preservation order, the loss of approximately 18 trees is regrettable. I am however satisfied that this felling could be adequately compensated by a condition requiring an appropriate level of re-planting of broad leaved native species. It can, therefore, be determined that the proposal accords with criteria (a) and (d) of policy ENV6.

The consultation responses raise no objections to the proposal. In the event that planning permission were to be granted, however, I consider that the conditions recommended to be attached by the Head of Safer and Inclusive Communities on storage of waste, external lighting, and sound insulation are matters covered by other legislation and it would not therefore be competent to include them as planning conditions. Were planning permission to be granted, however, I would be content to attach advisory notes on these matters along with the other advisory notes which the Head of Safer and Inclusive Communities recommends be attached on site drainage, vermin, CDM Regulations, surface water, septic tanks and seagulls.

In conclusion, while I am satisfied that the design and location of the house are appropriate, my unfavourable assessment of the proposal against criterion (d) of policy RES7 and the lack of any exceptional or mitigating circumstances to satisfy policy ENV2's requirements determines that there is no justifiable need for a farm worker's house at this location. Accordingly, I am not in favour of planning permission being granted.

RECOMMENDATION

That the application be refused for the following reasons:

Reasons

1. The proposal is contrary to criterion (d) of policy RES7 of the Local Development Plan as no satisfactory argument has been put forward to confirm that the erection of a stockman's house is justified by the operational needs of Lukeston Farm.
2. There are no exceptional or mitigating circumstances for the proposal and it is thus contrary to policy ENV2 of the Local Development Plan.

Signed: 

Case Officer: Guy Phillips


Stuart Jamieson
Head of Regeneration and Planning

CONSULTATION RESPONSES



To: Head of Regeneration & Planning Your Ref: 16/0184/IC
 From: Head of Environmental & Commercial Services Contact: E Provan
 Subject: Observations On Planning Application PA Ref: 16/0184/IC
 Detail: Erection of Farm Workers House on Lukestone Dated: 22/07/2016
 Farm, Bridge of Weir Received: 26/07/2016
 Site: Lukeston Farm Brachal Road Quarriers Village Applicant: Mr Iain Graham
 PA11 3SL

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

Comments:

1.	Parking should be provided in accordance with the National Guidelines: <table border="1"> <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						
2.	The proposed development has 3 bedrooms and requires 2 parking spaces. The site has sufficient hardstanding to accommodate a minimum of 2 parking spaces						
3.	The road from Brachal Road to the house should be a minimum of 2.75m wide, with passing places where the road width increases to 5.5m.						
4.	Driveway gradient should not exceed 10%.						
5.	All surface water must be contained within the site. Drainage arrangements should be submitted to demonstrate how this will be achieved.						
6.	FRA attached.						

Notes For Intimation To Applicant

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

*Relevant Section of the Roads (Scotland) Act 1984

Signed:  Steven Walker, Service Manager (Roads)

Date: 15/08/2016

Flood Risk Assessment Criteria		Application Reference: 16/0184/IC
Development: Extension of farm working house on Lukestone Farm, Bridge of Weir		
		YES / NO
1) Is any part of the site within 50m of a known flood location?		No
2) Does a watercourse* pass through the site or is there one within 50m?		Yes
3) Is there a reservoir, loch or pond within 50m of the site?		No
4) Is there a sewerage storm overflow within 50m of the site?		No
5) For coastal developments, does the site lie below 5m above ordnance datum?		No
6) Does the developer propose to pipe or divert a watercourse?		No
7) Is the site bounded by an existing flood protection measure?		No
8) Have objections on grounds of flooding been raised?		No
9) For some developments, ** has the developer submitted a Drainage Impact Assessment with their outline application?		No
<p>* A watercourse includes a river, stream, burn and any ditch, drain, cut, canal, culvert, sluice or passage carrying or designed to carry water. It does not include any sewer or watermain.</p> <p>** All developments except household applications, developments of less than 10 houses, non household extensions under 100 square metres and changes of use not involving new build or hardstanding.</p> <p>If any item 1 - 9 is identified, a Flood Risk Assessment (to varying degrees) will be required.</p> <p>Guidelines on the submission of Drainage Impact Assessments and Flood Risk Assessments may be obtained from the Transportation and Roads Service.</p>		
<p>Additional Comments:</p> <p>The applicant should provide a Flood Risk Assessment.</p> <p>All surface water should be contained within the site and a surface water management plan should be submitted for approval prior to commencement of works on site.</p> <p>More detail required for surface water management of the site. Outfall locations required, if proposal of surface water is into a watercourse along with any headwall design detail. Percolation tests required to show infiltration is an acceptable method for private drainage arrangement.</p>		

Memorandum Safer Communities Planning Application Consultation Response	
To: Planning Services For the Attention of Guy Phillips	
From: Safer and Inclusive Communities	Date sent to Planning: 2nd Nov 2016

Lead Officer: Sharon Lindsay
Tel: 01475 714 205 Email: Sharon.lindsay@inverclyde.gov.uk

Safer Communities Reference (optional):	
Planning Application Reference:	16/0184/IC
Planning Application Address:	Lukeston Farm Branchal Road QUARRIERS VILLAGE PA11 3SL
Planning Application Proposal:	Erection of Farm Workers House on Lukestone Farm, Bridge of Weir.

Team	Officer	Date
Food & Health	Michael Lapsley	
Air Quality	Sharon Lindsay	2/11/16
<i>Contaminated Land</i>	Roslyn McIntosh	5/10/2016
Public Health & Housing	Janet Stitt / Jim Blair	2/11/16 (SL)
Noise	Sharon Lindsay	2/11/16

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
No Comments

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	
3.	The sound insulation should have regard to advice and standards contained in the current Scottish Building Regulations.
Reason:	To ensure that acceptable noise and vibration levels are not exceeded.

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.
- iv. **Surface Water:** Any SUDS appraisal must to give appropriate weight to not only any potential risk of pollution to watercourses but to suitable and sufficient measures for the effective collection and disposal of surface water to prevent flooding. Measures should be implemented during the construction phase of the project as well as the within the completed development to prevent flooding within the application site and in property / land nearby. It is also recommended that a long term maintenance plan should be developed prior to the commencement of the proposed development.
- v. **Septic Tanks:** Should the premises be served by a septic tank, it will be necessary to ensure that the capacity of the tank is sufficient to deal with any additional demand and that the maintenance and emptying regime is modified accordingly.
- vi. **Design and Construction of Buildings – Gulls:** It is very strongly recommended that appropriate measures be taken in the design of all buildings and their construction, to inhibit the roosting and nesting of gulls. Such measures are intended to reduce nuisance to, and intimidation of, persons living, working and visiting the development.

DECISION NOTICE DATED 8 NOVEMBER 2016

DECISION NOTICE

Inverclyde
council

Refusal of Planning Permission

Issued under Delegated Powers

Regeneration and Planning
Municipal Buildings
Clyde Square
Greenock PA15 1LY

Planning Ref: 16/0184/IC

Online Ref:100019211-001

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

Killochries Fold
Mr Iain Graham
Sheraig Cottage
KILMACOLM
Renfrewshire
Scotland
PA13 4TE

Denholm Partnership Architects
Bob Gunn
11 Dunira Street
COMRIE
Scotland
PH6 2LJ

With reference to your application dated 13th July 2016 for planning permission under the above mentioned Act and Regulation for the following development:-

Erection of Farm Workers House on Lukestone Farm, Bridge of Weir. at

Lukeston Farm, Branchal Road, Quarriers Village,

Category of Application Local Application Development

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

The reasons for the Council's decision are:-

1. The proposal is contrary to criterion (d) of policy RES7 of the Local Development Plan as no satisfactory argument has been put forward to confirm that the erection of a stockman's house is justified by the operational needs of Lukeston Farm.
2. There are no exceptional or mitigating circumstances for the proposal and it is thus contrary to policy ENV2 of the Local Development Plan.

