

EAST RENFREWSHIRE COUNCIL

LOCAL REVIEW BODY

15 January 2020

Report by Deputy Chief Executive

REVIEW OF CASE - REVIEW/2019/19

RETENTION OF AREA OF HARDSTANDING AT SITE 280 METRES

NNW OF FLOAK BRIDGE, HIGHFIELD ROAD, NEWTON MEARNS

PURPOSE OF REPORT

1. The purpose of the report is to present the information currently available to allow a review of the non-determination of the application for planning permission as detailed below. A determination should have been made by officers, in terms of the Scheme of Delegation made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006.

DETAILS OF APPLICATION

2. Application type: Full Planning Permission (Ref No:- 2018/0560/TP).
- Applicant: Mr Andrew McCandlish.
- Proposal: Retention of area of hardstanding.
- Location: Site 280m NNW of Floak Bridge, Highfield Road, Newton Mearns.
- Council Area/Ward: Newton Mearns South and Eaglesham (Ward 5).

REASON FOR REQUESTING REVIEW

3. The applicant has requested a review on the grounds that the Council's Appointed Officer refused the application.

RECOMMENDATIONS

4. The Local Review Body is asked to:-
- (a) consider whether it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that:-
 - (i) it proceeds to determine whether the decision taken in respect of the application under review should be upheld, reversed or varied; and
 - (ii) in the event that the decision is reversed or varied, the reasons and the detailed conditions to be attached to the decision letter are agreed; or

- (b) that in the event that further procedure is required to allow it to determine the review, consider:-
 - (i) what further information is required, which parties are to be asked to provide the information and the date by which this is to be provided; and/or;
 - (ii) what procedure or combination of procedures are to be followed in determining the review.

BACKGROUND

5. At the meeting of the Council on 29 April 2009, consideration was given to a report by the Director of Environment seeking the adoption of a new Scheme of Delegation in terms of the new Section 43A of the Town and Country Planning (Scotland) Act 1997, subject to approval of the scheme by Scottish Ministers.

6. The report provided details of the new hierarchy of developments that took effect from 6 April 2009 explaining that the Scheme of Delegation related to those applications within the “local development” category as set out in the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009, but would in future be determined by an “appointed officer”. In the Council’s case this would be either the Director of Environment or the Head of Roads, Planning and Transportation Service now designated the Head of Environment (Operations).

7. The report highlighted that historically appeals against planning decisions were dealt with by Scottish Ministers. However, following the introduction of the new planning provisions which came into effect on 3 August 2009 all appeals against decisions made in respect of local developments under delegated powers would be heard by a Local Review Body. The Local Review Body would also deal with cases where the appointed officer had failed to determine an application within two months from the date it was lodged.

NOTICE OF REVIEW – STATEMENT OF REASONS FOR REQUIRING THE REVIEW

8. The applicant in submitting the review has stated the reasons for requiring the review of the determination of the application. A copy of the applicant’s Notice of Review and Statement of Reasons is attached as Appendix 5.

9. The applicant is entitled to state a preference for the procedure (or combination of procedures) to be followed by the Local Review Body in the determination of the review and has indicated that his stated preference is a site inspection.

10. The Local Review Body is not bound to accede to the applicant’s request as to how it will determine the review and will itself decide what procedure will be used in this regard.

11. However, at the meeting of the Local Review Body on 10 August 2016, it was decided that the Local Review Body would carry out unaccompanied site inspections for every review case it received prior to the cases being given initial consideration at a meeting of the Local Review Body.

12. In accordance with the above decision, the Local Review Body will carry out an unaccompanied site inspection on Wednesday, 15 January 2020 immediately before the meeting of the Local Review Body which begins at 2.30pm.

INFORMATION AVAILABLE TO ALLOW REVIEW OF APPLICATION

13. Section 43B of the Planning etc (Scotland) Act 2006 restricts the ability of parties to introduce new material at the review stage. The Local Review Body is advised that the focus of the review should, therefore, be on the material which was before the officer who dealt with the application under the Scheme of Delegation.

14. The information detailed below is appended to this report to assist the Local Review Body in carrying out the review of the decision taken by the Appointed Officer:-

- (a) Application for planning permission – Appendix 1 (Pages 7 - 16);
- (b) Copies of Objections/Representations – Appendix 2 (Pages 17 - 64);
- (c) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 3 (Pages 65 - 76);
- (d) Decision notice and reasons for refusal - Appendix 4 (Pages 77 - 80); and
- (d) A copy of the applicant's Notice of Review and Statement of Reasons - Appendix 5 (Pages 81 - 228).

15. The applicant has also submitted the drawings listed below (available for inspection within the Planning Division of the Environment Department prior to the meeting and for reference at the meeting) and these are attached as Appendix 6 (Pages 229 - 236).

- (a) Photo 2019 – 1 – Dept for Environment Food and Rural Affairs;
- (b) Photo 2019 – 2 – Dept for Environment Food and Rural Affairs;
- (c) Refused – Location Plan; and
- (d) Refused – Proposed Drainage Scheme.

16. The Local Review Body is advised that initial consultation responses and representations received if any, relating to the application will be listed in the planning officer's Report of Handling.

17. All the documents referred to in this report can be viewed online on the Council's website at www.eastrenfrewshire.gov.uk.

RECOMMENDATIONS

18. The Local Review Body is asked to:-

- (a) consider whether it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that:-
 - (i) it proceeds to determine whether the decisions taken in respect of the application under review should be upheld, reversed or varied; and
 - (ii) in the event that the decision is reversed or varied, the reasons and the detailed conditions to be attached to the decision letter are agreed; or

- (b) In the event that further procedure is required to allow it to determine the review, consider:-
 - (i) what further information is required, which parties are to be asked to provide the information and the date by which this is to be provided; and/or;
 - (ii) what procedure or combination of procedures are to be followed in determining the review.

Report Author: Paul O'Neil

Director - Caroline Innes, Deputy Chief Executive

Paul O'Neil, Committee Services Officer
e-mail: paul.o'neil@eastrenfrewshire.gov.uk
Tel: 0141 577 3011

Date:- January 2020

**APPLICATION
FOR
PLANNING PERMISSION**

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2 Spiersbridge Way Thornliebank G46 8NG Tel: 0141 577 3001 Email: planning@eastrenfrewshire.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 100136385-001

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)

Retention of existing area of hardstanding

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

Please state date of completion, or if not completed, the start date (dd/mm/yyyy): *

01/09/2015

Please explain why work has taken place in advance of making this application: * (Max 500 characters)

Previously used for Scottish Water operations

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:	Stephenson Halliday		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Sarah	Building Name:	Atlantic House
Last Name: *	Lapsley	Building Number:	45
Telephone Number: *	01412047900	Address 1 (Street): *	Hope Street
Extension Number:		Address 2:	7th Floor
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	United Kingdom
		Postcode: *	G2 6AE
Email Address: *	sarah.lapsley@stephenson-halliday.com		

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:	Templetonburn Lodge
First Name: *	Andrew	Building Number:	
Last Name: *	McCandlish	Address 1 (Street): *	Crookedholm
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Kilmarnock
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	KA3 6HP
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

East Renfrewshire 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

650608

Easting

250323

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

1.00

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)

Hardstanding used by Scottish Water for storage and parking (previously in agricultural use)

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?

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)? *

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

Do your proposals make provision for sustainable drainage of surface water?? * Yes No
(e.g. SUDS arrangements) *

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)

Not required

Residential Units Including Conversion

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

Yes No

All Types of Non Housing Development – Proposed New Floorspace

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

Yes No

Schedule 3 Development

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

Yes No Don't Know

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

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

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

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

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

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Do you have any agricultural tenants? *

Yes No

Certificate Required

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

Certificate E

Land Ownership Certificate

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

Certificate E

I hereby certify that –

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

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

Or

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

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

Name:

Address:

Date of Service of Notice: *

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

Signed: Sarah Lapsley

On behalf of: Mr Andrew McCandlish

Date: 07/09/2018

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 Statement

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: Ms Sarah Lapsley

Declaration Date: 07/09/2018

Payment Details

Pay Direct

Created: 07/09/2018 15:50

COPIES OF OBJECTIONS/REPRESENTATIONS

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Internal Memo

Our Ref: 96/003/BS.
Your Ref: 2018/0560/TP.
Date: 26/06/19.

From: Senior Engineer - Structures.
Environmental Services and Roads.

To: Senior Planner - Environment.
FAO John Drugan.

SUBJECT:- Floak by A77.

Application Ref :	2018/0560/TP.
Client Name :	NE Environmental.
Subject Property :	Floak by A77.
Documents:	Drainage Impact Assessment, Dwg. NEO 00464-050A.
Comments :	
1. SUDS	Satisfactory – subject to comments.
2. Final Run-Off	Satisfactory.
3. Structural	n/a.
3. Climate Change	Unsatisfactory – no allowance made for Climate Change.
4. Comments	<p><u>Recommendations are as follows:-</u></p> <ol style="list-style-type: none"> 1. SUDS – exact details are required at design stage. All culverts / headwalls should be designed in accordance with CIRIA Culvert Design & Operation - Guide C689. 2. ERC will not adopt any SUDS or Structures upon completion of the development. A maintenance regime for any SUDS should be included within submission. 3. The ERC max. allowable Greenfield Run-Off Rate is 8.0 l/sec/ha. Development figure of 12.4 l/sec. is within limit. 4. Climate Change factor 20% minimum must be included within all calculations. 5. Submission is unsatisfactory – resubmission is required.
Wednesday 26 th June 2019.	

Senior Engineer - Structures.

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Ack Sent 20/11/18

Highfield Farm
Loganswell
Newton Mearns
Renfrewshire
G77 6SH

Date: 14th November 2018

John Drugan
Planning Department
East Renfrewshire Council
2 Speirsbridge Way
Speirsbridge Business Park
Thornliebank
Glasgow
G46 8NG

RECEIVED
16 NOV 2018

Dear Mr Drugan

Your ref: 2018/0560/TP

Proposal: Retention of area of hardstanding

Address: Site 280m NNW of Floak Bridge, Highfield Road, Newton Mearns, East Renfrewshire

I refer to the above mentioned application and have serious concerns regarding the proposed retention of an area of hardstanding in a field adjacent to the junction of the A77 and the Highfield Road end, and within sight of the M77.

There is presently a large quantity of material on site which extends to the north, and which is causing an obstruction of vision when turning right from the Highfield Road towards Newton Mearns, and also there are signs the site is being used for the tipping of rubbish.

The site is bounded by the Earn Burn which flows to the river Cart, and there is an issue that the dumped material will find its way into the burn.

I was given assurances by Scottish Water that when they had finished using the site for the storage of pipes that it would be reinstated as it was for the grazing of sheep, and I enquire what the site would be used for other than the storage of old machinery and tractors which would be contrary to the sites greenbelt status.

There are no reasons why the site should remain as hardstanding and not reinstated for the grazing of sheep, and I am concerned re the road safety issues and potential pollution.

Yours sincerely



Philip C. Smith

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ACK sent 20/11/18

High Netherfield Dyke
Strathaven
ML10 6TB

RECEIVED

16 NOV 2018

Date: 14th November 2018

John Drugan
Planning Department
East Renfrewshire Council
2 Speirsbridge Way
Speirsbridge Business Park
Thornliebank
Glasgow
G46 8NG

Dear Mr Drugan

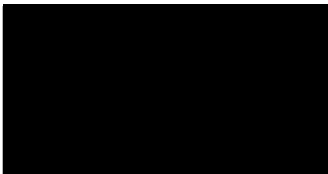
Ref: 2018/0560/TP re Retention of area of hardstanding
Site 280m NNW of Floak Bridge, Highfield Road, Newton Mearns, East Renfrewshire

I refer to the above mentioned application and am disappointed and concerned to note the request that a temporary area of hardstanding on a Greenbelt site be converted into a permanent feature, which I can only presume is for business purposes and the storage of commercial equipment.

I am aware the applicant has had permission refused on two occasions in the past for a large commercial shed, and am concerned this is a further attempt to establish a business in this area.

I therefore wish to object on the grounds of infringement of the Greenbelt, potential pollution risks to local water courses, and road safety issues, as entrance to the site is not ideal in view of its existing location.

Yours sincerely



Forbes Paton

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Ack sent 21/11/18

RECEIVED

21 NOV 2018

72 Newton Grove
Newton Mearns
Glasgow
G77 5QJ

East Renfrewshire Council Planning Department
Eastwood Park
Rouken Glen Road
Giffnock
GLASGOW
G46 6UG

20 November 2018

Dear Sir

REFERENCE: 2018/0560/TP

SITE 280KMNNW OF FLOAK BRIDGE, HIGHFIELD ROAD, NEWTON MEARNES

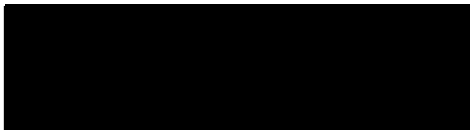
I have previously objected to the construction of an "agricultural shed" on the above site and, while the retention of a hard standing will in no way impede visibility at the road junction, I do have continuing concerns regarding both the restriction of visibility and the use to which this particular property is being put.

If you visit the site, it does appear as if it is being used as a cowp or an area for fly tipping and ultimately, the size of this may grow to not only to become an eyesore, with the possibility of contaminants but could ultimately become large enough to restrict the view of motorists joining the A77.

It seems to me that, there is no useful purpose to be served by the retention of this hard standing and I would like to object to it continuing as such. Its purpose has been served and I believe that it should be returned to agriculture as otherwise, it will continue to be a source of contention and possible misuse.

I would add that I make use of the roads involved regularly and it is likely that this will only increase.

Yours faithfully



John C Cairns

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72 Newton Grove
Newton Mearns
GLASGOW
G77 5QJ

7 November 2019

Mr Paul O'Neil
East Renfrewshire Council
Corporate & Community Services
Council HQ, Eastwood Park
Rouken Glen Road
Giffnock
G46 6UG

Dear Mr O'Neil

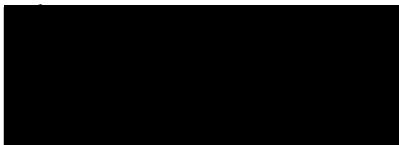
**REVIEW/2019/19
SITE 280m NNW OF FLOAK BRIDGE, HIGHFIELD ROAD, NEWTON MEARNES**

Thank you for your letter of 25 October 2019 and I note that there will be a visit to the site.