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

Dated this 8th day of November 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:
PO1	/	25.05.2016
PO2	/	15.06.2016
PO3	/	15.06.2016
100017780	/	13.07.2016

**NOTICE OF REVIEW FORM DATED 12 DECEMBER 2016
AND SUPPORTING DOCUMENTATION**

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 100033919-001

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

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	MBM Planning & Development		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Mark	Building Name:	Algo Business Centre
Last Name: *	Myles	Building Number:	
Telephone Number: *	01738 450506	Address 1 (Street): *	Glenearn Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Perth
Fax Number:		Country: *	Scotland
		Postcode: *	PH2 0NJ
Email Address: *	mm@mbmplanning.co.uk		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Seraig Cottage"/>
First Name: *	<input type="text" value="Iain"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Graham"/>	Address 1 (Street): *	<input type="text" value="Kilmalcolm"/>
Company/Organisation	<input type="text" value="Killochries Fold"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Renfrewshire"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="PA13 3SL"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:	<input type="text" value="Inverclyde Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="Lukeston Farm"/>
Address 2:	<input type="text" value="Branchal Road"/>
Address 3:	<input type="text" value="Quarriers Village"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="Greenock"/>
Post Code:	<input type="text" value="PA11 3SL"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="66654"/>	Easting	<input type="text" value="233065"/>
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Description of Proposal

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

Erection of Farm Workers House on Lukeston Farm, Bridge of Weir

Type of Application

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

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

What does your review relate to? *

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

Statement of reasons for seeking review

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

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

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

Please refer to separate grounds of appeal statement

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

Yes No

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

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

MBM1 - Planning Application Forms and Plans, MBM2 - Decision Notice, MBM3 - Report of Handling, MBM4 - Client Statement in support of application, MBM5 - SAC Report and also Notice of Review Appeal Statement

Application Details

Please provide details of the application and decision.

What is the application reference number? *

16/0184/IC

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

13/07/2016

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

08/11/2016

Review Procedure

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

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

Yes No

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

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

In order for the LRB to fully assess the site in the context of the surroundings and its relationship to the farm

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

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

Yes No

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

Yes No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

Checklist – Application for Notice of Review

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

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

Yes No

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

Yes No

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

Yes No N/A

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

Yes No

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

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

Yes No

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

Declare – Notice of Review

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

Declaration Name: Mr Mark Myles

Declaration Date: 12/12/2016



Notice of Review Appeal Statement

**Against Refusal of Planning Permission for the
Erection of a Farm Workers House at**

**Lukeston Farm, Branchal Road
Quarriers Village**

**For Mr Iain Graham
Killochries Fold**

December 2016

1. Introduction

- 1.1 This appeal statement should be read in conjunction with the Notice of Review submitted on 12th December 2016, on behalf of Mr Iain Graham for the erection of a farm workers house on land at Lukeston Farm, Bridge of Weir. The planning application (16/0184/IC) (MBM1) was refused by Inverclyde Council on 8th November 2016 (MBM2).
- 1.2 The proposal requires to be considered under the terms of the key development plan policies (Policy RES7 – Residential Development in the Green Belt and Countryside) as well as (Policy ENV2 – Assessing Development Proposals in the Green Belt and the Countryside).
- 1.3 As noted in the appointed officer's Report of Handling (MBM3) the other policies from the Local Development Plan that are of relevance to this proposal are Policy SDS8 – Green Belt and the Countryside and Policy ENV6 – Trees and Woodland. In addition, the council's Planning Application Advice Note No.8 (PAAN8) on the Siting and Design of New Houses in the Countryside would also apply to this proposal.
- 1.4 We contest the council's 2 reasons for refusal of the planning application and the justification that was given for those reasons within the Report of Handling. Both reasons for refusal relate solely to the principle of the development and no other issues have been raised i.e. the proposed siting and design of the house is deemed to be acceptable and the development raises no other technical or policy issues.
- 1.5 In support of the planning application a background statement setting out the history of Killochries Fold had been provided by the applicant (MBM4) and an SAC Report (October 2016) had also been provided (MBM5) confirming that the calculated labour requirement for the farm is 4.5 labour units.

2. Development Plan Policy

- 2.1 Section 25 of the Town & Country Planning (Scotland) Act 1997 requires proposals to be determined in accordance with the provisions of the development plan (the key policies are as set out in the Glasgow & The Clyde Valley Strategic Development Plan and the Inverclyde Local Development Plan 2014) unless material considerations indicate otherwise.
- 2.2 In terms of other material considerations Scottish Planning Policy (2014) and Planning Advice Note 72 – Housing in the Countryside are considered to be of relevance to this application.
- 2.3 The site lies within the Green Belt and Policy SDS8 indicates that there will be a presumption against the spread of the built up area into the designated Green Belt. Policy ENV2 – ‘Assessing Development Proposals in the Green Belt and the Countryside’ does however highlight the limited circumstances where development will be accepted in such locations 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.

2.4 The proposal is required to support the long-term management and continued success of the agricultural business at Lukestone Farm (and is therefore considered to satisfy the terms of Policy ENV2 a) and c) stated above. Each of the detailed site planning considerations as set out under categories e) – k) above are then also required to be met.

2.5 This proposal also then requires to be considered under the terms of Policy RES7 – ‘Residential Development in the Green Belt and Countryside’ which states that proposals will only be supported if it is 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. As this proposal is for a single house not adjoining the urban area it therefore falls under category (1).

2.6 Policy RES7 further adds that 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

(d) 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

(e) 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.

- 2.7 This proposal therefore requires to be considered under the terms of category d) above and for the reasons set out in this statement it is considered to be justified by the operational needs of the farm and the land management case has been provided that should be to the satisfaction of the Council. In this case the farm management and overall business case has been fully demonstrated via the accompanying SAC report that was submitted with the application.

3 Material Considerations

- 3.1 In addition to the development plan policies referred to in section 2, the other key material considerations which require to be considered as part of the assessment of this Notice of Review appeal are as follows;

- Scottish Planning Policy – June 2014
- Planning Advice Note 72 – Housing in the Countryside – February 2005
- Letter from Chief Planner to Local Authorities dated 4th November 2011 on Occupancy Conditions and Rural Housing

Scottish Planning Policy

- 3.2 SPP is an important material consideration and paragraph 75 confirms that the planning system should encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality.
- 3.3 Under the subject heading of Promoting Rural Development, Scottish Planning Policy paragraphs 81 advocates that *'plans and decision making should generally set out the circumstances in which new housing outwith settlements may be appropriate, avoiding the use of occupancy conditions.'*
- 3.4 Paragraph 83 also highlights that plans and decision making should include provision for small scale housing and other development which supports sustainable economic growth in a range of locations, taking account of environmental protection policies and addressing issues of location, access, siting, design and environmental impact. Where appropriate allowance should also be made for construction of single houses outwith settlements provided they are well sited and designed to fit with local landscape character and there should be no need to impose occupancy restrictions on housing if they are justified.

Planning Advice Note 72 – Housing in the Countryside

- 3.5 PAN 72 – Housing in the Countryside was published in February 2005. It predates the publication of SPP but it still highlights the opportunities that exist

from the changing circumstances created by those wishing to live and work in the countryside.

- 3.6 The document refers to important criteria such as design, landscape setting, layout and access. The PAN states that the *'overall aim should be to ensure that new housing is carefully located, worthy of its setting, and is the result of an imaginative, responsive and sensitive design process.'*
- 3.7 The PAN concludes by stating that *'there will continue to be a need for new houses in the countryside and this demand will have to be accommodated. This change can be positive, if it is well planned. The location and appearance of each new house must be determined with care and thought, as short term thinking can have a long term impact on the landscape.'*

Advice from Chief Planner – November 2011

- 3.8 The letter issued to Local Authorities by the Chief Planner in November 2011 reiterated that the Scottish Government's Planning Policy is to promote a positive approach to rural housing and to support more opportunities for small scale housing development in all rural areas, including housing which is linked to rural businesses. The Scottish Government's approach is not to promote the use of occupancy conditions and the guidance clearly states that *'the Scottish Government believes that occupancy restrictions are rarely appropriate and so should generally be avoided. So where a planning authority is satisfied that an adequate case has been made for a house in a rural area then it should not be necessary to use formal mechanisms to restrict the occupancy.'*

4 Assessment of Proposals

- 4.1 This Notice of Review appeal seeks consent for a house to be erected at Lukeston Farm so that an additional full time employee can reside on the farm. The applicant and his wife currently reside in the farmhouse which is the only dwellinghouse associated with the farm business. The applicant will be 70 in March and although he is still active on the farm and is not planning to retire, the ability for him to continue to carry out heavy or strenuous work will diminish over time.
- 4.2 As noted in the SAC Report the labour required to run this busy farm is provided by [REDACTED] the full-time stockman [REDACTED] along with student workers and additional seasonal workers as required.
- 4.3 Within the Report of Handling the appointed officer raises a concern that the existing farmhouse and flat at Lukeston are only 6 years old and were built to meet the needs of the owners working on the farm. However, the 1 bedroom flat in the roofspace of the existing house has been permanently used since it was available. For over two years it was occupied by [REDACTED] HNC graduate [REDACTED] is now running a local farm. It has also been occupied by Seumas Boyle an HNC student at Oatridge college. [REDACTED] has returned to college to do his H.N.D. and the applicants have secured a weekend job for him on a large border sheep farm.
- 4.4 At present the flat is occupied full time by [REDACTED] and his partner. [REDACTED] is working full time on the farm. The flat is used full time and therefore not available for [REDACTED] (the stockman) and his wife even if it were suitable.
- 4.5 The proposed house is therefore intended for occupation by the existing full time stockman who currently lives in a flat in Bridge of Weir. However contrary to what is stated in the Report of Handling the stockman's dogs are not kept in Bridge of Weir as there is no facility for them. They are currently housed at Hard Ridge Farm which is approximately 2 miles from Lukeston and 6 miles from Bridge of Weir. Each day [REDACTED] must travel to Hard Ridge Farm to collect his dogs before then travelling to Lukeston Farm and then return the dogs again each evening. Providing accommodation on the farm for the full-time stockman is an essential requirement for him and his dogs and to be able to retain good stock persons and their families, quality on farm accommodation is required as part of the normal employment package. Without an additional farm workers house on the farm, the farm business will suffer.
- 4.6 The appointed officer argues that the SAC Report which clearly identifies the farms labour requirement (4.5 labour units) does not make any case for more parties requiring to live on the farm. This is an odd and contradictory statement as it is evident from the above and from the detailed information contained within the SAC Report that there is an essential need for the full-time stockman to be able to

live and work on the land. No further justification is given by the appointed officer for the view he has taken in this case.

- 4.7 The council's 2 reasons for refusal are effectively saying the same thing i.e. that there is insufficient justification to support the principle of the development and the need for a further house on the farm.
- 4.8 However, it is considered that from the information provided support for this proposal and the need for the stockman to be able to live and work on farm has been justified under the terms of Policy ENV2 a) as it is required for an agricultural related purpose and c) which requires a specific locational requirement, as well as Policy RES7 d) as it is justified by the operational needs of the farm.
- 4.9 The other factors set out in the SAC Report in support of the proposal such as the choice of site location allowing visibility across the farm, animal welfare issues, security and safety and the lack of any alternative accommodation on the farm have effectively all been ignored by the planning officer.
- 4.10 The various criteria set out under Policy RES7 e) – k) also require to be met and on these matters, we concur with the views expressed by the appointed officer as set out in the Report of Handling i.e.
- e) There will be no adverse impact on the natural and built heritage and environmental resources;
 - f), i) & k) In terms of location the proposed single storey house does not break the skyline and is set against an existing woodland thus using the existing landform to minimise its visual impact and the proposed timber finish would be appropriate for the site and assist in assimilating the building into the wider landscape;
 - g) & h) The SAC Report confirms that the site does not fall within the category of prime agricultural land and it does not adversely impact on peat land.
- 4.11 It is also noted that no objections were received from any members of the public or any of the consultees and from a technical aspect the local road network can absorb the additional traffic generated by the single house. There is also no flood risk associated with this site.

5 Conclusions

- 5.1 The proposal seeks permission to erect a farm work workers house at Lukeston Farm on the basis of a justified and clearly identified economic need as evidenced by the accompanying detailed SAC report.
- 5.2 The development of a house on this site would not prejudice the objectives of the council's Housing in the Green Belt and Countryside Policy and would not create a precedent for further adhoc development in the countryside.
- 5.3 It is therefore considered that there are sufficient and justifiable reasons for allowing the proposed house as it would be consistent with the key policy considerations (policies ENV2 a) and c) along with each of the following criteria e) – k) as well as Policy RES7 d) from the adopted Local Development Plan 2014.
- 5.4 The development will have no adverse impact on the visual amenity of the area and the proposed siting and design of the house are deemed to be acceptable and in accordance with the provisions of the Local Development Plan and the Council's PAAN8.
- 5.5 There are no other technical difficulties or infrastructure issues raised by this proposal.
- 5.6 If the proposal is deemed to be acceptable by the Local Review Body then in terms of any occupancy condition, the most recent guidance from the Scottish Government and Scottish Planning Policy highlight the reasons why imposing such conditions would no longer be deemed necessary or appropriate.
- 5.7 We would therefore respectfully request that this Notice of Review is determined on the basis that it is supported by the terms of the relevant policies within the development plan, subject to any conditions that may be considered necessary by the Local Review Body.

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 100019211-001

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

Type of Application

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

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

Description of Proposal

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

Erection of Farm Workers House on Lukestone Farm, Bridge of Weir.

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:	Denholm Partnership Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Denholm	Building Name:	
Last Name: *	Partnership Architects	Building Number:	11
Telephone Number: *		Address 1 (Street): *	Dunira
Extension Number:		Address 2:	Street
Mobile Number:		Town/City: *	Comrie
Fax Number:		Country: *	Scotland
		Postcode: *	PH6 2LJ
Email Address: *			

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Sheraig Cottage
First Name: *	Iain	Building Number:	
Last Name: *	Graham	Address 1 (Street): *	Kilmacolm
Company/Organisation	Killochries Fold	Address 2:	
Telephone Number: *		Town/City: *	Renfrewshire
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	PA13 4TE
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Inverclyde Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

666435

Easting

232642

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

2228.00

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)

Wooded area within agricultural farm.

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.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *

3

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

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: *

Installation of septic tank or similar with discharge outfall to land via 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.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

Yes No

If Yes or No, please provide further details: * (Max 500 characters)

Provision of domestic bin stands.

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

How many units do you propose in total? *

1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

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

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

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

Signed: Denholm Partnership Architects

On behalf of: Killochries Fold

Date: 13/07/2016

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)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

Yes N/A

A Design Statement or Design and Access Statement. *

Yes N/A

A Flood Risk Assessment. *

Yes N/A

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

Yes N/A

Drainage/SUDS layout. *

Yes N/A

A Transport Assessment or Travel Plan

Yes N/A

Contaminated Land Assessment. *

Yes N/A

Habitat Survey. *

Yes N/A

A Processing Agreement. *

Yes N/A

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

Planning Justification Report.