I have nothing substantive to add but I do hope that, when the committee visits, there is a reasonable amount of traffic on the A77 as traffic, including large lorries, travels very fast along the road and this is a particular issue with traffic heading north, which comes around a bend while traffic entering onto the A77 from Highfield Road approaches up a slope from a low level. The construction of a building and the storage of equipment in this vicinity will certainly not help.

Thank you for keeping me up to date with this.

Yours sincerely

A solid black rectangular box used to redact the signature of John C Cairns.

John C Cairns

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Our Ref: REVIEW/2019/19
Your Ref:
Contact: Paul O'Neil
Tel: 0141 577 3011
Fax: 0141 577 3219
Email: paul.o'neil@eastrenfrewshire.gov.uk
Date: 25 October 2019



Corporate & Community Services
Council HQ, Eastwood Park
Rouken Glen Road
Giffnock G46 6UG

Mr John C Cairns,
72 Newton Grove,
Newton Mearns,
East Renfrewshire
G77 5QJ

Dear Sir,

Ref No: REVIEW/2019/19
Location: Site 280m NNW of Floak Bridge, Highfield Road, Newton Mearns
Proposal: Retention of area of hardstanding.

I acknowledge receipt of your representations in respect of the aforementioned planning application (Ref No: 2018/0560/TP) for the above development and wish to advise you that the applicant has submitted a 'Notice of Review' requesting that the Local Review Body carry out a review of the decision by the Director of Environment to refuse the application.

In accordance with the appropriate regulations, the Local Review Body is required to notify any interested party having made representation in relation to the application of the following details of the review case:-

1. Mr Andrew McCandlish.
2. Site 280m NNW of Floak Bridge, Highfield Road, Newton Mearns.
3. Retention of area of hardstanding.

Copies of any representations previously made regarding the application, other than those to be treated in confidence, will be made available to the applicant and will be considered by the Local Review Body when determining the review.

The Local Review Body will decide what procedure is to be followed in carrying out the review. In this regard, the procedures that may be used are set in the appropriate regulations and include written submissions, the holding of one or more hearing sessions and a site inspection.

However, at the meeting of the Local Review Body on 10 August 2016, it was agreed that the Local Review Body would carry out unaccompanied site inspections for every review case it received prior to the cases being given initial consideration at a meeting of the Local Review Body.

You will be advised of the date and time of the unaccompanied site inspection in due course.



Caroline Innes, Deputy Chief Executive and Director of Corporate and Community Services,
East Renfrewshire Council Headquarters, Rouken Glen Road, Eastwood Park, Giffnock, G46 6UG

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Our ref: ROMA/529474
Your ref: REVIEW/2019/19

Corporate & Community Services
East Renfrewshire Council
Council HQ, Eastwood Park
Rouken Glen Road
Giffnock
G46 6UG

08 November 2019

Dear Sirs

Ref: REVIEW/2019/19
Proposed Retention of Hardstanding at Site 280m NNW of Floak Bridge, Highfield Road, Newton Mearns
Representation to the Local Review Body on behalf of the Executors of Philip C Smith

We act for the executors of the estate of the late Mr Philip C. Smith, who submitted a letter of objection to application 2018/0560/TP. Notification of the current review was issued to Mr Smith as an interested party. We have been instructed by the executors of Mr Smith's estate to make a representation in relation to the applicant's notice of review.

Our clients believe that the issues highlighted in Mr Smith's representation dated 14 November 2018 relating to the original application, specifically large volumes of material being deposited on site and use of the site for rubbish tipping, creating concerns regarding obstruction of visibility and potential pollution of the river Cart, continue to be relevant to consideration of the application. Mr Smith also expressed concerns that the development was contrary to the Greenbelt status of the site. We request that Mr Smith's representation be considered by the Local Review Body.

Our clients emphasise that the dumping of materials is continuing at the site as well as on the adjacent land at Highfield Farm which forms part of Mr Smith's estate. The laying of hardstanding at the site has encouraged the dumping of materials which they don't believe would be occurring to such an extent if the site were restored to grassland. It is believed that the problem of dumping materials and fly tipping is made worse by the proximity of the site to Greenhags Recycling Centre; at times where the recycling centre is closed or refuses to accept materials, the planning application site and Highfield farm are seen as easy places to dump unwanted materials. This has a detrimental impact on the landscape and the amenity of the area and is believed to be a direct result of the development.

The application for permission for retention of the hardstanding was refused (1) on the basis that the proposal is contrary to Policy D3 of the Local Development Plan ("LDP") (Green Belt and Countryside Around Towns), with the planning officer noting in the report of handling that it has not been demonstrated that the hardstanding is solely for agricultural use, and (2) on the basis that the proposal is contrary to Policy D1 and D3 of the LDP as its siting, scale and use will impact adversely on the rural landscape character of the area. Our clients are of the view that the reasons given by the officer remain valid reasons for refusal and that the applicant has not demonstrated otherwise in his notice of review.

Policy D3 of the LDP provides that where planning permission is sought for development proposals within the greenbelt or countryside around towns **and these are related to agriculture...**and other uses appropriate to the rural area, the Council will consider them favourably **subject to compliance with any other policies of the Plan**. The applicant wishes to justify retention of the hardstanding on the basis of an agricultural need. The applicant refers at paragraph 3.1.2 of the notice of review to land which is to be purchased for the grazing of livestock, although it is observed that no evidence of entitlement to purchase additional land has been provided by the applicant as part of the review application. Furthermore, the boundary of the planning application for consideration includes only the hardstanding and a small area of additional land, the planning application boundary does not include extensive areas of agricultural land.

It is our position that a determination of the application, and the extent to which agricultural use should be taken to be a material consideration, should be made on the basis of the existing use of the site, not on the basis of an intended future use which cannot be evidenced as part of the application. If permission were granted, the applicant would be entitled to retain the hardstanding without any obligation on him to purchase additional land and use that land for agricultural purposes. The applicant would be entitled to make use of the hardstanding without needing to convert the site to an agricultural use of the scale suggested. It is noted that the planning officer observed in their report of handling that during several site visits no livestock were viewed on site. Our clients question whether, even if the additional land referred to by the applicant were to be used for agricultural purposes, this would justify the extent of the hardstanding for which permission is sought as argued by the applicant in part 6 of the notice of review. In terms of Policy D3 development must be sympathetic in scale and design to the rural location and landscape.

Even if the Local Review Body is satisfied that the applicant has demonstrated that there is a requirement for retention of the hardstanding as part of the application, it is our clients' view that the development is not otherwise in compliance with the policies of the LDP. Policy D3 goes on to provide

that any decision will take into consideration the impact the proposals will have on the function of the greenbelt. Policy D1 of the LDP provides that developments should not result in a significant loss of character or amenity to the surrounding area and should not impact adversely on landscape character or the green network. We attach as an appendix screenshots of the current condition of the site which demonstrate that the development is a blight on the surrounding landscape. It is evident even from the applicant's own photographs included in the notice of review the adverse impact that retention of the hardstanding would have on the landscape. Figures 2.3 and 2.4 give some sense of the scale of the development, and figure 2.6 gives some sense of the green and open landscape within which the development is set and the adverse impact which the area of hardstanding has in terms of amenity. Our clients also have concerns that, if permission for retention of the hardstanding were granted, the condition of the site would further deteriorate; the applicant has already indicated an intention to use the site as storage for agricultural vehicles. It is believed that the applicant will also wish to erect further buildings and structures on the site, and it is feared that granting the application would open the door piecemeal development at the site which will further harm amenity in the local area. Refusal of the permission would result in the hardstanding area being re-grassed and the current adverse impacts on the amenity being redressed.

The applicant contends at paragraph 5.2.9 of the notice of review that the area of hardstanding represents a small area in relation to the wider landscape character type and that consequently there will only be a very limited, minor impact on the landscape character. It is submitted that this is a misleading argument – it is not merely the percentage of the landscape character type which is to be taken into account but the adverse impact of the development on the landscape as a whole which is to be taken into account. The site is in a prominent location, and is entirely discordant with the surrounding green countryside. The applicant's approach also ignores the fact that, if development which has an adverse impact on the landscape were permitted on the basis that it is of a relatively small scale in comparison with the landscape type, the cumulative adverse impact of such developments on the landscape would be hugely significant.

Yours faithfully



Roslyn MacDonald
Senior Solicitor
Harper Macleod LLP

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E-mail: roslyn.macdonald@harpermacleod.co.uk

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Appendix – google streetview photography showing the condition of the site



Appendix – google streetview photography showing the condition of the site



Appendix – google streetview photography showing the condition of the site



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Paul O'Neil
Corporate and Community Services
Council HQ, Eastwood Park
Rouken Glen Road
Giffnock
G46 6UG

Your Ref: REVIEW/2019/9
22/11/2019

Dear Mr O'Neil

REVIEW/2019/09

Response to Representations

Thank you for providing a copy of the representations made in relation to the recently submitted Notice of Review in relation to the recently refusal planning application (ref: 2018/0560/TP).

I note the comments made by Mr Cairns which relate to the speed of traffic along the A77 and concerns that construction of a building and storage equipment on the site will hinder visibility.

In response we would highlight that following the submission of an Access Appraisal in support of the planning application, Allan Telfer confirmed on 12th April 2019 that Road Services had no further objections to the application.

The Access Appraisal included detailed visibility splays which demonstrated that access would be acceptable.

Following concerns raised by the Council about visibility from the access further clarification was sought. A topographic survey was conducted and 3d drawings prepared which identified that the bund along the edge of the site adjacent to the A77 prevented full visibility from the access. A 3d reprofiling exercise was completed which demonstrated that the visibility could be achieved with appropriate levelling of the bund. The bund was reprofiled on site and the kerbline along the A77 is now visible from the access thereby removing any concerns of road safety. The access therefore complies with the appropriate requirements for visibility as specified by the council – 4.5m x 215m.

It was therefore concluded that as there is no intensification of traffic movements, no road safety concern and visibility can be fully achieved there was no reason in terms of traffic and transport to refuse planning permission at this location.

It is considered that the Council agreed with this conclusion with Road Services removing their objection and road safety not being referred to within the reasons for refusal.

We would also note that the representation makes reference to the construction of a building on the site as having a potential impact on highway safety. No building is included within the proposal and this comment should therefore be disregarded.

Yours sincerely,



Sarah Lapsley
Associate Director

Paul O'Neil
Corporate and Community Services
Council HQ, Eastwood Park
Rouken Glen Road
Giffnock
G46 6UG

Your Ref: REVIEW/2019/9
03/12/2019

Dear Mr O'Neil,

REVIEW/2019/09
Response to Further Representations

Thank you for forwarding the further representations made in relation to the recently submitted Notice of Review in relation to the recently refused planning application (ref: 2018/0560/TP).

The representation received was prepared by Harper Macleod LLP on behalf of the Executors of Phillip C Smith and we would like to address the points raised within the correspondence and include the following appendices which assist in directly addressing these concerns:

- Appendix 1 - Photos from March 2019
- Appendix 2 - Photos from November 2019
- Appendix 3 - Correspondence from Agnes Gough – Auchensail Farming Partnership

The following challenges each of the objections raised by Harper Macleod LLP and we would appreciate them being taken into account during the determination of the Proposal by the Local Review Body:

Agricultural Use and Further Land Holdings

The respondents make reference to part of the Appellant's case which outlines that, following any grant of permission, additional land holdings will be made available to enable a wider agricultural use, which further justifies the requirement for the size and scale of hardstanding to be retained.

Attached is correspondence which acknowledges an option to purchase a parcel of land within close proximity to the site. This relates to the purchase of 57 acres (23ha) of land for mixed grazing.

The Appellant also has an option to purchase further landholdings which would amount to 46 acres (18.8ha) however given the sensitive, commercial nature of such agreements; it is not possible to provide further evidence at this stage.

It should be understood that the area of hardstanding constitutes just 2% of the evidenced existing and future landholding, and equates to approximately 0.5% of the overall future landholding.

We would therefore continue to strongly argue that the development is sympathetic in scale and design to the rural location and landscape and as such is in compliance with Policy D3 of the LDP.

Landscape Character and Amenity

Screenshots have been provided by the respondent to justify their position that the development is a blight on the countryside. These screenshots are taken from Google Street View and are clearly date marked August 2016. They are therefore in excess of three years out of date.

This highlights the requirement for the Local Review Body to make a Site Visit to understand the current condition and context of the Site, and we continue to respectfully request that this is undertaken as part of this determination.

In response, the photographs contained within Appendix 1 and 2 were taken by the Appellant in March 2019 and November 2019, and clearly demonstrate that the site is clean, clear and is current being used to accommodate livestock. Indeed, livestock can be seen grazing within the wider site within the photographs taken in November 2019. This provides further evidence of the Site's current and ongoing agricultural use, thus supporting the Proposal's compliance with Policy D3 of the Local Development Plan.

The hoarding, containers and vehicles used in conjunction to Scottish Water's operations can be seen on the screenshots provided by the respondent. The photos in Appendix 1 and 2 illustrate that these have now been removed and the hardstanding is an unobtrusive feature within the countryside, in particular from the A77.

The respondents make reference to the potential impact on the landscape. No evidence is presented to suggest the level of impact or indeed how the Proposal would impact on 'landscape' It should be noted however that Policy D1 makes specific reference to potential impact on '*Landscape Character*' rather than simply 'landscape' as a broad concept.

Substantial detail is provided within the Notice of Review statement which addresses each of the specific elements of the Landscape Character Type and concludes that there would only be limited impact on the key characteristics identified. This is reiterated below:

- The hardstanding is sited within an area of rough moorland which could be considered to have an exposed character, with no tree cover. The small section of hardstanding would be read in the context of the adjacent A77 and would have limited impact on the exposed character of the wider location and its landscape.
- The proposal will be sited within a large scale, open, irregular field with rough grazing and moorland pasture. It will be viewed as a small scale area of hardstanding within the wider field boundary which extends out to the irregular line of the river banks to the east, and backdropped by open, irregular fields further east.
- Predominant land cover of the site and within the wider landholding is rough moorland pasture with some reedy, wet areas and some flooded areas. The Proposal will have limited impact on this character.
- There are very few farms within close proximity to the appeal site, none of which can be viewed cumulatively with the site. This will ensure that the character of a 'lack of development with few scattered farms in the landscape' will be maintained.
- Existing field boundaries will not be compromised.
- There will only be very limited impact on the typically vast open moorland landscape. There will be no impact on nearby limited areas of small block of woodland, with surrounding views to the elevated upland moorland being retained.

As can be seen from the above, there will be only limited impact on the key characteristics of the LCT and it is considered that the Proposal does not compromise the above identified key characteristics of the Landscape Character.

The appeal Site and associated grazing fields are subject to agricultural use. One would typically expect to see agricultural development such as that proposed in a countryside location. The development is therefore consistent with the character of the surrounding countryside and the objectives of the Countryside Around Towns policy requirements.

The appearance of the proposed development, which is of an inherently functional nature, will be clearly indicative of its agricultural use. One would typically expect to see this type of development within the countryside defined by farmland. The development will therefore have a limited impact upon the character and setting of the site and its surroundings.

There will be no loss of trees or other landscape features, greenspace or biodiversity. Indeed there are no identified important landscape characters within the site and as such there will be no loss to such as part of this proposal.

Reference is made to the cumulative impact of development on 'landscape type'. We accept that cumulative impact is an important consideration in the determination of applications, however as has been highlighted above, there is no other development of a similar nature within close proximity to the Appeal Site and thus there can be no cumulative impact from the retention of this area of hardstanding.

With further regard to Policy D3, as referred to within the representation there is no definition of the level of protection to be given to sites within identified areas of Countryside Around Towns however D3 deals with the two designations in the same way. The Proposal has therefore been assessed against the functions of the Green Belt as set out within Paragraph 49 of SPP (2014) and are as follows:

- directing development to the most appropriate locations and supporting regeneration;
- protecting and enhancing the character, landscape setting and identity of the settlement; and
- protecting and providing access to open space.

The following are responses to the above functions:

- The Proposal is, by its nature, appropriate in the rural area as it will be an agricultural use and an important part of the wider landholding insofar as it will allow for a safe, dry area to support the grazing of cattle and sheep.
- The site is small scale in nature and sited adjacent to the A77 which provides a generally urbanising feature within the landscape. The landscape setting in this area is generally agricultural and the Proposal is entirely consistent with this, a change in surface would not significantly detract from this. There will be no impact on the identity of any nearby settlements.
- There will be no impact on the access to open spaces from the proposed development.

In light of the above, it is therefore considered that there will be no demonstrable harm on the countryside from the Proposal. This is in compliance with Policy D3 and the principle of development should therefore be acceptable.

Given the small scale of development it is considered to be sympathetic in scale to the rural location and wider landscape character. There would certainly not be sufficient impact to warrant refusal of the proposal. It therefore complies with the provision of Policies D1 (4) and D3 in this regard.

The need for the Appellant to provide a functional area in association with the agricultural use of the wider landholding are circumstances which are worthy of consideration, in the balancing exercise, when assessed against the limited impact this proposal will have on the openness of the Countryside Around Towns policy area. It is therefore considered that the Proposal is in accordance with relevant policies within the East Renfrewshire LDP and it is respectfully requested that the application be approved.

Non Planning Considerations

The following objections raised by Harper Macleod are not planning considerations in the determination of this Proposal, however it is considered important to address them as part of this response:

Fly tipping and rubbish dumping

The first point that we would like to address is the accusations of fly tipping on the site. This could be deemed to be a potential health and safety concern and as such we would like to address it directly.

The Appellant would like to emphasise that the Site is gated and locked at all times. There is no public access to the site which would allow for rubbish dumping or fly tipping from those unable to access the Greenhags Recycling Centre. There has been a concern in the past with rubbish being left at the roadside, however this is not on the Appeal Site. The attached photographs (Appendix 1 and 2) show that the Site is clear of any rubbish and is maintained by the Appellant to ensure that it is not a blight on the countryside.

The assertion that the Site is an '*easy place to dump unwanted materials*' is not justified. We would agree that dumping of unwanted materials has a detrimental impact on landscape and amenity however, there is no evidence to suggest that the existing area of hardstanding has led to any fly tipping or dumping of materials. Indeed this would be in direct conflict with the Appellant's use of the site for livestock, hence the erection of secure fencing around the perimeter.

It should be noted that the policing of fly tipping is undertaken by East Renfrewshire Council (ERC) who have a Ring and Report helpline (0141 577 8373.). It is suggested that this matter is therefore resolved with the relevant ERC department should it continue to be a concern.

Future Use of the Site

The respondents should be aware that each application must be considered on its individual merits, taking into consideration the development plan and other material considerations.

It is not a valid planning consideration to claim that "*the applicant will also wish to erect further buildings and structures on the site, and it is feared that granting the application would open the door [to] piecemeal development at the site which will further harm the amenity in the local area.*"

Whether the Appellant wishes to make further applications for other development on the site is not a consideration in the determination of this Proposal. The Appellant would be within his

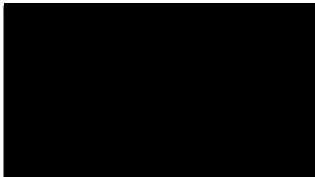


rights to submit further applications on the Site should he so wish and would expect that each application be determined on its own merits.

The current Proposal is for the retention of an area of hardstanding, this is what was submitted to the Local Planning Authority for determination and is what should be considered by the Local Review Body. Future development on the site is not relevant in this determination.

I trust that this satisfactorily addresses each of the points raised by Harper Macleod on behalf of the Executors of Philip C Smith in their recent representation.

Yours sincerely,



Sarah Lapsley
Associate Director



**STEPHENSON
HALLIDAY**

Planning, Landscape & Environment

Appendix 1 - Photos from March 2019



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Planning, Landscape & Environment

Appendix 2 - Photos from November 2019



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Appendix 3 - Correspondence from Agnes Gough - Auchensail Farming Partnership

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Agnes Gough
Auchensail Farming Partnership
Stable View
Briff Lane
Bucklebury

22nd November 2019

Andrew McCandlish
Templetonburn Lodge
Kilmarnock
KA3 6HP

Dear Andrew

Further to our telephone conversation I can confirm that you have an option to buy 57 acres of mixed grazing adjoining the A77 near to Floak. I must remind you that this proposal is now only valid for a further 2 years whereupon it will go on the open market.

It has been 4 years since you were given the initial offering and I must remind you that unless the purchase is completed within the 6-year period your deposit will be lost as the deal was agreed on a non-refundable deposit.

I would be grateful if you can update me at the earliest possible point as to whether you intend to complete the purchase within the given timeframe.

Yours sincerely

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Agnes Gough

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REPORT OF HANDLING

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REPORT OF HANDLING

Reference: 2018/0560/TP

Date Registered: 29th October 2018

Application Type: Full Planning Permission

This application is a Local Development

Ward: 5 -Newton Mearns South And Eaglesham

Co-ordinates: 250296/:650596

Applicant/Agent:

Applicant:
Mr Andrew McCandlish
Templetonburn Lodge
Crookedholm
Kilmarnock
United Kingdom
KA3 6HP

Agent:
Stephenson Halliday
Atlantic House
45 Hope Street
7th Floor
Glasgow
United Kingdom
G2 6AE

Proposal: Retention of area of hardstanding

Location: Site 280m NNW of Floak Bridge
Highfield Road
Newton Mearns
East Renfrewshire

CONSULTATIONS/COMMENTS:

Scottish Environment Protection Agency	No comments
East Renfrewshire Council Roads Service	No objection

PUBLICITY:

09.11.2018	Glasgow and Southside Extra	Expiry date 23.11.2018
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SITE NOTICES: None.

SITE HISTORY:

2013/0459/PN	Erection of agricultural shed (prior notification)	Refused	18.10.2013
2015/0135/TP	Erection of agricultural shed	Refused	14.05.2015
2017/0584/TP	Erection of agricultural shed	Refused	28.03.2018
		Local Review Dismissed	15.08.2018

REPRESENTATIONS: 3 representations have been received: Representations can be summarised as follows:

Road safety (visibility)
Increase in traffic
Fly tipping
Questions regarding agricultural use
Proposal is for contracting business
Impact on greenbelt
Potential contamination of the Earn Burn
Previous planning application was refused.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

Planning Statement and Additional Supporting Information	Assesses the proposal against the Development Plan and other considerations including Government Policies and concludes that the proposal complies with the relevant policies. Also argues that there is no requirement in policy that requires an agricultural use to be solely related to the land identified in the application. It goes on to describe the site and sets out how the applicant proposes to use the land, the background to its recent use as a hardstanding for Scottish Water operations. The supporting information states that the applicant has 22 breeding ewes on site and import approximately 16,000kg bales of hay. It also states that the land is classified between category 4.1 and 5.2, and that the applicant aims to increase the number of ewes to 61. Indicates the applicant has undertaken an assessment of other sites within 8km of the site and concluded that none of the sites they looked at were suitable.
Access Appraisal	Assesses likely traffic generation from the use of the land, and the access and junction visibility with regards to road safety. It concludes there is no intensification of traffic movements, or road safety concerns and that the visibility can be fully achieved at this location.
Drainage Impact Assessment	Assesses the surface water run off requirements and drainage arrangements including SUDs. It concludes that the drainage strategy would provide betterment and there would be no increase in surface water run-off from the development.

ASSESSMENT:

The site comprises an area of land located to the north of Floak Bridge, Newton Mearns immediately to the north of the boundary with East Ayrshire Council. It sits in a position remote from any other buildings.

The site is bounded to the west by the A77, to the south by a single carriageway road known as Highfield Road and to the east by the Earn Water and open countryside. The area is designated Countryside Around Towns in the adopted East Renfrewshire Local Development Plan (LDP).

The location plan submitted with the application indicates that the site is approximately 0.84 hectares in size. The planning statement indicates the applicant's land holding at this location amounts to approximately 6.1ha and that the hardstanding area is approximately 0.6ha.

The proposal being considered under the current planning application is for the hardstanding area which was installed by Scottish Water for purposes related to the installation of a new water main. This hardstanding was to be temporary during the water main works however is now to remain in situ by the applicant. A swale and detention pond with oil interceptor are also proposed. The proposed access is located to the southernmost part of the site off Highfield Road, utilising the access created by Scottish Water. No detail information has been submitted regarding landscaping proposals. However it is noted that the applicant has re-profiled the site adjacent to the A77 in order to address visibility issues. This is discussed elsewhere in this report.

This application is the latest of a series of developments of a similar nature. A prior notification was refused in 2013 (2013/0459/PN) for an agricultural shed on the same site. It was considered that the shed was not permitted development under Class 18 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 as the applicant had not demonstrated that the shed was requisite for the purpose of agriculture at the site.

A planning application (2015/0135/TP) was then refused in May 2015 for an agricultural shed as it was not demonstrated that the shed was of a scale requisite for the agricultural practices on site; it was not demonstrated that the proposed commercial use of the shed could not be located in an urban area and that there were no alternative locations; that it would not have an adverse impact on the landscape character of the area. All of these matters were contrary to the Local Plan policies. Furthermore, it did not meet the Council's access requirements by reason of large vehicles manoeuvring in and an out of a sub-standard access to the detriment of public road safety.

Planning application (2017/0584/TP) was refused in March 2018 for the erection of agricultural shed as it was not demonstrated that the shed was of a scale requisite for the agricultural practices on site; it was not demonstrated that there were no alternative locations; that it did not meet the Council's access requirements to the detriment of public road safety at the locus; and that it would not have an adverse impact on the landscape character of the area. All of these matters were contrary to the Local Plan policies. A subsequent review was dismissed by the Local Review Body.

It should be noted that in the previous applications and prior notification that the applicant only applied for an agricultural shed. The applicant did not apply for the hardstanding and associated works. As previously stated the hardstanding currently in-situ was installed under the permitted development rights given to Scottish Water to allow them to undertake their operations. On completion of their operations they are required to remove the hardstanding and reinstate the land. Scottish Water have however confirmed that access to the land is being denied by the applicant and therefore they are unable to reinstate the land.

This current application is required to be assessed against the adopted Local Development Plan, in particular Strategic Policy 2, and Policies D1 and D3 which seek to protect the Countryside Around Towns from inappropriate development. Where the principle of the proposal is acceptable, it must be sympathetic to the rural location and landscape. Furthermore, it should not impact adversely on landscape character or the green network or involves a significant loss of other important landscape, greenspace or biodiversity features. Proposals are also required to incorporate green infrastructure including landscaping, water management and Sustainable Urban Drainage Systems at the outset of the design process. It also requires that any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management. Strategic Policy 2 also seeks that there is a sequential approach to site

selection with urban locations considered before rural locations. Scottish Planning Policy is also relevant and seeks to protect rural locations from inappropriate development.

The planning statement (August 2018) and additional information (10/4/19) submitted with the application states that the area of hardstanding is for the purpose of agricultural and farming activities, including managing livestock, feed storage and storage of other equipment and for the storage and turning of, in the main, agricultural vehicles. The applicant also stated that he has 22 sheep on the land and imports approximately 64 bales (16,000kg) of hay, which the hardstanding will provide a dry safe area for storage.

However, there is some dubiety regarding the number of sheep that is on the land. The applicant has stated in supporting information (10/4/19) that there are no livestock on the site for the last five years due to the site being used by Scottish Water as a compound in relation to the new water main serving Ayrshire. Several site visits have been undertaken by the case officers during the course of the current application, previous applications and the prior notification. In all cases no livestock was evident on site.

The current planning application supporting statement states that the 'business is economically sound'. However it should be noted that in the previous application (2017/0584/TP), the applicant stated that the farm is too small to be a viable agricultural business. The current planning application provides no explanation as to why the agricultural holding is now economically sound. It should also be noted that additional supporting information (10/4/19) submitted with the current application states that *'the number of livestock ... is relatively low as the market has taken a downturn ... sheep prices have halved'*. It goes on to say that *'lambs were sold early because the applicant could not see an upturn in the market in the near future'*.

The applicant was requested to submit supporting information clarifying the operation of a viable farm from the site with a locational need that justified the proposal. However the planning statement does not clarify if the hardstanding is for agricultural activities solely for the land on which it is located and instead argues that this is not a requirement of policy.

In addition, the applicant stated that he was not in receipt of IACS (Integrated Administration and Control System) payments, however submitted their County Parish Holding (CPH) registration and Business Registration Number (BRN). They also submitted haulage records of animal movements. Whilst the CPH and BRN indicate that the land is identified for agricultural purposes, they do not establish what animals are on the site or that there is viable agricultural going concern which justifies the proposal at that location. In addition, several parts of the haulage records are incomplete, such as departure and destination addresses, making it impossible to verify any of the records. The haulage records also refer to English legislation and relates to the Department for Environment Food & Rural Affairs, which is not relevant to movement of animals within Scotland as this is a devolved matter. Therefore the haulage records cannot be relied upon as evidence and are not considered material in establishing the agricultural practices on the land. No further evidence of any significant weight has been provided demonstrating that there is a viable farm at this location.