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: . Denholm Partnership Architects

Declaration Date: 13/07/2016

Payment Details

Cheque: Firm of Killochries Fold, 007532

Created: 13/07/2016 17:22

DECISION NOTICE

Refusal of Planning Permission

Issued under Delegated Powers

Regeneration and Planning
Municipal Buildings
Clyde Square
Greenock PA15 1LY

Planning Ref: 16/0184/IC

Online Ref:100019211-001

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

Killochries Fold
Mr Iain Graham
Sheraig Cottage
KILMACOLM
Renfrewshire
Scotland
PA13 4TE

Denholm Partnership Architects
Bob Gunn
11 Dunira Street
COMRIE
Scotland
PH6 2LJ

With reference to your application dated 13th July 2016 for planning permission under the above mentioned Act and Regulation for the following development:-

Erection of Farm Workers House on Lukestone Farm, Bridge of Weir. at

Lukeston Farm, Branchal Road, Quarriers Village,

Category of Application Local Application Development

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

The reasons for the Council's decision are:-

1. The proposal is contrary to criterion (d) of policy RES7 of the Local Development Plan as no satisfactory argument has been put forward to confirm that the erection of a stockman's house is justified by the operational needs of Lukeston Farm.
2. There are no exceptional or mitigating circumstances for the proposal and it is thus contrary to policy ENV2 of the Local Development Plan.

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

Dated this 8th day of November 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:
PO1	/	25.05.2016
PO2	/	15.06.2016
PO3	/	15.06.2016
100017780	/	13.07.2016

REPORT OF HANDLING

Report By: Guy Phillips

Report No:

16/0184/IC

**Local Application
Development**

**Contact
Officer:** 01475 712422

Date:

4th November 2016

Subject: **Erection of Farm Workers House on Lukestone Farm, Bridge of Weir at
Lukeston Farm, Branchal Road, Quarriers Village**

SITE DESCRIPTION

Lukeston Farm lies in the countryside to the south of Kilmacolm with farm steadings at Barnshake and High Branchal to the north and east, respectively. It is accessed off Branchal Road.

PROPOSAL

It is proposed to construct an approximately 176 square metres L-shaped three bedroom bungalow, which is to serve as a farm worker's house, approximately 75m to the south-west of a recently completed farmhouse which incorporates a flat. The proposed house is set into the edge of a small wood. As a result, approximately eighteen trees require to be felled to accommodate the construction of the house. Access is via existing farm roads. The proposed external finishes are natural slate to the roof and vertical timber boarding to the walls. An existing mix of post and mesh and post and wire fencing and hedging are to be retained as boundary treatments.

The planning application is accompanied by a Scottish Agricultural College (SAC) Labour Requirement Report and a report from the applicant which sets out the background to the proposal.

The SAC Labour Requirement report advises that the applicant's farming enterprise extends to approximately 234.41ha, of which 121.41ha is at Lukeston. The applicant has improved the quality of the land which now supports a cattle herd numbering 210 and a breeding ewe flock of 450 head. The proposed house is intended for occupation by the existing stockman who lives in Bridge of Weir where his sheepdogs are kept. The labour required to run the farm is provided by the applicant, his stockman and student workers. Relief staff, students and seasonal workers are employed as required. The calculated labour requirement for the farm is 4.5 labour units.

The applicant's background report advises that the stockman is kept particularly busy on the farm in calving and lambing periods with bouts of anti-social hours working. Accommodation on the farm is considered to be an essential requirement for him and his dogs. To attract good stock persons and their families quality on-farm accommodation is required as part of their employment package. While the existing stockman's family have left home they shall visit regularly. The accommodation shall also be used by visiting friends, customers and temporary farm workers.

DEVELOPMENT PLAN POLICIES

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.

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 addition, 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

(d) 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

(e) 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.

Further detailed policy relating to this type of development is contained in the Supplementary Guidance on Planning Application Advice Notes.

Policy ENV6 - Trees and Woodland

Trees, groups of trees and woodland designated as Tree Preservation Orders (TPOs) will be safeguarded. Where it is considered necessary to protect other trees and woodland areas for amenity reasons, new Tree Preservation Orders will be promoted.

Trees and woodland will be protected and enhanced by having regard to the Scottish Government's Woodland Removal Policy and through:

- (a) promoting the planting of broad leaved and native species, or other species with known biodiversity benefits;
- (b) protecting and promoting the positive management of hedgerows, street trees and any other trees considered to contribute to the amenity of the area;
- (c) protecting and promoting the positive management of ancient and semi-ancient natural woodlands; and
- (d) encouraging the planting of appropriate trees as an integral part of new development.

Woodland creation proposals will be guided by the GCV Forestry and Woodland Framework Strategy (FWS), where priority locations for woodland management and expansion in Inverclyde will be assessed against the following criteria in accordance with the UK Forestry Standard:

- (e) the benefits of woodland creation to the value of the existing habitat;
- (f) contribution to the enhancement of the wider Green Network;
- (g) the safeguarding of nature conservation and archaeological heritage interests;
- (h) safeguarding of water supplies;
- (i) the area's landscape character;
- (j) integration with agricultural interests;
- (k) existing and potential public access and recreational use;
- (l) woodland design and the proposed mix of species; and
- (m) points of access to and operational tracks through woodlands.

The the Council's Planning Application Advice Note No 8 (PAAN8) "Siting and Design of New Houses in the Countryside" applies.

CONSULTATIONS

Head of Environmental and Commercial Services - No objections.

Head of Safer and Inclusive Communities – no objections subject to the attachment of conditions to control the storage of waste, external lighting, sound insulation and advisory notes on site drainage, vermin, CDM Regulations, surface water, septic tanks and seagulls.

PUBLICITY

The application was advertised as there are no premises on neighbouring land.

SITE NOTICES

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

PUBLIC PARTICIPATION

No written representations have been received.

ASSESSMENT

The material considerations in the determination of this planning application are the planning history of the site, the Local Development Plan, the Council's Planning Application Advice Note No 8 (PAAN8) "Siting and Design of New Houses in the Countryside", the consultation responses, the (SAC) Labour Requirement Report and the report from the applicant setting out the background to the proposal.

Lukeston Farm has an extensive planning history which it is important to understand in reaching a determination on the proposal to erect a house.

In August 2002 outline planning permission was refused for the erection of two houses at Lukeston as the proposal was contrary to the then Glasgow & Clyde Valley Joint Structure Plan 2000 and Local Plan in leading to isolated and sporadic development in the countryside, agricultural need not having been proven and as to grant planning permission may lead to further applications of a similar nature.

In January 2003 planning permission was granted for a temporary period of three years to site a static caravan on the site. The purpose of the caravan was to allow a farm manager to have a permanent presence to watch over a herd of Highland cattle. In December 2005 a further two year temporary planning permission was granted in respect of the caravan.

In March 2008 planning permission was granted for the erection of a four apartment bungalow with an integral double garage subject to a Section 75 Agreement under the Town & Country Planning (Scotland) Act 1997 restricting the occupancy of the house to a person employed in agriculture being concluded.

In April 2011 planning permission was granted for the incorporation of a one bedroom flat in the roofspace of the house previously approved in 2008. The applicant confirmed that the flat was to provide accommodation for two agricultural apprentices and would also serve as occasional accommodation for veterinary students. Condition 1 of the 2011 planning permission requires that occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed in the locality in agriculture or to a widow or a widower of such a person and to any dependents.

In September 2012 the Section 75 Agreement entered into in respect of the 2008 planning permission was discharged. The Council accepted the application to discharge the Section 75 Agreement pursuant to the planning permission granted for the erection of a house and flat five months previously in April 2011. The 2011 planning permission varied from the planning permission granted in 2008 in that it did not have a Section 75 Agreement attached to it to control occupancy.

The Local Development Plan locates the site within the Green Belt. The protected nature of the Green Belt is reinforced by policy SDS8 which indicates that there will be a presumption against the spread of the built-up area into the designated Green Belt. Policy ENV2 indicates that development in the Green Belt will only be considered favourably in exceptional or mitigating circumstances and will only be considered favourably with reference to a range of criteria. The relevant criteria in this instance are: (a) it is required for the purposes of agriculture, forestry or, where appropriate, renewable energy; (c) there is a specific locational requirement for the use and it cannot be accommodated on an alternative site); (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; (l) it does not adversely affect the visual amenity of the area and is capable of satisfactory mitigation.

Policy RES7 sets out a range of criteria against which new dwellings in the Green Belt and Countryside require to comply. The relevant criterion in this instance is: (d) it 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.

Considering whether or not the proposal is required for agriculture and can be justified by the operational needs of the Farm, I am concerned that the approximately six year old farmhouse and flat at Lukeston were built to meet the needs of the owners working on the farm. The applicant works on the farm, lives there and has a flat within his house where the stockman could go when demands on his services are high during calving and lambing. The SAC Labor Requirement Report identifies the farm's labour requirement. It does not, however, make any case for more parties requiring to live on the farm. I am not, therefore, satisfied that there is sufficient argument to justify a stockman being based at the farm in new separate accommodation. Given these circumstances, I consider that the proposal to erect a stockman's house, the SAC Labour Requirement Report and the applicant's supporting report combine to fail to satisfy criterion (d) of policy RES7's requirement that the proposal be justified by the operational needs of the farm. I further consider that the proposal also fails to satisfy policy ENV2's requirement that there be exceptional or mitigating circumstances.

Regarding the requirement that the proposal should not adversely impact on the natural and built heritage and environmental resources, the site does not lie within any of the natural heritage designations identified on the Local Development Plan's environmental constraints map. The existing farm access road to the proposed house does, however, come close to the northern edge of the Mill Burn Site Of Importance For Nature Conservation (SINC) site. As the farm road is to be retained as existing, I am satisfied that there is no impact upon the Mill Burn SINC. Given these circumstances I am content that the proposal satisfies criterion (e) of policy ENV2.

Potential impact on landscape character is, I consider, best determined by assessment against the Council's PAAN8 "Siting and Design of New Houses in the Countryside". The proposal satisfies PAAN8's design guidance in terms of location in that the proposed single storey house does not break the skyline and is set against an existing wood thus using the existing landform to minimise its visual impact. The proposal further accords with PAAN8's design guidance regarding the front windows being of a predominantly vertical emphasis and the roof being of an appropriate pitch and clad in natural slate. While the proposed timber clad wall finish is a departure from PAAN8's recommended natural stone and wet dash render finishes, I consider that the location adjacent to trees is a justification for a timber finish which would further assist in assimilating the building into the landscape. I am, therefore satisfied that the proposal is sympathetic to the landscape character

of the area and does not adversely impact visual amenity, thus meeting the requirements of criteria (f) and (i) of policy ENV2.

The SAC Labour Requirement Report confirms that Lukeston Farm does not fall within the category of prime agricultural land. Accordingly the proposal satisfies criterion (g) of policy ENV2.

Policy ENV6 advises that trees and woodland will be protected and enhanced having regard to the Scottish Government's Woodland Policy and through a range of measures including: (a) promoting the planting of broad leaved and native species, or other species with known biodiversity benefits; (d) encouraging the planting of appropriate trees as an integral part of new development. While the woodland where it is proposed to construct the stockman's house is not covered by a tree preservation order, the loss of approximately 18 trees is regrettable. I am however satisfied that this felling could be adequately compensated by a condition requiring an appropriate level of re-planting of broad leaved native species. It can, therefore, be determined that the proposal accords with criteria (a) and (d) of policy ENV6.

The consultation responses raise no objections to the proposal. In the event that planning permission were to be granted, however, I consider that the conditions recommended to be attached by the Head of Safer and Inclusive Communities on storage of waste, external lighting, and sound insulation are matters covered by other legislation and it would not therefore be competent to include them as planning conditions. Were planning permission to be granted, however, I would be content to attach advisory notes on these matters along with the other advisory notes which the Head of Safer and Inclusive Communities recommends be attached on site drainage, vermin, CDM Regulations, surface water, septic tanks and seagulls.

In conclusion, while I am satisfied that the design and location of the house are appropriate. my unfavourable assessment of the proposal against criterion (d) of policy RES7 and the lack of any exceptional or mitigating circumstances to satisfy policy ENV2's requirements determines that there is no justifiable need for a farm worker's house at this location. Accordingly, I am not in favour of planning permission being granted.

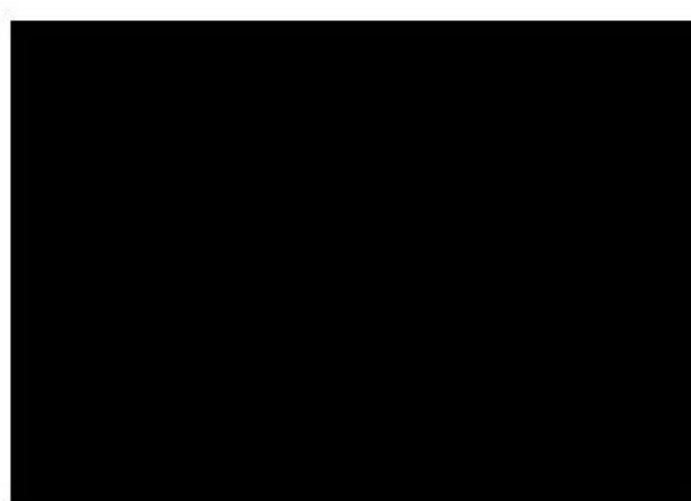
RECOMMENDATION

That the application be refused for the following reasons:

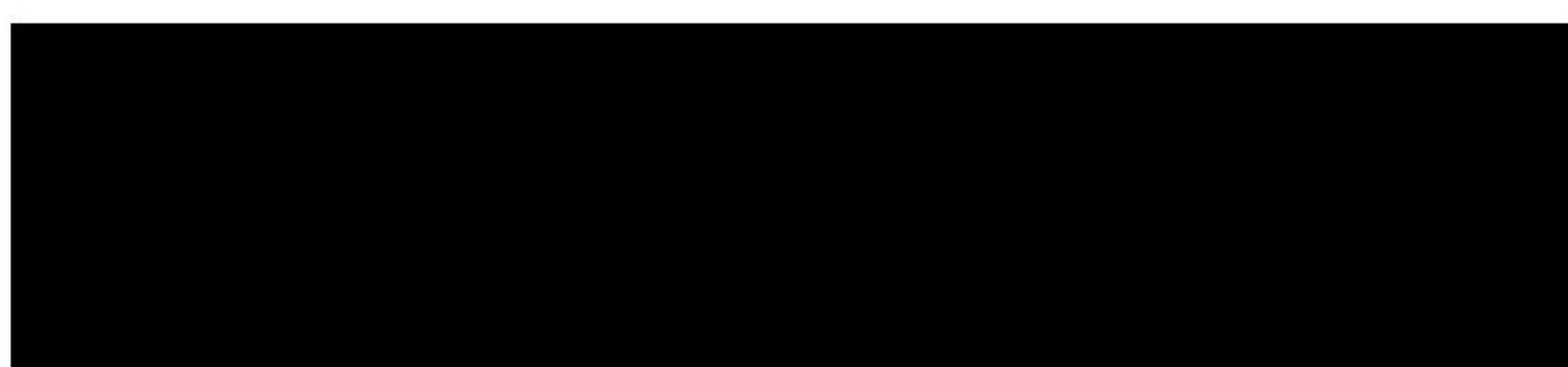
Reasons

1. The proposal is contrary to criterion (d) of policy RES7 of the Local Development Plan as no satisfactory argument has been put forward to confirm that the erection of a stockman's house is justified by the operational needs of Lukeston Farm.
2. There are no exceptional or mitigating circumstances for the proposal and it is thus contrary to policy ENV2 of the Local Development Plan.

Signed:



Case Officer: Guy Phillips



Stuart Jamieson
Head of Regeneration and Planning

History of Killochries Fold.



Killochries Fold was established in 1995 as a small fold of Highland cattle. The farm was a secondary job for me as I was the Founder and CEO of Graham Technology a Software company, which I started from our flat in Pollokshields and grew to a company employing two hundred people and operating in the international marketplace.



Façade of India of Inchinnan prior to renovation.