Notably, the applicant did not submit their Sheep & Goat Inventory which is required to be kept up-to-date by legislation. It is noted that the supporting information states that there is 'not a requirement for movement orders for sheep in any form'. However there is a legal requirement for recording all livestock and their movement and this has been reported to Trading Standards who are the appropriate controlling authority.

The supporting information (dated 10/4/19) indicates that agricultural machinery (described as 2x Track Marshall Crawlers, 2xSteiger tractor and heavy disc harrows) will be used on the site and stored on the hardstanding 'when they are not in use at the applicant's other farm holdings'. However no information on these holdings has been submitted. In addition, this supporting

statement is contradicted by other information submitted (dated August 2018) with the application which states that the applicant has no other farm land or holdings. It should be noted during the previous application, the applicant stated that there were other holdings although again no information was ever submitted regarding these holdings in spite of being requested by the Council's Development Management Service.

The scale and type of machinery indicated for use on the site appears excessive and more appropriate for use on large scale arable land rather than grassland/rough grazing land with an adjacent watercourse which according to SEPA Flood Maps is highly likely to flood. Indeed the supporting information (August 2018) states that the land is unlikely to be viable for crop growth. No information has been submitted demonstrating that the machinery is primarily for use on the land associated with the application. It should be noted that information submitted with the previous refused application indicated the machinery was for use primarily on other farms and not principally for use on the site, leading the Development Management Service to conclude that the applicant operates an agricultural contracting business.

East Renfrewshire Council's Landscape Character Assessment identifies the site as moorland grass, which is considered of limited agricultural use. The land would at most appear capable of providing low level seasonal grazing and would be difficult to sustain the level of grazing indicated in the supporting statement. Given the quality of the land, the information submitted in support of the application raises concerns regarding the validity of the applicant's claim that he actively undertakes farming on the land or that it is a viable agricultural unit, especially when coupled with the purported number of livestock (22 sheep) and the amount of feed indicated to be imported. Consequently it is considered that the applicant has not demonstrated that there is a viable agricultural unit or locational need that justifies the requirement for the hardstanding. This is contrary to Policy D3 of the East Renfrewshire Local Development Plan.

The applicant has stated that he has the option to purchase another 2 blocks of land but will only do so on the granting of this planning application. This is noted however no information has been submitted on how it relates to the current application or how it supports the long term viability of an appropriate rural business with locational need. Therefore the statement is not considered a material consideration in assessing the current application.

As previously stated the hardstanding was put in place by Scottish Water. The applicant has stated that it would be more sustainable to keep the hardstanding in place. Notwithstanding this, no adequate justification has been submitted that outweighs the Development Management Service concerns that it has not been demonstrated that a viable agricultural operation takes place at the site and that the extent of hardstanding is appropriate to the location and scale and nature of any farming that does take place at the site.

The hardstanding plus the swale accounts for some 13.7% of the applicant's land associated with the planning application, leaving an area of some 5.2 hectares that would be available for farming. The hardstanding is approximately 10% of the total landholding. Consequently, given the size of hardstanding, the scale and number of agricultural machinery proposed to be stored on the site and the visible and sensitive landscape location, it is considered that the development is inappropriate in this location as it would adversely impact on the existing landscape and rural character of the area contrary to Policy D1 of the adopted Local Development Plan.

The earth bund adjacent to the A77, which was put in place by Scottish Water, as a screen has been re-profiled to allow the required visibility splay to be achieved. The applicant has also submitted an Access Appraisal which states that no HGV traffic is anticipated and only cars or a 3.5 tonne pick-up vehicle used on site. The Appraisal concludes that the required visibility splay can now be achieved and therefore the proposal raises no road safety concerns.

The Council's Roads Services has raised no objection in terms of road safety as the required visibility splay can be achieved. It should be noted that the re-profiling of the site has taken place without the benefit of planning permission. As stated above, according to SEPA flooding information the adjacent farm land associated with the application site is covered by a River Flooding Likelihood. The area of hardstanding is outwith the flood area. The applicant has submitted a Drainage Impact Assessment and details of a ditch and detention pond. Roads Services (Structures) has stated that the Drainage Impact Assessment has not included a 20% factor for Climate Change which is required. However, verbally they have stated that it is likely that the scheme could accommodate it. Given this it would be unreasonable to refuse the application on this matter alone. It is also noted that the Drainage Impact Assessment is based on a small hardstanding area (some 0.43ha) than that identified in the supporting statements (0.6ha). Any discharged into the Earn Burn would require the consent of SEPA and a note advising this can be attached to any consent, should it be granted. Should the application be granted, a condition could be attached requiring an updated assessment taking climate change into account and the site size difference.

In terms of the issues raised by representations regarding impact on Greenbelt, road safety, increase in traffic, questions regarding agricultural use, proposal is for commercial contracting business, and contamination of the Earn Burn have all been addressed above. The issue regarding flying tipping is not considered material. The fact that the previous planning application was refused is not a material consideration as each application is assessed on its own merit.

Overall conclusion

Consequently, drawing together the above, it is considered that the applicant has not demonstrated that the proposal is for agricultural purposes relating to the land identified and that no verifiable evidence has been submitted demonstrating that the applicant has a genuine farming interest which could develop into a going concern justifying the requirement for the hardstanding. Furthermore, given its location and size, the proposal would be visually detrimental to the existing landscape and rural character of the area. Therefore taking into account the Development Plan and other material considerations it is recommended that the application be refused.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None.

REASONS FOR REFUSAL:

1. The proposal is contrary to Policy D3 of the Local Development Plan as it has not been demonstrated that the hardstanding is solely for agricultural use and of a scale requisite for any agricultural practices directly associated with the site.
2. The proposal is contrary to Policy D1 and D3 of the Local Development Plan as its siting, scale and use will impact adversely on the rural landscape character of the area.

ADDITIONAL NOTES: None.

ADDED VALUE: None

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr John Drugan on 0141 577 3175.

Ref. No.: 2018/0560/TP
(JODR)

DATE: 25th July 2019

DIRECTOR OF ENVIRONMENT

Reference: 2018/0560/TP - Appendix 1

DEVELOPMENT PLAN:

Adopted East Renfrewshire Local Development Plan

Policy D1 - Detailed Guidance for all Development

Proposals for development should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. In some cases, where the criteria have not been met, a written justification will be required to assist with assessment.

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be of a size, scale, massing and density that is in keeping with the buildings in the locality and should respect local architecture, building form, design, and materials;
3. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Planning Guidance;
4. The development should not impact adversely on landscape character or the green network, involve a significant loss of trees or other important landscape, greenspace or biodiversity features;
5. Developments should incorporate green infrastructure including access, landscaping, greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process. Where appropriate, new tree or shrub planting should be incorporated using native species. The physical area of any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management. Further guidance is contained within the Green Network and Environmental Management Supplementary Planning Guidance;
6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;
7. Developments must be designed to meet disability needs and include provision for disabled access within public areas;
8. The Council will not accept 'backland' development, that is, development without a road frontage;
9. Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';
10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;

11. Developments should include provision for the recycling, storage, collection and composting of waste materials;
12. Where possible, all waste material arising from construction of the development should be retained on-site for use as part of the new development;
13. Where applicable, new development should take into account the legacy of former mining activity;
14. Development should enhance the opportunity for and access to sustainable transportation, including provision for bus infrastructure, and particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, all where appropriate. The Council will not support development on railways solums or other development that would remove opportunities to enhance pedestrian and cycle access unless mitigation measures have been demonstrated;
15. The Council requires the submission of a design statement for national and major developments. Design statements must also be submitted in cases where a local development relates to a site within a conservation area or Category A listed building in line with Planning Advice Note 68: Design Statements.
16. Where applicable, developers should explore opportunities for the provision of digital infrastructure to new homes and business premises as an integral part of development.

Policy D3 - Green Belt and Countryside Around Towns

Development in the green belt and countryside around towns as defined in the Proposals Map, will be strictly controlled and limited to that which is required and is appropriate for a rural location and which respects the character of the area.

Where planning permission is sought for development proposals, within the green belt or countryside around towns and these are related to agriculture, forestry, outdoor recreation, renewable energy and other uses appropriate to the rural area, the Council will consider them sympathetically subject to compliance with other relevant policies of the Plan. Any decision will, however, take into consideration the impact the proposals will have on the function of the green belt and countryside around towns and the viability of important agricultural land. Development must be sympathetic in scale and design to the rural location and landscape.

Further detailed information and guidance is provided in the Rural Development Guidance Supplementary Planning Guidance.

Policy Strat2 - Assessment of Development Proposals

Proposals for new development, other than smaller scale proposals (such as applications for single houses, householder or shop frontage alterations), will be assessed against the criteria below:

1. A proven need for the development.
2. The consideration of alternative locations, forms and layout of development.
3. Resulting community and economic benefits.
4. The impact on communities, individual properties and existing land uses.
5. The impact on existing and planned infrastructure.
6. The transport impact of the development, taking into account the need for a Transport Assessment and the scope for Green Transport Plans.
7. The impact on the built and natural environment, including local greenspace,

the wider greenspace network, and the Green Belt, taking into account the need for Environmental Impact Assessment.

8. The impact on air, soil and water quality.
9. The potential for remedial or compensatory environmental measures.
10. The contribution to energy reduction and sustainable development.
11. The impact on health and well being.
12. The cumulative impact of the development.
13. The impact of proposals on other proposals set out in the Local Plan.
14. The suitability of proposals when assessed against any approved Supplementary Planning guidance.

Other strategic considerations to be taken into account are as follows:

Sequential Approach

The Council will adopt a sequential approach in the assessment of all development proposals with preference being given to urban locations and in particular brownfield sites. Preference will also be given to sustainable locations (town and neighbourhood centres and other sites within the urban area well-served by public transport, walking and cycling). Where this is not possible, the Council will entertain other sites within the urban area. In all cases, the proposal should not prejudice other Local Plan policies and proposals. Locations within the Green Belt will only be considered where it has been clearly demonstrated that a suitable site does not exist within the urban area. The onus will be on the prospective developer to prove to the Council that the first or second preferences cannot be met.

Precautionary Principle

The Council will apply the precautionary principle, which states a general presumption against development that is judged to pose a significant risk of serious or irreversible environmental damage or adverse impact on public safety. However, if measures can be taken by the developer to minimise this potential threat to levels acceptable to the Council, then planning permission may be granted, subject to appropriate conditions.

Developer Contributions

The Council wishes to secure community, infrastructure and environmental benefits arising from new development to offset their environmental or social costs. Where a proposed development would create new or exacerbate existing deficiencies in local physical or community infrastructure, facilities or the environment, the Council will seek contributions from developers to assist in making good the deficiencies. The Council will also encourage 1% contributions from developers to fund public artwork in appropriate developments. Developers will be expected to assist in developing local work skills and employability in line with the Scottish Government's initiatives in relation to securing "Community Benefits in Procurement" and "Linking Opportunity and Need". It is the Council's intention to produce Supplementary Planning Guidance on the matter of Developer Contributions.

Affordable Housing

The Council will give favourable consideration to proposals for affordable housing on greenfield sites or in the green belt provided that:

- * the development is small scale and respects the setting, form and character of any adjacent urban area and the surrounding landscape;
- * the proposal is for 100% affordable housing and would meet a local need as

identified through the Local Housing Strategy;

- * it would comply with the terms of the Council's SPPG on Affordable Housing and Policy H3 Affordable Housing;
- * in the case of green belt sites it is located adjacent to the urban area; and
- * it is of a scale and nature appropriate to its location and to the objective of achieving a mixed and balanced community.

Other housing proposals (for less than 100% affordable housing) to meet an identified deficiency in the land supply fall to be assessed against this policy and proposed supplementary planning policy guidance (as set out under proposal H1).

Where acceptable in principle, development proposals also require to meet the general planning principles set out in Policies DM1, DM2, DM3 and DM4.

GOVERNMENT GUIDANCE:

Scottish Planning Policy indicates that where a planning authority considers it appropriate, such as in the most pressured areas, the development plan may designate a green belt around a town to support the spatial strategy by: directing development to the most appropriate locations and supporting regeneration; protecting and enhancing the character, landscape setting and identity of the settlement; and protecting and providing access to open space. Local development plans should show the detailed boundary of any green belt and describe the types and scales of development which would be appropriate within a green belt.

Finalised 25/07/19 AC(3)

**DECISION NOTICE
AND
REASONS FOR REFUSAL**

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**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
(AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(SCOTLAND) REGULATIONS 2013**

REFUSAL OF PLANNING PERMISSION

Ref. No. **2018/0560/TP**

Applicant:

Mr Andrew McCandlish
Templetonburn Lodge
Crookedholm
Kilmarnock
KA3 6HP

Agent:

Stephenson Halliday
Atlantic House
45 Hope Street
7th Floor
Glasgow
G2 6AE

With reference to your application which was registered on 29th October 2018 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Retention of area of hardstanding

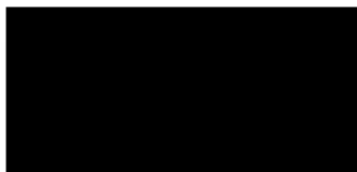
at: Site 280m NNW of Floak Bridge, Highfield Road, Newton Meams, East Renfrewshire

the Council in exercise of their powers under the abovementioned Act and Regulations hereby refuse planning permission for the said development.

The reason(s) for the Council's decision are:-

1. The proposal is contrary to Policy D3 of the Local Development Plan as it has not been demonstrated that the hardstanding is solely for agricultural use and of a scale requisite for any agricultural practices directly associated with the site.
2. The proposal is contrary to Policy D1 and D3 of the Local Development Plan as its siting, scale and use will impact adversely on the rural landscape character of the area.

Dated 25th July 2019



Director of Environment
East Renfrewshire Council
2 Spiersbridge Way,
Spiersbridge Business Park,
Thornliebank,
G46 8NG
Tel. No. 0141 577 3001

The following drawings/plans have been refused

Plan Description	Drawing Number	Drawing Version	Date on Plan
Location Plan	Location Plan		
Drainage Details	0050	A	

GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER DELEGATED POWERS

REVIEW BY EAST RENFREWSHIRE COUNCIL'S LOCAL REVIEW BODY

1. If the applicant is aggrieved by a decision to refuse permission (or by an approval subject to conditions), the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. A Notice of Review can be submitted online at www.eplanning.scotland.gov.uk. Please note that beyond the content of the appeal or review forms, **you cannot normally raise new matters** in support of an appeal or review, unless you can demonstrate that the matter could not have been raised before, or that its not being raised before is a consequence of exceptional circumstances. Following submission of the notice, you will receive an acknowledgement letter informing you of the date of the Local Review Body meeting or whether further information is required.