As founder and CEO Graham Technology I was responsible for the purchase and the renovation of India of Inchinnan. The “A” Listed, Art Deco building on the old Greenock road. The renovated India building was used to house our development and deployment staff.



India of Inchinnan after renovation.

The purchase of Lukeston hill, an area of three hundred and thirty acres, permitted a major expansion of the farm and today, including rented land, the farm is operating on an area in excess of seven hundred acres.

Planning permission was granted for a mobile home to solve the short-term problem of having a stockman on site. Planning was then agreed for an agricultural shed and a permanent house. The house was originally intended for a stockman with five children. [REDACTED]

In 2008 Graham Technology was sold and my main interest became farming. We have since moved into the Lukeston house to be on the farm and have employed a stockman, [REDACTED], who is currently living in a flat in Bridge of Weir.

The house at Lukeston has a small flat attached which is in permanent use by students from Oatbridge Agriculture College or by vet students who come to us to gain practical experience.

The on farm requirement for accommodation differs for different types of farm worker.

With tractor men, while it is good to be able to provide accommodation on farm, there is not the same absolute requirement that there is for a stockman.

The tractor man can arrive, do his work then leave for home at the end of his working day. The tractor man will tend to work solidly throughout the day and

resume where he left off the following day. Nothing is likely to happen while he is at home. The tractor man is likely to be paid an hourly rate, perhaps working overtime during the busy summer period.

The stock person, on the other hand, has to work as dictated by his cattle and sheep. Cattle and sheep are usually checked first thing in the morning and last thing at night. It is normal for a stockman to start very early then return to the house for breakfast. In the evening he will return for his supper but go out last thing to check his stock.

During calving and lambing the stock person will usually be at his busiest early morning and late at night. That is the time when animals are most often starting to lamb and calve.

He will require to return to his stock throughout the night to ensure they have given birth safely and the calf or lamb is onto his feet and sucking it's mother. A problem with the cow or calf will require the pair to be brought into the handling area to be assisted to calve or to tube or bottle feed a calf that will not or cannot take milk directly from it's mother. This process can take hours and may, in difficult cases, require a veterinary call out.

It is normal, during calving and lambing, for the stock person to be up through the night and he will try to take some rest as he can. Accommodation, on farm, is an essential requirement for a stock person and his dogs. In return for the antisocial hours, the stockman has the advantage of free accommodation and is usually on a fixed salary.

To attract good stockmen and their family, quality on farm accommodation is required as part of their employment package.

Killochries Highland Cattle



History

Since 1995, when Killochries Fold Highlanders were established, our cattle have developed a formidable reputation not only as show winners but also as a strong commercial strain with earlier maturing characteristics and exceptional live weight gains.

Our Highland Cattle are now well in excess of two hundred head and while the female foundation cattle were carefully selected and monitored the herd has benefited most from using some of the best Highland Bulls available. When it came to establishing the black herd we were fortunate enough to have been able to buy some of the best black cattle from the Rigg dispersal sale. Archie Howet devoted a lifetime to breeding these special black Highlanders and the purchase of the Rigg cattle has enabled us to continue this passion.

Today you will find Killochries bulls breeding well in many of the best folds in the United Kingdom and overseas, their offspring are often class winners and are regularly in the top prices at pedigree sales.

The herd is performance recorded, health (IBR, BVD, Lepto and Johnes) and fertility status is guaranteed.



Sean 2nd of Killochries.

Male Highland Champion Oban 2015. Sold to Montana Highland Cattle in Italy.

Conservation at Killochries Fold and Lukeston Hill

One of our objectives at Killochries is to provide a habitat for bird life, particularly protected birds, including black grouse. We believe that Highland Cattle have made a significant contribution to the increase in bird life by increasing the invertebrate food for birds and mammals. A hill cow will produce as much as 25% of its own body weight of insect life per season. That means a 500kg hill cow equals 125kg of insect life!



Lukeston hill 25th February 2007



Lukeston hill 7th October 2016



Lukeston Hill 7th October 2016.

During our period of ownership, thousands of trees have been planted on Lukeston hill, many creating riparian woodlands, improving the water quality in the Mill burn.

New hedgerows have been planted and existing hedges renovated. This and the tree planting have created shelter and a food source for a variety of wild life.

Brown Hare

Population in Britain has experienced a considerable loss since the 1960s. Total number is now estimated between 820,000 to 1,250,000. This decline in hare numbers has been more predominant in the West of Scotland.

The long established and rich pastures, along with the reintroduction of arable crops oats and kale has provided an ideal habitat for brown hare.



New woodland planting creating open woodland edges with nearby watercourses has also helped to improve numbers.

Predation namely by foxes on leverets have been a major cause of decline. Fox control is in place at Lukeston and surrounding area.

Brown hares have 2 or 3 young a year (leverets) and these stay in resting place called a 'form' which can be a shallow or dug out depression in an open field or under a cover of long grass, scrub or hedgerow. Brown hares are usually solitary animals occasionally seen in small groups.

Scrubs and hedgerows have been planted with joining wildlife corridors creating protected areas for wildlife, which has been of particular benefit to the hares.

Skylark

The skylark is a small streaky brown bird with a small crest that is raised when the bird is excited or alarmed. The tail and wings have white edges, which are visible in flight. It eats seeds and insects all year round and is found mainly in lowland farming areas.



The improvement in Skylark numbers has been a particular success story on Lukeston hill. The improvements in soil structure and a vast increase in insect life caused by the hill cattle has been the main reason for the increase in their numbers.

On a calm sunny day in June, more than twenty Skylarks can now be seen and heard, at any one time, in the sky above Lukeston hill.

Spotted Flycatcher

The Spotted Flycatcher is brown with a white breast and darker grey streaks on its breast and forehead. They mainly eat passing insects and are found in the UK during their breeding season.



Increase in flycatcher numbers is also due to improved insect population.

Curlew

The curlew is the largest European wading bird and has a long down-curved bill, brown upper parts and long legs. Their main source of food is worms, shellfish and shrimp. They breed on damp upland pastures and meadows, and moorlands as well as some lowland agricultural areas.



Soil structure improvements have helped the Curlew population by increasing the worm count.

Predation by foxes is still a problem as is the high population of Crows taking eggs from the nesting birds.

Lapwing

The Lapwing is a common farmland bird with a black and white, round-winged body and black crest. In the breeding season they can be found near sown cereals, root crops, and fallow fields. They eat worms and insects.



Lapwings got off to a slow start as their small numbers made them vulnerable to Crow attack. Today you can see more than forty Lapwings in a single day. The large flock is now well able to protect itself from Crow attack.

Hen Harrier

Male Hen Harriers are a pale grey colour while females and young chicks are brown with a white rump and a long, barred tail which give them the name 'ringtail'. They fly low in search of food, mainly small birds and animals and are found in open countryside and conifer plantations in SW Scotland.



The Muirshield Hen Harriers are regular visitor to Lukeston hill.

Snipe

The Snipe is a brown wading bird with dark streaks on the chest and pale under parts, short legs and a long straight bill. They are a common breeding species in the UK particularly in Scotland. They eat worms and insect larvae all year round.



We have good and increasing numbers of Snipe on the Lukeston hill.

Linnet

Linnets are small finches where males have red foreheads and breasts and the females are brown. They are found in lowland farmland, orchards and heathland and feed on seeds and insects.

The woodland plantings along with the wild bird plots have provided an ideal environment for Linnet.



The Proposal.

The proposal is to erect a three-bedroom cottage on a clearance within Lukeston wood. The cottage will be positioned so that the visual impact is minimal and will use existing farm roads for access and importantly provide him with a modern, warm, comfortable home to latest standards.

Water will be supplied from the existing borehole and power, although connected to the main, will be from renewable sources already on site.

We are currently in the process of submitting a proposal for a thirty by sixty meter agriculture building to house a new cattle race and crush. The new race and crush will provide a much safer working environment and provide shelter while working with the cattle. The building will also serve to house animals while they require special attention.