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, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

CONTACT DETAILS

**East Renfrewshire Council
Development Management Service
2 Spiersbridge Way,
Spiersbridge Business Park,
Thornliebank,
G46 8NG**

**General Inquiry lines 0141 577 3895 or 0141 577 3878
Email planning@eastrenfrewshire.gov.uk**

**NOTICE OF REVIEW
AND
STATEMENT OF REASONS**

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2 Spiersbridge Way Thornliebank G46 8NG Tel: 0141 577 3001 Email: planning@eastrenfrewshire.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 100177855-001

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:	Stephenson Halliday		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Sarah	Building Name:	Atlantic House
Last Name: *	Lapsley	Building Number:	45
Telephone Number: *	01412047900	Address 1 (Street): *	Hope Street
Extension Number:		Address 2:	7th Floor
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	United Kingdom
		Postcode: *	G2 6AE
Email Address: *	sarah.lapsley@stephenson-halliday.com		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="C/o Agent"/>
First Name: *	<input type="text" value="Andrew"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="McClandlish"/>	Address 1 (Street): *	<input type="text" value="C/O Agent"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="C/O Agent"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="C/O Agent"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G2 6AE"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="sarah.lapsley@stephenson-halliday.com"/>		

Site Address Details

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

Please identify/describe the location of the site or sites

<input type="text" value="Land to North west of Floak Bridge"/>

Northing	<input type="text" value="650608"/>	Easting	<input type="text" value="250323"/>
----------	-------------------------------------	---------	-------------------------------------

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)

Retention of area of hardstanding

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.

See attached Notice of Review Document

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

Yes No

If yes, you should explain in the box below, why you are raising 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)

Planning Statement (Stephenson Halliday) Drainage Impact Assessment (Neo Environmental) Access Appraisal (MTS) Additional Information 10/04/2019 (Stephenson Halliday) Additional Information 14/05/2019 – including Appellant's Holding Number and Movement Records (Stephenson Halliday) Submission of BRN Number 24/05/2019 (Stephenson Halliday) Further Additional Information 31/05/2019 (Stephenson Halliday)

Application Details

Please provide details of the application and decision.

What is the application reference number? *

2018/0560/TP

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

29/10/2018

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

25/07/2019

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)

It is important for the Local Review Body to undertake a site visit in order to assess the proposal in the context of the site and surrounding area which cannot be understood through photographs or written submission.

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

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

Yes No

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

Yes No

Checklist – Application for Notice of Review

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

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

Yes No

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

Yes No

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

Yes No N/A

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

Yes No

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

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

Yes No

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

Declare – Notice of Review

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

Declaration Name: Ms Sarah Lapsley

Declaration Date: 23/10/2019

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**Land North of Floak Bridge,
Newton Mearns**

Planning Statement



August 2018

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7.	Conclusion	30

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1. Introduction

Introduction

- 1.1.1 This Planning Statement has been prepared by Stephenson Halliday on behalf of Andrew McClandish who seeks planning permission for the development of the retention of 1.5 acres of hardstanding on land to the north of Floak Bridge, Newton Mearns.

Purpose & Structure of Planning Statement

- 1.1.2 The purpose of this Planning Statement is to identify the key planning considerations relating to the Proposal, and assess its compliance with the relevant provisions of the Development Plan, East Renfrewshire planning policy and advice, and any other material planning considerations.
- 1.1.3 The remainder of this Planning Statement is structured as follows:
- Section 2: Application Site & Surrounding Area;
 - Section 3: Development Description;
 - Section 4: Development Plan & Material Considerations;
 - Section 5: Planning Policy Assessment; and
 - Section 6: Conclusion.

2. Application Site and Surrounding Area

Introduction

- 2.1.1 For the purposes of the Planning Statement, the term 'Application Site' refers to the red line area illustrated on Figure 2.1 which encompasses the entire application site and extends to approximately 1.5 acres.

Site Context

- 2.1.2 The Application Site is located within the open countryside approximately 5.2km to the south west of Newton Mearns.
- 2.1.3 Directly to the west is the A77, with the M77 lying beyond this. An area of mature woodland separates the M77 from the A77 providing the site with a substantial level of screening from the motorway.
- 2.1.4 A hard rock quarry is sited approximately 172m to the west. As shown on Figure 2.1, the wider site context is characterised by areas of mature woodland and forestry, as well as a number of lochs and large water bodies such as Corsehouse Reservoir.

Figure 2.1: Site Location Context



2.1.5 The area immediately surrounding the site is characterised more by undulating land used predominantly for rough grazing.

Figure 2.2: Scottish Water's Works



2.1.6 Leading from the site, in a generally northern direction, are works currently being undertaken by Scottish Water (and their subcontractors) for purposes related to the installation of a new water main. As shown in Figure 2.2, this consists of various areas of hardstanding, equipment and materials.

2.1.7 There are no residential properties within close proximity to the Application Site, the closest of which being Highfield located approximately 850m to the South.

Application Site

2.1.8 The Application Site boundary extends to some 1.5 acres (0.6ha) of hardstanding currently in situ is under the proviso of the Permitted Development rights that Scottish Water enjoy to allow them to undertake their operations. The land within the boundary is gently sloping, falling in elevation from 214m Above Ordnance Datum (AOD) along the western boundary, to 211m AOD along the eastern boundary.

2.1.9 Access is currently taken directly from the A77 and this will remain the situation as part of this application.

Figure 2.3: Aerial Photograph of Site



Source: Google Earth

Figure 2.4: Existing Area of Hardstanding



Figure 2.5: View of Site Access



Figure 2.6: View From A77



Source: Google Earth

3. Development Description

- 3.1.1 This planning application submission seeks planning permission for the retention of hard surface within an existing field located to the east of the A77 in association with the agricultural use of the land. The engineering operation has already been carried out on the land and comprises an area measuring 0.6ha with existing access to be retained.
- 3.1.2 The wider ownership boundary includes grazing land which is to be used for the grazing of livestock comprising of mainly sheep and cattle.
- 3.1.3 The existing area of hardstanding, which is the subject of this planning application, will provide a safe, secure, level and practical 'dry' area for managing the livestock the landowner has together with the storing of necessary feed and other equipment.
- 3.1.4 The hardstanding will also provide suitable storage and turning space for vehicles on the site which are largely agricultural in nature and require a large turning circle. It will also provide a safe, dry storage location for hay bales that may be used to feed the livestock.
- 3.1.5 The Proposal will perform an ancillary function to the primary grazing of livestock which will occur following the completion of Scottish Water's works. In light of this, it is considered that the Proposal would fall within the description of Agriculture as it will support an agribusiness in the countryside around Renfrewshire.

4. Planning Policy

Introduction

4.1.1 This section provides the key planning policies relevant to the proposed development. The Development plan is made up of the East Renfrewshire Local Development Plan (2015). Scottish Planning Policy is also a material consideration in the determination of applications and cognisance has also been given to Supplementary Planning Guidance: Rural Development Guidance.

Scottish Planning Policy (2014)

4.1.2 The purpose of the SPP is to set out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land.

4.1.3 The Policy Principle for Promoting Rural Development determine that the planning system should:

- in all rural and island areas promote a pattern of development that is appropriate to the character of the particular rural area and the challenges it faces;
- encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality; and
- support an integrated approach to coastal planning.

East Renfrewshire Local Development Plan (2015)

4.1.4 The Local Development Plan was adopted on 25th June 2015 and sets out policies and proposals for the use, development and protection of land within East Renfrewshire.

4.1.5 The Adopted Plan provides a Development Strategy that will guide the future sustainable growth of East Renfrewshire up to 2025 and beyond and provide the appropriate basis for determining future planning applications.

4.1.6 The table below provides a list of key policies in relation to this proposal:

Policy Number	Policy Overview
Strategic Policy 1	Promotion of sustainable development
Strategic Policy 2	Assessment of Development Proposals.
Policy D1	Detailed Guidance for all Development
Policy D3	Green Belt and Countryside Around Towns
Policy E3	Water Environment
Policy E4	Flooding

4.1.7 Strategic Policy 1: Development Strategy The Council supports proposals that promote sustainable development, contribute to the reduction of carbon emissions and are served by a choice of transport modes including public transport. Proposals will be supported where they provide positive economic, environmental and social benefits to the area and meet the needs of the community up to 2025 and beyond. All proposals are required to comply with the key aim and objectives of the Plan.

4.1.8 The Council supports a complementary two strand approach to development as follows:

1. *Regeneration and consolidation of urban areas with an emphasis on developing Brownfield and vacant sites alongside the continued protection and enhancement of the green belt and countryside around towns and the green network;*
2. *Controlled Growth to be master planned and directed to specific locations.*

4.1.9 Strategic Policy 2: Assessment of Development Proposals Proposals for new development, other than smaller scale proposals will be assessed against relevant criteria below as well as Policy D1:

1. *Application of a sequential approach which gives priority to the use of Brownfield sites within the urban area then to Greenfield land within the urban area and finally to land adjacent to the urban area. Sites within the green belt will only be*

considered where it has been demonstrated that a suitable site does not exist within the urban area;

3. Resulting positive community and economic benefits;

4. The impact on the landscape character as informed by the Glasgow and Clyde Valley and the East Renfrewshire Landscape Character Assessments, the character and amenity of communities, individual properties and existing land uses;

7. The transport impact of the development on both the trunk and local road network and the rail network, taking into account the need for a transport assessment and the scope for green transport and travel plans;

8. The impact on the built and natural environment

9. The impact on air, soil, including peat and water quality and avoiding areas where development could be at significant risk from flooding and/or could increase flood risk elsewhere;

11. The contribution to energy reduction and sustainable development.

15. The suitability of proposals when assessed against any relevant Adopted Supplementary Planning Guidance.

4.1.10 Policy D1: Detailed Guidance for all Development Proposals for development should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. In some cases, where the criteria have not been met, a written justification will be required to assist with assessment.

1. The development should not result in a significant loss of character or amenity to the surrounding area;

2. The proposal should be of a size, scale, massing and density that is in keeping with the buildings in the locality and should respect local architecture, building form, design, and materials;

3. The amenity of neighbouring properties should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue

is available in the Daylight and Sunlight Design Guide Supplementary Planning Guidance;

4. The development should not impact adversely on landscape character or the green network, involve a significant loss of trees or other important landscape, greenspace or biodiversity features;

5. Developments should incorporate green infrastructure including access, landscaping, greenspace, water management and Sustainable Urban Drainage Systems at the outset of the design process. Where appropriate, new tree or shrub planting should be incorporated using native species. The physical area of any development covered by impermeable surfaces should be kept to a minimum to assist with flood risk management. Further guidance is contained within the Green Network and Environmental Management Supplementary Planning Guidance;

9. Parking and access requirements of the Council should be met in all development and appropriate mitigation measures should be introduced to minimise the impact of new development. Development should take account of the principles set out in 'Designing Streets';

4.1.11 Policy D3: Green Belt and Countryside Around Towns Development in the green belt and countryside around towns as defined in the Proposals Map, will be strictly controlled and limited to that which is required and is appropriate for a rural location and which respects the character of the area.

4.1.12 Where planning permission is sought for development proposals, within the green belt or countryside around towns and these are related to agriculture, forestry, outdoor recreation, renewable energy and other uses appropriate to the rural area, the Council will consider them sympathetically subject to compliance with other relevant policies of the Plan. Any decision will, however, take into consideration the impact the proposals will have on the function of the green belt and countryside around towns and the viability of important agricultural land. Development must be sympathetic in scale and design to the rural location and landscape.

4.1.13 Further detailed information and guidance is provided in the Rural Development Guidance Supplementary Planning Guidance.

4.1.14 Policy E4: Flooding At all times, avoidance will be the first principle of flood risk management. Development which could be at significant risk from flooding, and/or could increase flood risk elsewhere will be resisted.

Supplementary Planning Guidance: Rural Development Guidance (2015)

4.1.15 The SPG was prepared to supplement the policies outlined in Policy D3 of the Local Development Plan and should be used by applicants when considering any form of development in the Green Belt or countryside around towns.

4.1.16 The fact that an area lies within the green belt or outwith the defined settlements will not necessarily stop any development taking place, but it will ensure that any development proposals require the provision of a justification for its countryside location.

4.1.17 Policy at all levels encourages:

- The protection of the green belt and countryside around towns from inappropriate development;
- Resisting development that would see the suburbanisation of the countryside;
- The promotion of new, high quality design within a rural setting;
- The maintenance and protection of landscape character.

4.1.18 In terms of Landscape Character, Map 2 identifies the site as being within Landscape Character Area 8 – Moorland Farmland.

4.1.19 Map 3 determines areas of visual sensitivity of Landscape Character Areas. The site is not within a sensitive area or a Key Visual Gateway.

4.1.20 Part 2 of the SPG relates primarily to residential development within the Green Belt and Countryside Around Towns but acknowledges that the countryside is recognised as a valuable resource for agriculture, forestry, renewable energy and outdoor recreation and these activities will continue to be supported.

4.1.21 Part 3 relates to the broad design principles that should be followed in the design of new buildings and in the conversion of buildings in the countryside and is therefore largely irrelevant in the determination of the current application.

5. Planning History

Introduction

- 5.1.1 The Application Site has been the subject of a number of planning applications, these are set out below.

Planning History

- 5.1.2 Application Reference: 2013/0459/PN

- 5.1.3 This application was for the prior notification of the erection of an agricultural shed. It was submitted in July 2013, and registered on 13th August 2013. It sought to notify East Renfrewshire Council of the landowners intention to carry out what he perceived to be Permitted Development of an agricultural shed under Part 6, Class 18 as detailed within Schedule 1 The Town and Country Planning (General Permitted Development) (Scotland) Order (1992).

- 5.1.4 The agricultural shed would have a footprint of 360 sq.m and would not exceed 7m in height and was therefore deemed to comply with the relevant provisions of the GDPO.

- 5.1.5 The area of hardstanding was originally included as part of the Notification but subsequently removed when advised by the Planning Officers that it would require a separate application for planning permission.

- 5.1.6 The applicant stated that the shed would be used for implements such as balers, rakes, fertilizer spreaders as required for fodder production. In addition the shed was to occasionally be used during lambing time.

- 5.1.7 The Council determined that the Proposal did not demonstrate that it would be in compliance with Class 18 of the GDPO and was therefore subsequently refused.