The agriculture building, although not up against the proposed cottage, will be positioned so that it is easily accessed from the various Lukeston fields and within easy walking reach of the proposed cottage.

It is proposed that the current stockman, [REDACTED] and his wife [REDACTED], will move from the flat in Bridge of Weir to be resident in the proposed cottage and kennel accommodation will be provided nearby for their sheepdogs.

While the [REDACTED] children have left home the extra accommodation will be used during their regular visits. Visiting friends, customers and temporary farm workers will also use it.

The proposed cottage will have the effect of reducing the vehicle traffic on the access road. This will be of particular benefit during calving and lambing as, during this period, the traffic can be during anti social hours.

The fact that the stockman is on site twenty-four seven, will have a positive effect on his workload and a significant improvement in animal welfare.



Labour Requirement Report

I & S Graham
Killochries Fold
Kilmacolm
Renfrewshire
PA13 3RU

Business Reference Number: 142132

Prepared by: SAC Consulting

Contact:

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October 2016

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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1. Introduction

This farming enterprise of I & S Graham extends to 234.41 ha (579.23 ac) of productive grassland and rougher grazings. The owned and main land area of the business is at Lukeston Farm, which extends to 121.41 ha (300 ac) with a further 113 ha (279 ac) tenanted at the neighbouring South Branchal Farm and rented at Blackwater.

Since expanding their farming enterprise, I & S Graham have significantly improved the quality of the land and increased the livestock numbers that they run. The cattle herd now totals 210 head and the breeding ewe flock 450 head. The main enterprise is producing top quality and health accredited breeding Highland and crossbred cattle for sale.

Iain Graham plans to erect a dwelling house at Lukeston Farm for his stockman David Paterson. David currently resides away from the farm in a flat in Bridge of Weir. Due to the urban location, his working sheepdogs have to be kept in kennels away from home.

The class of land for the area is 4₁ and 5₁, according to the James Hutton Institute (formerly the MacAulay Institute for Soil Research). The land is suited primarily to grassland production with the capability for some forage crops and limited arable cropping. Grass yields can be high. However, difficulties in conservation may be encountered. Crop yields are often below average in this area.

Land of this classification is not considered to be prime agricultural land, which is most frequently described as land within class 1 and 2. The proposed site of the new dwelling house will therefore not involve the loss of any prime agricultural land.

The data used has been provided by Iain Graham on a site visit on 4 April 2016 and combined with standard labour requirements for agricultural and horticultural activities, agreed by SGRPID, DEFRA and DARDNI, as outlined in the report of the UK Farm Classification Working Party.

2. Business Policy

I & S Graham run a grassland farm concentrating on cattle and sheep production. The farming enterprises consist of a pedigree herd of Highland beef cattle, a commercial herd of Beef Shorthorn cross Highland cattle and an upland flock of Blackface and Cheviot ewes.

The business is run by Iain Graham in partnership with his wife Sheena. The labour required to run this busy unit is provided by Iain Graham, full-time stockman David Paterson and student workers.

Silage production is carried out on 20.24 ha (50 ac) of grass silage taken in one cut. The silage is ensiled in round bales.

The main farming enterprise is the pedigree and commercial cattle. Killochries Fold is a renowned herd of Highland cattle (black and brown) which are fully performance recorded and are in the IBR, BVD, Lepto and Johnes accredited herd health schemes. The farm produces top quality male and female breeding replacement stock to herds across the northern hemisphere. Young bulls and breeding heifers are marketed via private sales and through the main breed sale at Oban.

The bottom end of the Highland cattle are crossed with Beef Shorthorn bulls to produce crossbred cattle which are sought after as quality commercial herd replacements. These heifers are grown out and joined to an Aberdeen Angus bull with the intention of selling them as either in-calf heifers or heifers with calf at foot as the season dictates. The crossbred bullocks are taken to the forward store stage and transferred to a finishing unit.

The sheep system focuses on the use of two traditional hill breeds; the Blackface and the North Country Cheviot. The flock totals 450 ewes of which half are Blackface and the remainder Cheviot. Approximately 250 ewes are bred pure and the remainder crossed with Bluefaced Leicester rams to produce Scotch Mule and Cheviot Mule ewe lambs. These are sold from September onwards. The purebred and crossbred wedder lambs are away-wintered off of the farm and sold finished as soon as possible.

Occasionally purebred Blackface and Cheviot ram lambs are sold off of the farm and at breed sales as breeding stock. Approximately 100 replacement ewe hoggs are away-wintered for 5 months but they remain the responsibility of and are looked after by Iain Graham and his staff.

The cattle are mostly wintered outside, being fed on quality silage with minimal concentrate feeds given. High energy mineral tubs are offered to all cattle. Crossbred steers are away-wintered off of the farm in sheds. The sheep are fed rolls and blocks from the New Year until after lambing when the grass begins to grow.

The cattle and sheep calf and lamb outdoors. They are monitored closely during the 12-week calving and six-week lambing periods in the spring. Any problem cases are brought indoors into the livestock buildings or into the handling yards to receive additional care and supervision.

David Paterson is responsible for the majority of the stock work and works alongside Iain Graham who manages the farm. Relief staff, students and seasonal workers are employed as required.

I & S Graham undertake all of the tractor work required to run this unit themselves. They own all of their own equipment.

2.1 Farm Structure

<u>Land</u>	<u>Hectares</u>
Lukeston grazing area (PGRS)	65.18 ha
Lukeston grass silage area (PGRS)	20.23 ha
Lukeston rough grazing area (RGR)	36.00 ha
Tenanted land (PGRS)	113.00 ha

2.2 Livestock

Pedigree Highland Cattle

	<u>Number</u>
Cows	67
Calves	24
Heifers	13
Bulls	5

Crossbred Cattle

	<u>Number</u>
Calves	39
Heifers	36
Steers	21
In-calf Heifers	15

Sheep

	<u>Number</u>
Ewes	450
Hoggs	100
Lambs	550
Stock Rams	12

3. Labour Requirement

The labour requirement of the farming unit is calculated as follows:

3.1 Land

	<u>Area (ha)</u>	<u>Hours/Annum</u>	<u>Total</u>
Grazing Area	178.18	4	712.72
Grass Silage (cut once)	20.23	16	323.68
Rough Grazing Area	36.00	1.5	54.00
Sub Total			1,090.40

3.2 Livestock

	<u>Number</u>	<u>Hours/Annum</u>	<u>Total</u>
Pedigree Cows	67	36*	2,412
Pedigree Calves	24	27*	648
Pedigree Heifers	13	27*	351
Pedigree Bulls	5	27*	135
Crossbred Heifers (In-calf)	15	9	135
Crossbred Calves	39	9	351
Crossbred Heifers	36	9	324
Crossbred Steers	21	9	189
Ewes	450	4.2	1,890
Hoggs	100	2.6	260
Tups	12	4.2	50.4
Lambs	550	1.3**	715
Sub Total			7,460.40

* The hours per annum for the pedigree cattle have been multiplied by three to reflect the extra attention required and increased workload that is involved with producing pedigree stock. Also included is a time allocation for maintaining breeding records, performance recording and complying with health schemes.

** The hours per annum for looking after the lambs has been halved as they are only on farm for 6 months.

3.3 Farm Administration

Maintaining statutory records relating to new cross-compliance measures, movements and traceability, veterinary health records and other quality assurance records now constitute approximately 10% of the time involved in managing a livestock farm. No allocation of labour for this bookwork has been included.

3.4 Total **8,550.80**

SGRPID's Standard Man Year ***1,900.00***

Calculated labour requirement = 4.5 labour units.

4. Additional Comments

4.1 The Site

The proposed site for the dwelling is within eye-sight of the main calving fields and is central to the land holding. This will allow David to be constantly present on farm during crucial times of the year such as lambing and calving. The house site is in close proximity to the cattle handling yards where sick animals or those in mid parturition are held.