- 5.1.8 Application Reference: 2015/0135/TP

- 5.1.9 Following refusal of the Prior Notification an application was submitted for the erection of an agricultural shed. The proposal sought to erect a shed 46.51m long by 12m wide, with an eaves height of 6.14m and ridge height of 6.8m. It would have a shallow pitched roof with gable ends. The northern end of the building would be

in the form of an open canopy. The shed was to be be clad in profiled metal sheets (coloured Juniper green) to both the wall areas and roof.

5.1.10 The Council subsequently refused the application citing four reasons for refusal:

- 1. The proposal is contrary to Policies E2 and DM3 of the Council's Adopted Local Plan and Policy D3 of the Proposed Local Development Plan as it has not been demonstrated that the shed is of a scale requisite for the agricultural practices on site. The applicant has also not demonstrated that the proposed commercial use of the shed cannot be located in an urban area.
- 2. The application is contrary to Policy DM1 and DM3 of the Council's Adopted Local Plan and Policy D3 of the Proposed Local Development Plan as its siting and scale will impact adversely on landscape character.
- 3. The proposal is contrary to Policy DM1 of the Adopted East Renfrewshire Local Plan as it does not meet the Council's access requirements by reason of large vehicle manoeuvring in and out of a sub standard access to the detriment of public road safety at the locus.
- 4. The application is contrary to Policy Strat 2 of the Adopted Local Plan in that a proven need for the development has not been demonstrated and there has been no consideration of alternative locations.

5.1.11 Application Reference: 2015/0135/TP

5.1.12 A further application was submitted on 29th August 2017. This application sought to address the reasons for refusal sited within the previous decision notice. This application consisted of an agricultural shed which was substantially reduced in size in order to reduce the potential impact within the landscape and be of a scale more appropriate to the scale of agricultural operations on the site.

5.1.13 This application was also refused. The following four reasons for refusal were referred to:

- 1. The proposal is contrary to Policy D3 of the Local Development Plan as it has not been demonstrated that the shed is for purely agricultural use and

of a scale requisite for the agricultural practices directly associated with the site.

- 2. The proposal is contrary to Policy D1 and D3 of the Local Development Plan as its siting and scale will impact adversely on the rural landscape character of the area.
- 3. The proposal is contrary to Policy D1 of the East Renfrewshire Local Development Plan as it does not meet the Council's access requirements to the detriment of public road safety at the locus.
- 4. The application is contrary to Policy Strat 2 of the Adopted Local Plan in that a proven need for the development has not been demonstrated and there has been no consideration of alternative locations.

5.1.14 This Proposal was the subject of an appeal which was heard by the Local Review Board and subsequently refused.

6. Planning Policy Assessment

6.1.1 This section will review the relevant planning policies outlined in Section Four and will assess the proposal against these relevant policies under the following key headings:

- Principle of Development
- Previous Use
- Sustainability
- Sequential Approach
- Development Location
- Access
- Amenity
- Landscape
- Flooding

Principle of Development

6.1.2 It is recognised that the site falls within the area identified as Countryside Around Towns within the adopted Local Development Plan (LDP), and development that is appropriate to a rural location, which respects the character of the area will be considered acceptable.

6.1.3 Previous applications have been submitted in respect to the erection of an agricultural shed on the Site, as detailed within Section 5 of this Planning Statement.

6.1.4 One of the key arguments set out by the Council in their determination of application reference 2017/0584/TP relies on their being a perceived lack of demonstration that the proposal is for agricultural purposes relating to the land identified. This is strongly contested and the following should be considered in the determination of the current application.

- 6.1.5 Primarily, there is no Policy definition, in either SPP, LDP or any associated SPG, that specifically requires an agricultural use to be solely related just to the land identified within an application.
- 6.1.6 As has been pointed out to the Council previously, the Applicant has other farm holdings which are used as part of their business for grazing cattle. Cattle and sheep are kept on the site through the summer and either sold off or moved to winter pasture elsewhere. The application currently being determined for an agricultural shed via the Local Review Body sets out the case for this building on the site. The Proposal subject to the current application seeks to retain the existing hardstanding on the site to be used in conjunction with the agricultural shed.
- 6.1.7 Whilst the application seeks to link the two applications, it is considered that it is suitable in its own right for the reasons set out below.
- 6.1.8 The area of hardstanding equates to approximately 0.6ha. This is 9.6% of the overall site within the Applicants' control, which extends to approximately 6.19ha in total.
- 6.1.9 As noted within Policy D3 development must be sympathetic in scale and design to the rural location and landscape. In light of this, the Proposal is considered to be minimal in nature and scale. Thus it is difficult to argue that it has a detrimental effect on the character of the surrounding open countryside. It should also be noted that the field entrance, with vehicular use is likely to become muddy and may lead to hazardous mud on the highway without the retention of the existing hardstanding.
- 6.1.10 The Proposal just comprises the area of hardstanding which has been used by Scottish Water in conjunction with their recent works. As noted above, this area is of a small scale in relation to the wider area of ownership and is considered to be limited to that which is required to carry out the agricultural functions of the site, as determined by Policy D3.
- 6.1.11 It was anticipated that the area of hardstanding, subject to this application, was to be used in conjunction with the proposed agricultural shed. However, agricultural

uses on the site will continue even though the agricultural shed appeal was dismissed.

6.1.12 The Council do not include a definition of what they consider to be 'agriculture' within their policy documents and it is therefore assumed to mean:

"The science or practice of farming, including cultivation of the soil for the growing of crops and the rearing of animals to provide food, wool, and other products."

6.1.13 as set out within the Oxford English Dictionary.

6.1.14 The wider landholding, when not in use by Scottish Water and their contractors, has been used for the purposes of grazing cattle and sheep. This is evidently an agricultural use. The area of hardstanding will therefore be used in conjunction with this agricultural use and should be considered ancillary to it. The development relates to engineering operations relating to agriculture and the use of the land for that purpose. Thus, the hardstanding itself will be agricultural in its nature as it will support the grazing of livestock. Policy D3 of the LDP states that development proposals within Countryside Around Towns which relate to agriculture will be considered sympathetically and this should be applicable in this instance. Given that the Proposal will be used in conjunction with an agricultural business it is considered to be entirely appropriate in this location.

6.1.15 There is also no definition of the level of protection to be given to sites within identified areas of Countryside Around Towns. The Proposal has therefore been assessed against the functions of the Green Belt as set out within Paragraph 49 of SPP (2014) and are as follows:

- directing development to the most appropriate locations and supporting regeneration;
- protecting and enhancing the character, landscape setting and identity of the settlement; and
- protecting and providing access to open space.

6.1.16 The following are responses to the above functions:

- The Proposal is, by its nature, appropriate in the rural area as it will be ancillary to an agricultural use of the wider landholding insofar as it will allow for the grazing of cattle and sheep.
- The site is small scale in nature and sited adjacent to the A77 which provides a generally urbanising feature within the landscape. The site will be viewed in association with this. There will be no impact on the identity of any nearby settlements.
- There will be no impact on the access to open spaces from the proposed development.

6.1.17 In light of the above, it is therefore considered that there will be no demonstrable harm on the countryside from the Proposal. This is in compliance with Policy D3 and the principle of development should therefore be acceptable.

6.1.18 Furthermore, the Proposal will support an existing agricultural business within a countryside location. The land is owned by the applicant and although it does not adjoin his dwelling, it is sufficiently close to be readily accessible on a day to day basis. The proposed farm business is of a size and scale to accommodate the applicant's livestock with the opportunity to increase livestock numbers over the following years.

6.1.19 The land classification of the site is split between 4.1 and 5.2. These are not recognised as being Prime Agricultural Land. The classifications mean that it is unlikely that the site could be used viably for crop growth. However, these two grades are suitable for livestock. Grade 4 land is noted as being suitable for permanent grassland/rough grazing eg beef and sheep rearing with limited dairying and cereals, whilst Grade 5 rough grazing often with rock outcrops, eg principally summer grazing with hardy sheep breeds and hill cattle. This is in line with the Applicants requirements and would detrimentally impact on any Prime Agricultural Land from being used.

Previous Use

6.1.20 As can be seen in the photographs below, a much wider level of activity has been present on the site for in excess of three years during the temporary works been

undertaken by Scottish Water in relation to the new water main from the Gorbals to Corsehouse. Whilst their temporary nature is acknowledged, the works created a significant amount of traffic movement to and from the site with the area of hardstanding, identified within this Proposal, being utilised for a number of functions including car parking, material storage and siting of storage containers.

6.1.21 This work also generally precluded the use of the wider landholding for the grazing of cattle and sheep.

Photograph 6.1: View of Site Entrance and Intensive Use of the Site



Photograph 6.2: Use of the Site for Car Parking and Storage Containers



Photograph 6.3: View of Storage Containers on the Site



Photograph 6.4: View of Extensive Areas of Hardstanding used in Association with Scottish Water's Works



6.1.22 It is also highlighted that the works did not just utilise the Application Site but laid wide corridors of hardstanding to the north and south of the application site (As illustrated within Photograph 6.4). These areas were used for access along the route of the works and were also storage areas for associated materials.

6.1.23 The works were undertaken under the benefit of permitted development as described within The Town and Country Planning (General Permitted Development) (Scotland) Order of 1992 and was confirmed as falling under Class

38 Water Undertakings. As such the laying of an underground pipeline did not require Planning Permission and the areas of works fell within similar provisions of the GDPO.

6.1.24 However, the substantial level of visual impact of these improvement works should be acknowledged. The extent of the works meant that a large area was impacted upon within East Renfrewshire and East Ayrshire.

6.1.25 This level of activity, over a period in excess of three years, has already changed the overall nature of this location. The character of the area has transformed from an area of open countryside to one of a much more industrial nature.

6.1.26 The application seeks to retain a single, small portion of the extant works. It is considered that the retention of this hardstanding would not be in conflict with the aims of Strategic Policy 1 which seeks to protect and enhance the Countryside around Towns. The Proposal would not be demonstrably harmful on the policy objectives.

Sustainability

6.1.27 One of the key policy principles running through the LDP is the promotion of sustainable development. It is therefore asserted that the retention of the current area of hardstanding would be substantially more sustainable than its removal and replacement at a later date.

6.1.28 The removal of the existing hardstanding will be a relatively extensive engineering process. It is unlikely that the land underneath the hardstanding will be of a condition to match the quality of the grazing land on the rest of the site. This will effectively impede further grazing on this parcel of land for a number of years. The retention of the hardstanding will therefore allow a functional area to be used in conjunction with the agricultural use of the wider landholding.

6.1.29 As the business is economically sound it contributes to a sustainable economy, whilst at the same time fulfilling a social role as part of a thriving rural community. By its very nature as a working farm, then it fulfils a key environmental role. Each of these factors is a key component of any sustainable development. As a

consequence, it is vital that rural businesses like this are supported. In order to be able to continue to operate in a sustainable way.

Sequential Approach

6.1.30 Strategic Policy 2 (1) of the LDP determines that sites within the green belt will only be considered where it has been demonstrated that a suitable site does not exist within the urban area. Whilst it should be highlighted that this site does not fall within the Green Belt and as such a sequential assessment should not be necessary under the provision of Strategic Policy 2, an assessment of identified, available sites within an 8km radius has been undertaken.

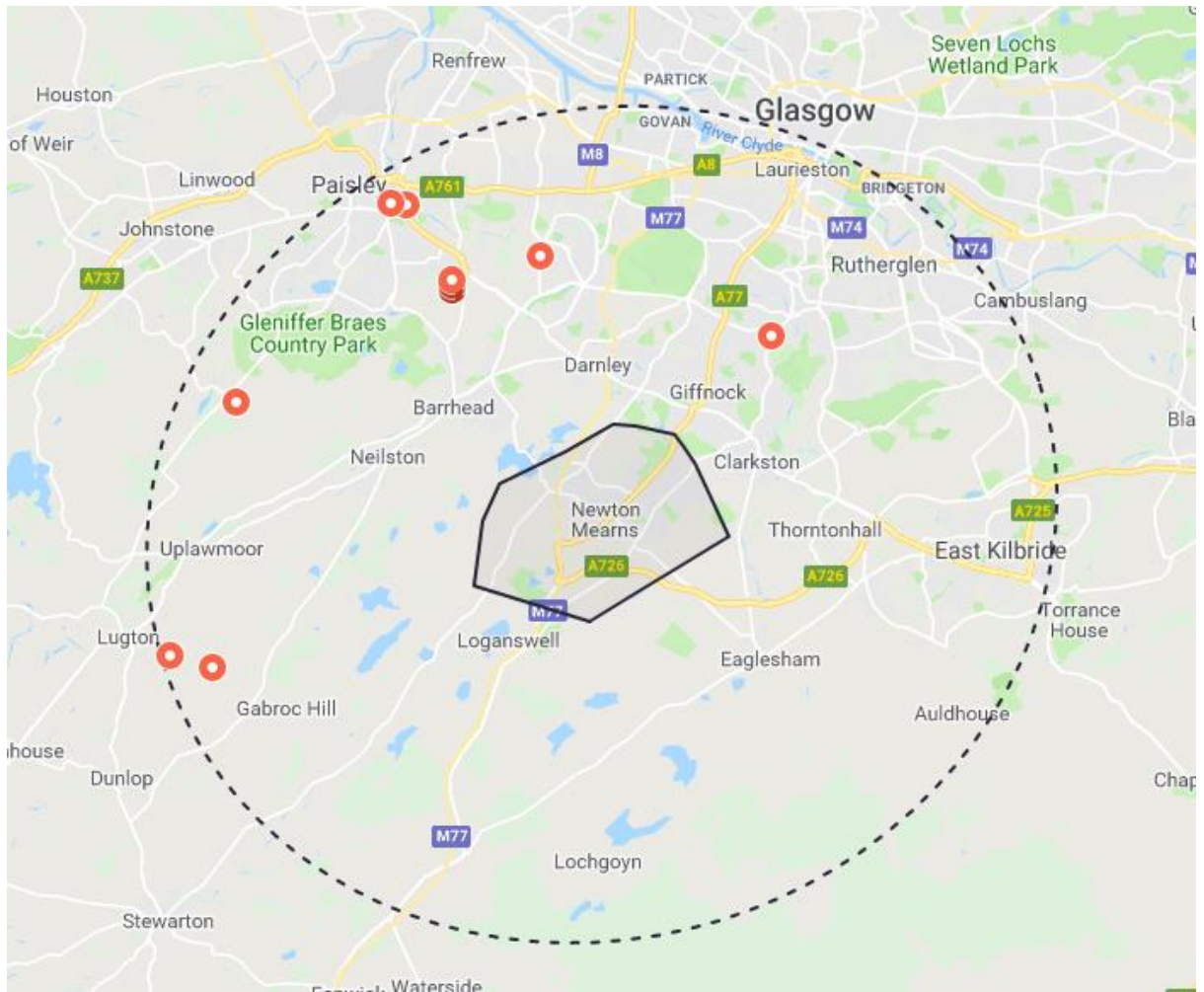
6.1.31 In order to be considered suitable, the following site requirements have been set out:

- Site area of at least 0.6ha to accommodate hardstanding, set within a larger landholding to allow for the grazing of animals;
- Undeveloped / Greenfield;
- Available.

6.1.32 Any other site located within the Green Belt or Countryside around Towns should be dismissed in line with the Council's requirements.

6.1.33 The map in Figure 6.1 illustrates the available sites within an 8km radius of the application site.

Figure 6.1: Map of Available Site Within 8km of the Site



6.1.34 The following is an assessment of the available sites:

Crookston Road, Glasgow

6.1.35 This site is characterised by its mature woodland nature adjacent to a supermarket and residential properties. Whilst this is a large parcel of undeveloped land within the Glasgow City Council urban area, the trees benefit from a Tree Preservation Order and the site is identified as being of Special Landscape Importance. There is no potential to allow associated grazing within the wider site boundary. It is therefore considered that this site is not suitable for the proposed development and has been discounted.

21 Seedhill Anchormills, Abbey Mill Business Centre, Paisley, PA1 1JN

6.1.36 This site is within the Abbey Mill Business Centre and contains a derelict building. It comprises a brownfield site of 0.03ha. There would be no potential to allow

associated grazing. This site has therefore been dismissed on the basis that there is an insufficient site area, it is also populated by a large number of mature trees which would need to be removed along with the current derelict building on the site. This site is not considered suitable.

Site at West Caplaw Farm, Shilford Road, Uplawmoor

6.1.37 This site is in the Green Belt and is therefore considered not suitable.

Orchard Street, Renfrew

6.1.38 The site currently has an extant permission for a single dwelling house and is located within a residential area. It extends to a site area of 0.02ha. The site is therefore considered too small to accommodate the needs of the applicant and the proposed uses would not be compatible with a residential location. This site is therefore not suitable.

Halkett Road, Near Lugton KA3 4EE

6.1.39 This site is within the Rural Protection Area of East Ayrshire. This has a similar restriction to the Countryside Around Towns policy contained within East Renfrewshire LDP and has therefore been dismissed as being not suitable on this basis.

Plots At Hazelbank, By Dunlop, Kilmarnock, KA3

6.1.40 This is a large plot of land located within the rural area of East Ayrshire and extends to 2.4ha. It is greenfield in nature and would be suitable for the proposed development. However, the site benefits from an extant permission for 2 four bedroom houses and is therefore on the market for a price that is significantly above the agricultural land value making it a non-viable option. It is therefore considered that the site is not suitable.

Grahamstone Road, Paisley

6.1.41 This site has been identified within the Renfrewshire LDP under Policy P6 – Paisley South Expansion Area. This policy determines that land to the south of Thornly Park and Dykebar is allocated as a site to provide medium to long term residential expansion to Paisley. The site comprises part of the old Dykebar hospital and is

brownfield in nature. Given the policy designation and brownfield nature, it is considered that this site is not suitable.

Summary

- 6.1.42 The above sequential assessment identifies that there are no other suitable sites within the urban area for the proposed development. The proposal is therefore in line with Strategic Policy 2 (1).

Development Location

- 6.1.43 The area of hardstanding is located close to the A77, with 15m. This substantially minimises the perceived intrusion of man-made features within the setting of the countryside. The A77 provides a strong man-made, urbanising feature within the wider landscape. The area of hardstanding would be viewed against the backdrop of this road and given the small scale of the Application Site it is unlikely to be viewed as being intrusive in the landscape.
- 6.1.44 The Application Site and associated grazing field are subject to agricultural use. One would typically expect to see agricultural development such as that proposed in a countryside location. The development is therefore arguably consistent with the character of the surrounding countryside and the objectives of the Countryside Around Towns policy requirements.
- 6.1.45 The appearance of the proposed development, which is of an inherently functional nature, will be clearly indicative of its agricultural use. One would typically expect to see this type of development within the countryside defined by farmland. The development will arguably have a very limited impact upon the character and setting of the site and its surroundings.
- 6.1.46 It is considered that the location of the Proposal will be in line with the provisions of Policy D3 and the Rural Development SPG as it will be sympathetic in its scale and design in relation to the rural location and landscape.

Access

- 6.1.47 The site will utilise the existing site access and will not significantly increase the level of traffic.

6.1.48 As highlighted within the Report of Handling associated with application reference 2017/0584/TP:

The applicants have demonstrated that they can achieve acceptable visibility splays at the access junction with the A77. Therefore given the potential vehicle movements, the proposal is unlikely to have a significant impact on the A77.

6.1.49 It is considered that the current application will not create 22 daily vehicular movements as suggested in relation to the above referenced application and as such there will be a much more reduced potential impact on the local road network.

6.1.50 The area of hardstanding would not only provide a dry area for managing cattle and sheep but will also allow the applicant to park on the site. This would prevent additional mud on the highway and not be detrimental to highway safety.

Amenity

6.1.51 In the first instance, the application site is in a relatively isolated location in the open countryside within the undulating rough moorland of the large Landscape Character Area of Moorland Farmland. The distance between the proposed stables and the nearest neighbouring properties, which are located to the south of the site, is approximately 850 metres.

6.1.52 However, the use of an enclosed field parcel for hardstanding in association with grazing cattle and sheep is highly unlikely to interfere with farming operations in and around the local area. Therefore, it is considered that the Proposal meets the requirements of Strategic Policy 2(4) because any consent for the Proposal would not cause a nuisance to neighbouring landowners, or nearby residents.

Landscape

6.1.53 As identified within the Rural Development Guidance SPG (2015) the site falls within the Landscape Character Area described as Moorland Farmland. The East Renfrewshire Greenbelt Landscape Character Assessment Update (2016) provides an assessment of the sensitivities of landscapes within the Green Belt to inform the SPG.

6.1.54 The Landscape Character Assessment Update determines that as this landscape broadly falls within the Countryside around Towns designation, the majority of this area has not been taken forward with fieldwork however the Key Characteristics are as follows:

6.1.55 Key Characteristics

- knolly, undulating rough moorland extending southwards into more undulating broad plateau, elevated to heights of 200m to 330m AOD, which gives upland exposed character openness reinforced by lack of dominant tree cover;
- large scale open irregular field pattern on upper slopes enclosing rough grazing and moorland/heathland pasture;
- predominant land cover is rough pasture with some reedy, wet areas and some flooded areas;
- lack of development with few scattered farms in the landscape;
- field boundaries comprise partially derelict stone walls and replacement fences;
- typically vast open moorland landscape with limited areas of small block of woodland typically associated with cluster of buildings; and
- surrounding views are to the elevated upland moorland.

6.1.56 The site is not located within an area of landscape sensitivity as identified within the SPG. Furthermore, the Moorland Farmland Landscape Character Area is the most common landscape type within East Renfrewshire.

6.1.57 It is considered that the Proposal does not compromise the key characteristics of the Landscape Character. Given the small scale of development it is considered to be sympathetic in scale to the rural location and wider landscape character. There will be no loss of trees or other landscape features, greenspace or biodiversity. It therefore complies with the provision of Policies D1 (4) D3 and Strategic Policy 2(4).

Flooding

6.1.58 The site is not identified as being at risk of flooding on the SEPA Flood Map and is therefore considered to be in accordance with Policy E4 and Strategic Policy 2(9).

7. Conclusion

- 7.1.1 The applicant has sought to diversify his business through the retention of an area of hardstanding currently utilised by Scottish Water. Both national and local planning policy seek to support a prosperous rural economy.
- 7.1.2 The impact of the proposal on the character and appearance of the local area and the amenity of nearby residential properties will be negligible.
- 7.1.3 The development relates to engineering operations relating to agriculture and the use of the land for that purpose. The development is therefore considered to represent appropriate development for the purposes of Countryside Around Towns.
- 7.1.4 The engineering operation by way of formation of a practical hardstanding within an existing field used for agriculture is considered to be appropriate development consistent with the requirement to preserve landscape character.
- 7.1.5 It is not accepted that the proposal represents inappropriate development however the harm to the countryside as the use will be ancillary to the grazing of cattle and sheep which is purely agricultural by definition, however any impact will be minimal.
- 7.1.6 The need for the applicant to provide a functional area in association with the agricultural use of the wider landholding are circumstances which are worthy of consideration, in the balancing exercise, when assessed against the limited impact this proposal will have on the openness of the Countryside Around Towns policy area. It is therefore considered that the Proposal is in accordance with relevant policies within the East Renfrewshire LDP and it is respectfully requested that the application be approved.



Drainage Impact Assessment

Land North of Floak Bridge

25/09/2018



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1. INTRODUCTION

BACKGROUND

- 1.1. Neo Environmental Ltd has been appointed by Stephenson Halliday Limited (“the Applicant”) to undertake a Drainage Impact Assessment (DIA) for a hardstanding area (the “Development”) within land at Floak Bridge, East Renfrewshire (“the Application Site”).

DEVELOPMENT DESCRIPTION

- 1.2. The Development is an area of hardstanding which consists of rolled stone approximately 0.43 hectares in size. The Development is to be used in association with the surrounding agricultural land for things such as vehicle parking and providing a ‘dry area’ for managing livestock and storing hay bales etc. (see **Figure 1 for the Site Layout Plan**)

SITE DESCRIPTION

- 1.3. The Development is located around 50m from the M77 motorway in a rural location in East Renfrewshire, some 5km south of Newton Mearns. The Application Site is situated at the junction of the A77 and minor road at Floak Bridge.
- 1.4. Earn Water passes the Application Site circa 100m to the east. Earn Water is a river in the White Cart Water catchment of the Scotland river basin district, with its main stem approximately 11.3 km in length.

SCOPE OF THE REPORT

- 1.5. This Drainage Impact Assessment will consider the existing characteristics of the Application Site and propose a surface water drainage scheme which should, as far as is practicable, mimic the surface water flows arising from the site prior to the Development.
- 1.6. This report is supported by the following figures and appendices:
 - Appendix A Figures:
 - Figure 1: Site Layout Plan

- Figure 2: Proposed Drainage Scheme
- Appendix B: Greenfield Run Off Rates
- Appendix C: Surface Water Attenuation – Storage Volume Calculation

2. PLANNING POLICY AND GUIDANCE

SCOTTISH PLANNING POLICY - MANAGING FLOOD RISK AND DRAINAGE

- 2.1. The aim of the Scottish Planning Policy (SPP) is to ensure that flood risk is considered at all stages in the planning process and is appropriately addressed.
- 2.2. The key principles that the SPP aims to promote are:
- A precautionary approach to flood risk from all sources, including coastal, watercourse (fluvial), surface water (pluvial), groundwater, reservoirs and drainage systems (sewers and culverts), taking account of the predicted effects of climate change;
 - Flood avoidance by safeguarding flood storage and conveying capacity, and locating development away from functional floodplains and medium to high risk areas;
 - Flood reduction by assessing flood risk and, where appropriate, undertaking natural and structural flood management measures, including flood protection, restoring natural features and characteristics, enhancing flood storage capacity, avoiding the construction of new culverts and opening existing culverts where possible; and
 - Avoidance of increased surface water flooding through requirements for Sustainable Drainage Systems (SuDS) and minimising the area of impermeable surface.

PLANNING ADVICE NOTES

PAN 61: Planning and Sustainable Urban Drainage Systems

- 2.3. Planning Advice Note (PAN) 61 concerns the implementation of SuDS within proposed developments. PAN 61 states:

“the developer should proceed to draw up a drainage strategy which should be submitted as an integral part of the outline planning application. The drainage strategy should include:

- *An indication of the types of measures to be used;*
- *Which measures will be considered in the detailed design;*
- *Evidence of sub-soil porosity and suitability for use of infiltration SUDS;*

- *Pre- and post-development runoff calculations to determine the scale of SUDS*
- *required;*
- *Assessment of flood risk where this is deemed appropriate;*
- *Proposals for integrating the drainage system into the landscape or required public*
- *open space;*
- *Demonstration of good ecological practice including habitat enhancement;*
- *Estimates of land take for different drainage options based on initial calculations*
- *carried out to size any significant drainage structures.”*

PAN 79: Water and Drainage

2.4. PAN 79 outlines the requirements under SPP for drainage of a site. It states:

“for all new developments [SuDS] are now required for surface water systems which provides attenuation and treatment prior to return, by natural dissipation where possible, to the water environment’ and;

‘The aim of [SuDS] is to mimic natural drainage, encouraging infiltration where appropriate and attenuating both hydraulic and pollutant impacts with minimal adverse impact on people and the environment”.

CONTROLLED ACTIVITY REGULATIONS

2.5. Under the Water Environment (Controlled Activities) (Scotland) Regulations 2011, any activity which may influence Scotland’s water environment must be authorised, through obtaining an environmental licence. The Scottish Environment Protection Agency (SEPA) have jurisdiction for granting works that may influence the water environment, including *“undertaking engineering activities in or near water bodies’ and ‘discharging in water and ground water”.*

GREEN NETWORK AND ENVIRONMENTAL MANAGEMENT SUPPLEMENTARY PLANNING GUIDANCE

2.6. This Supplementary Planning Guidance sets out policies and other advice to assist in the delivery of the East Renfrewshire green network. It considers key components of the green

network including access and greenspace and provides detailed guidance relating to the provision of green infrastructure within new development and natural features.

- 2.7. There is no specific design advice for the council area, however it highlights PAN 61 as key guidance.

3. DRAINAGE IMPACT ASSESSMENT

SURFACE WATER MANAGEMENT

- 3.1. The SPP requires developers and local authorities to seek opportunities to reduce the overall level of flood risk in the area through the layout and form of the development and the appropriate application of SuDS.
- 3.2. SuDS aim to mimic natural drainage and can achieve multiple objectives such as removing pollutants from urban runoff at source, controlling surface water runoff from developments, and ensuring that flood risk is not increased downstream. Combining water management with green space can provide amenity and biodiversity enhancement.
- 3.3. Recognising the requirements of SPP, PAN 61 and 79, Sewers for Scotland, and SEPA, surface water runoff from the proposed site should demonstrate:
- No increase in existing flow rates discharged to watercourse/public sewer. It is thought that restraining the discharge to the 1 in 2 year rate is reasonable.
 - How runoff up to the 1 in 30 annual probability event will be managed to ensure no flooding of the site.
 - How runoff up to the 1 in 200 year plus climate change event will be dealt with without increasing flood risk to proposed buildings.
 - A neutral or better effect on the risk of flooding both on and off the site.