Furthermore, it will offer a panorama across much of the farm land and also the main access onto the farm.

The proposed site of the dwelling will not involve the loss of prime agricultural land or cause damage to features of environmental interest. The dwelling will be accessed from the existing farm road.

4.2 Animal Welfare

Livestock require specialist supervision from suitably qualified individuals who are experienced in both livestock management and husbandry. This care and attention is best delivered by someone living on-site.

It is essential that there is someone present on the unit in order to ensure animal welfare legislation and cross-compliance measures are being met.

Locating a dwelling house on farm for the stockman will ensure that someone is always on-hand to control any animal welfare issues when they arise and particularly during unsociable hours. The livestock on this farm are checked twice daily – at day-break and dusk. This is the time that most livestock will start to give birth and as a result, most problems will arise during or after this time.

The livestock at Lukeston are of a high value and having a skilled stockperson residing within view of calving and lambing livestock will help to minimise stock losses and maximise livestock welfare.

In addition, having a house for David Paterson on-site will allow his dogs to stay on the farm instead of in kennels away from his current home.

4.3 Security & Safety

Lukeston Farm is in a relatively remote location. However, there is always a great potential for security and safety problems on the farm.

This includes livestock worrying by dogs and livestock straying onto public roads due to gates being left open by walkers. Other significant issues include trespassing and fly-tipping.

Having an additional dwelling on-site will help to mitigate any potential issues arising from these occurrences.

4.4 Alternative Accommodation

At Lukeston there is a farmhouse occupied by Iain and Sheena Graham and an adjoining one bedroomed bothy which is used to accommodate agricultural and vet students who receive practicals on farm.

There are no buildings available for renovation as both agricultural sheds are of modern portal framed timber or steel design.

There are no affordable family houses available in close proximity of the farm which offers suitable access to the unit. The nearest village of Quarriers is four kilometres away and housing there is at a premium.

**EMAIL DATED 20 DECEMBER 2016 FROM
MBM PLANNING & DEVELOPMENT IN RELATION TO
NOTICE OF REVIEW APPEAL STATEMENT,
CLIENT STATEMENT IN SUPPORT OF THE APPLICATION
AND LABOUR REQUIREMENT REPORT**

Rona McGhee

From: Mark Myles <mm@mbmplanning.co.uk>
Sent: 20 December 2016 09:29
To: Rona McGhee
Subject: RE: Review of Decision to Refuse Planning Permission - Erection of Farm Worker's House, Lukeston Farm, Branchal Road, Quarriers Village (16/0184/IC)

Dear Rona

Thank you for your email below in respect of the above Notice of Review.

I can confirm that we have no objections to you deleting the sections you have referred to in (MBM4) and also the personal details contained in paragraphs 4.2-4.5 of our appeal statement.

However the section highlighted in paragraph 4.1 of our appeal statement does not require to be deleted as it does form part of the grounds of appeal.

I can also confirm that the SAC Report can be made available to the LRB members and included within the agenda papers and therefore relied upon by the LRB as part of their decision making process.

I trust this is helpful

Kind regards

Mark Myles
MBM Planning & Development
Algo Business Centre
Glenearn Road
PERTH
PH2 ONJ

01738 450506
07887 801965

From: Rona McGhee [mailto:Rona.McGhee@inverclyde.gov.uk]
Sent: Friday, December 16, 2016 10:28 AM
To: Mark Myles <mm@mbmplanning.co.uk>
Subject: Review of Decision to Refuse Planning Permission - Erection of Farm Worker's House, Lukeston Farm, Branchal Road, Quarriers Village (16/0184/IC)

Dear Mr Myles

I refer to the Notice of Review that you served on Inverclyde Council's Local Review Body on 12 December 2016.

I acknowledge receipt of the Notice, and can confirm that all information relating to the Review will be available in due course for inspection at the office of the Council's Regeneration and Planning Service, Municipal Buildings, Clyde Square, Greenock during advertised opening hours.

In this regard, I attach extracts of the Notice of Review Appeal Statement and the Client Statement in Support of the Application (MBM4). The full documents will be included on the agenda for the Local Review Body together with the Notice of Review form and other supporting documents submitted by you. It would be my intention to delete the section highlighted in the second paragraph of MBM4 as these comments could be considered to be potentially defamatory and, if the Council printed these comments, it may be subject to legal action. I would also intend to

delete the other sections highlighted on the extract of this document and the Notice of Review Appeal Statement extract as these contain personal information. It may be, however, that the section highlighted at paragraph 4.1 of the Notice of Review Appeal Statement extract forms part of your client's grounds of appeal. In the circumstances, I should be obliged if you would advise me by 11 January if your client wishes this section of the Appeal Statement to be included in the papers published for the Local Review Body meeting, hard copies of which will be available to any members of the public attending the meeting and which will also be made available on the Council's website.

In addition, I note that the Labour Requirement 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 cover page indicates that the report has been prepared exclusively for the use of I & S Graham and that no other party may rely on it. In the circumstances, I should be obliged if you would provide the Local Review Body with a letter confirming that the report may be included in the agenda papers, which as indicated above will be publicly available and published on the Council's website, and that it can be relied upon by the Local Review Body.

The Local Review Body is required to notify all those who submitted comment on the planning application and, should any representations be received by the submission date of 11 January, I shall write to you providing a copy of any correspondence and allow you the opportunity to make comment.

I shall write to you in due course with arrangements for the Review Body meeting.

Regards,
Rona

CC Killochries Fold, Mr Iain Graham, Sheraig Cottage, Kilmacolm Renfrewshire PA13 4TE

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

**ERECTION OF A FARM WORKER'S HOUSE ON LUKESTONE FARM, BRIDGE OF WEIR
AT LUKESTON FARM, BRANCHAL ROAD, QUARRIERS VILLAGE (16/0184/IC)**

Suggested conditions should planning permission be granted on review

Conditions:

1. That before their use, samples of facing materials shall be submitted to and approved in writing by the Planning Authority: the approved materials shall thereafter be used unless any variation is approved in writing by the Planning Authority.
2. That prior to the commencement of development details shall be provided of a broad leaved and native species re-planting scheme to compensate for the trees to be removed by the proposed development.
3. The driveway gradient shall not exceed 10%.
4. All surface water must be contained within the site. Drainage arrangements should be submitted prior to the commencement of development to demonstrate how this will be achieved.
5. That the dwellinghouse hereby approved shall only be occupied by a person or persons locally employed in agriculture.

Reasons:

1. In the interests of visual amenity.
2. In the interests of ecology.
3. To ensure usability of the driveway.
4. In the interests of public safety.
5. To define the permission and in the interests of avoiding sporadic development of housing in the countryside.

Advisory Notes:

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

3. The sound insulation should have regard to advice and standards contained in the current Scottish Building Regulations.
4. Site Drainage: Suitable and sufficient measures for the effective collection and disposal of surface water should be implemented during the construction phase of the project as well as within the completed development to prevent flooding within this and nearby property.
5. 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.
6. The applicant should be fully aware of the Construction (Design & Management) Regulations 2015 (CDM 2015) and its implications on client duties etc.
7. Surface Water: Any SUDS appraisal must give appropriate weight to not only any potential risk of pollution to watercourses but to suitable and sufficient measures for the effective collection and disposal of surface water to prevent flooding. Measures should be implemented during the construction phase of the project as well as within the completed development to prevent flooding within the application site and in property/land nearby. It is also recommended that a long term maintenance plan should be developed prior to the commencement of the proposed development.
8. Septic Tanks: Should the premises be served by a septic tank, it will be necessary to ensure that the capacity of the tank is sufficient to deal with any additional demand and that the maintenance and emptying regime is modified accordingly.
9. Design and Construction of Buildings - Gulls: It is very strongly recommended that appropriate measures be taken in the design of all buildings and their construction, to inhibit the roosting and nesting of gulls. Such measures are intended to reduce nuisance to, and intimidation of, persons living, working and visiting the development.