SITE AND PROJECT DESCRIPTIONS

- 3.4. A summary of the site hydrology relevant to the design of site drainage is provided below:
- The Development is located on a brownfield site, however the DIA is to consider it greenfield as the planning application is retrospective. The Development is a hardstanding area which consists of rolled stone approximately 0.43 hectares in size.
 - The hardstanding area has a slight gradient from west to east from 214m-209m Above Ordnance Datum (AOD). The high point of the site, 214m AOD, is located on the south western corner of the Development.

- Earn Water is located adjacent to the northern and eastern side of the Application Site and passes circa 100m to the east. Earn Water is a river, in the White Cart Water catchment of the Scotland river basin district, with the main stem being approximately 11.3 kilometres in length.
- The topography of the site suggests the natural path for water would be from the west to the east of the Application Site towards the Earn Water.
- Flow Moss Lava Member underlies the Development. This is Igneous Bedrock formed approximately 331 to 345 million years ago in the Carboniferous Period. There are superficial deposits of Alluvium – Clay, Silt sand and gravel.

PEAK FLOW CONTROL

Pre-development Greenfield Runoff rates

- 3.5. The IH24 methodology is used for calculating the Greenfield runoff rates. This is recommended by the Institute of Hydrology for catchments below 200ha¹.
- 3.6. The existing runoff rates and hydrological characteristics of the Development are detailed in **Table 3-1**. Although the Development is already constructed, the area is being treated as Greenfield for the purposes of this DIA.

Table 3-1: Hydrological Characteristics and Pre-development Greenfield runoff rates.

Site Make Up	Greenfield
Greenfield Method	IH124
Positively Drained Area (ha)	0.43
SAAR (mm)	1255
Soil Index	5

¹ Institute of Hydrology (1994). *Flood estimation for small catchments. Report No IH124*, Wallingford.

Standard Percentage Runoff	0.53
Region	2
	Runoff rate (l/s)
Qbar	4.7
1 year (Qbar)	4.1
1 in 30 year	8.9
1 in 100 year	12.4

- 3.7. The site has been designed to the 1 in 2-year discharge rate which is calculated to be 4.3l/s, see **Appendix B** for the Micro Drainage output.

PROPOSED DRAINAGE ARRANGEMENTS

Provision of SuDS Treatment Train

- 3.8. Removal of pollutants from surface water runoff may be achieved through provision of a SuDS treatment train. This entails draining a site via a series of SuDS elements. Treatment may be provided in the following ways:
- Directing runoff over areas of permeable land (grass strips) will assist in removing fine sediment
 - Filtering runoff through a geotextile membrane (which may be incorporated in permeable paving or filter drains etc)
 - Filtering runoff through granular material in filter drains, sand drains, permeable paving etc
 - Storing runoff prior to discharge at a controlled rate
- 3.9. The number of treatment stages which should be incorporated into a SuDS system depends on the levels of pollution expected within the runoff. For roof runoff, which would not be heavily polluted, a single level of treatment would be appropriate. For road surfaces within

residential development, two levels of treatment would be needed. For road surfaces in industrial areas, up to three levels of treatment would be required.

Managing Surface Water Within the Development

- 3.10. The surface water storage facilities have been modelled using the Detailed Design module of Micro Drainage Source Control (**Appendix C**). The required storage volume has been sized to store the 1 in 200 annual probability rainfall event.
- 3.11. The following assumptions regarding SuDS design have been used:
- Cut off Ditch: 5.6 to 6.4m wide; 0.3m deep
 - Detention basin: 0.3m deep

Table 3-2: Storage Estimates

Storage Estimates	
Return Period Check (years)	200 years
Impermeable Area (ha)	0.46
Peak Discharge (l/s) (1 in 2-year greenfield runoff)	4.3
Attenuation Storage Provided (m ³)	200

- 3.12. **Appendix C** shows a summary of results of the 200-year return period with a max storage volume requirement of 187.8m³. The attenuation storage provided of 200m³ is therefore adequate.
- 3.13. Implementation of the surface water drainage strategy would provide significant betterment over existing runoff rates at the site, and would comply with the requirements of SPP (i.e. restriction of the discharge to the 1 in 2-year greenfield runoff rate of 4.3l/s). The system would be capable of providing a volume of surface water storage well in excess of the required treatment volume.

Surface Water Discharge

- 3.14. Given that ground conditions at the site are thought to be peaty gleys which are very poorly drained, there is some uncertainty regarding whether infiltration would be a feasible method of disposing of surface water at the site.
- 3.15. In light of the above, for the purposes of this report, infiltration has been discounted as an option for disposing of surface water. Detailed testing, in accordance with BRE365, should be undertaken at the detailed design stage.

- 3.16. It is proposed to redirect all of this surface water runoff to the small watercourse to the north of the Development which feeds into Earn Water. The discharge point can be viewed in **Figure 2**.

LONG TERM MAINTENANCE OF SUDS

- 3.17. The long-term management and maintenance of the proposed SuDS scheme will be the responsibility with the site owner. These responsibilities include:
- Observation of infiltration performance;
 - If poor infiltration is observed then any accumulated silt/litter would be removed and aeration of the soil would be undertaken to improve permeability; and
 - Maintain the structural integrity of the attenuation features and, if required, reform to original dimensions and re-vegetate.

4. SUMMARY & CONCLUSIONS

- 4.1. This DIA has been prepared in accordance with CIRIA C753: The SuDS Manual 2015, the current edition of Sewers for Scotland and Scottish Planning Policy and Advice Notes.
- 4.2. The Development is located on a brownfield site, however the assessment considered it greenfield as the planning application is retrospective. The Development is a hardstanding area which consists of rolled stone approximately 0.43 hectares in size.
- 4.3. The following design mitigation measures have been proposed:
- Cut off ditch and detention pond with a total storage volume of 200m³
 - Flow control device set at 4.3l/s
- 4.4. Implementation of the surface water drainage strategy would provide significant betterment over existing runoff rates at the site, and would comply with the requirements of SPP (i.e. restriction of the discharge to the 1 in 2-year greenfield runoff rate of 4.3l/s). The system would be capable of providing a volume of surface water storage well in excess of the required treatment volume.
- 4.5. This report has demonstrated that a surface water drainage strategy is feasible for the site given the development proposals and the land available. The site layout provides the opportunity for the inclusion of SuDS elements, ensuring that there will be no increase in surface water runoff from the Development

5. APPENDICES

APPENDIX A: FIGURES

- Figure 1: Site Layout Plan
- Figure 2: Proposed Drainage Scheme

APPENDIX B: GREENFIELD RUN OFF RATES

APPENDIX C: SURFACE WATER ATTENUATION – STORAGE VOLUME CALCULATION



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ICP SUDS Mean Annual Flood

Input

Return Period (years)	2	Soil	0.500
Area (ha)	0.430	Urban	0.000
SAAR (mm)	1255	Region Number	Region 2

Results 1/s

QBAR Rural	4.7
QBAR Urban	4.7

Q2 years	4.3
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Q1 year	4.1
Q30 years	8.9
Q100 years	12.4

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Summary of Results for 200 year Return Period

Storm Event	Max Level (m)	Max Depth (m)	Max Control (l/s)	Max Volume (m ³)	Status
15 min Summer	208.794	0.094	3.4	60.8	Flood Risk
30 min Summer	208.830	0.130	4.3	84.3	Flood Risk
60 min Summer	208.867	0.167	4.3	108.5	Flood Risk
120 min Summer	208.903	0.203	4.3	132.3	Flood Risk
180 min Summer	208.922	0.222	4.3	144.6	Flood Risk
240 min Summer	208.934	0.234	4.3	152.2	Flood Risk
360 min Summer	208.947	0.247	4.3	160.4	Flood Risk
480 min Summer	208.954	0.254	4.3	164.8	Flood Risk
600 min Summer	208.957	0.257	4.3	167.2	Flood Risk
720 min Summer	208.959	0.259	4.3	168.2	Flood Risk
960 min Summer	208.958	0.258	4.3	167.7	Flood Risk
1440 min Summer	208.948	0.248	4.3	161.4	Flood Risk
2160 min Summer	208.924	0.224	4.3	145.6	Flood Risk
2880 min Summer	208.899	0.199	4.3	129.0	Flood Risk
4320 min Summer	208.856	0.156	4.3	101.3	Flood Risk
5760 min Summer	208.827	0.127	4.3	82.4	Flood Risk
7200 min Summer	208.811	0.111	4.1	72.0	Flood Risk
8640 min Summer	208.801	0.101	3.7	65.8	Flood Risk
10080 min Summer	208.794	0.094	3.4	61.0	Flood Risk
15 min Winter	208.805	0.105	3.9	68.0	Flood Risk
30 min Winter	208.846	0.146	4.3	94.8	Flood Risk

Storm Event	Rain (mm/hr)	Flooded Volume (m ³)	Discharge Volume (m ³)	Time-Peak (mins)
15 min Summer	78.241	0.0	55.2	25
30 min Summer	55.397	0.0	80.8	39
60 min Summer	36.642	0.0	113.8	68
120 min Summer	23.406	0.0	146.3	124
180 min Summer	17.829	0.0	167.6	182
240 min Summer	14.671	0.0	184.2	240
360 min Summer	11.107	0.0	209.5	314
480 min Summer	9.102	0.0	229.1	380
600 min Summer	7.794	0.0	245.4	444
720 min Summer	6.865	0.0	259.4	512
960 min Summer	5.616	0.0	282.8	652
1440 min Summer	4.232	0.0	319.1	928
2160 min Summer	3.184	0.0	366.5	1324
2880 min Summer	2.598	0.0	398.5	1704
4320 min Summer	1.947	0.0	446.0	2420
5760 min Summer	1.586	0.0	489.1	3104
7200 min Summer	1.352	0.0	520.8	3752
8640 min Summer	1.187	0.0	547.8	4496
10080 min Summer	1.063	0.0	570.5	5240
15 min Winter	78.241	0.0	62.6	25
30 min Winter	55.397	0.0	91.3	39



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Source Control 2017.1

Summary of Results for 200 year Return Period

Storm Event	Max Level (m)	Max Depth (m)	Max Control (l/s)	Max Volume (m ³)	Status
60 min Winter	208.888	0.188	4.3	122.5	Flood Risk
120 min Winter	208.931	0.231	4.3	150.1	Flood Risk
180 min Winter	208.954	0.254	4.3	165.0	Flood Risk
240 min Winter	208.968	0.268	4.3	174.0	Flood Risk
360 min Winter	208.981	0.281	4.3	182.7	Flood Risk
480 min Winter	208.986	0.286	4.3	185.7	Flood Risk
600 min Winter	208.989	0.289	4.3	187.6	Flood Risk
720 min Winter	208.989	0.289	4.3	187.8	Flood Risk
960 min Winter	208.985	0.285	4.3	185.0	Flood Risk
1440 min Winter	208.966	0.266	4.3	172.8	Flood Risk
2160 min Winter	208.924	0.224	4.3	145.7	Flood Risk
2880 min Winter	208.883	0.183	4.3	118.9	Flood Risk
4320 min Winter	208.825	0.125	4.3	81.4	Flood Risk
5760 min Winter	208.803	0.103	3.8	67.1	Flood Risk
7200 min Winter	208.791	0.091	3.3	59.5	Flood Risk
8640 min Winter	208.784	0.084	2.9	54.3	Flood Risk
10080 min Winter	208.778	0.078	2.6	50.6	Flood Risk

Storm Event	Rain (mm/hr)	Flooded Volume (m ³)	Discharge Volume (m ³)	Time-Peak (mins)
60 min Winter	36.642	0.0	127.9	66
120 min Winter	23.406	0.0	164.3	124
180 min Winter	17.829	0.0	188.2	180
240 min Winter	14.671	0.0	206.7	236
360 min Winter	11.107	0.0	235.1	344
480 min Winter	9.102	0.0	257.1	398
600 min Winter	7.794	0.0	275.2	470
720 min Winter	6.865	0.0	290.9	548
960 min Winter	5.616	0.0	317.2	704
1440 min Winter	4.232	0.0	357.7	1006
2160 min Winter	3.184	0.0	410.8	1424
2880 min Winter	2.598	0.0	446.7	1792
4320 min Winter	1.947	0.0	500.4	2428
5760 min Winter	1.586	0.0	548.0	3104
7200 min Winter	1.352	0.0	583.7	3816
8640 min Winter	1.187	0.0	614.1	4496
10080 min Winter	1.063	0.0	639.9	5248



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Rainfall Details

Rainfall Model	FSR	Winter Storms	Yes
Return Period (years)	200	Cv (Summer)	0.750
Region	Scotland and Ireland	Cv (Winter)	0.840
M5-60 (mm)	16.000	Shortest Storm (mins)	15
Ratio R	0.250	Longest Storm (mins)	10080
Summer Storms	Yes	Climate Change %	+0

Time Area Diagram

Total Area (ha) 0.430

Time (mins)		Area	Time (mins)		Area	Time (mins)		Area
From:	To:	(ha)	From:	To:	(ha)	From:	To:	(ha)
0	4	0.143	4	8	0.143	8	12	0.143



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Source Control 2017.1

Model Details

Storage is Online Cover Level (m) 209.000

Tank or Pond Structure

Invert Level (m) 208.700

Depth (m)	Area (m ²)	Depth (m)	Area (m ²)
0.000	650.0	0.300	650.0

Hydro-Brake® Optimum Outflow Control

Unit Reference	MD-SHE-0107-4300-0300-4300
Design Head (m)	0.300
Design Flow (l/s)	4.3
Flush-Flo™	Calculated
Objective	Minimise upstream storage
Application	Surface
Sump Available	Yes
Diameter (mm)	107
Invert Level (m)	208.700
Minimum Outlet Pipe Diameter (mm)	150
Suggested Manhole Diameter (mm)	1200

Control Points	Head (m)	Flow (l/s)
Design Point (Calculated)	0.300	4.3
Flush-Flo™	0.153	4.3
Kick-Flo®	0.248	3.9
Mean Flow over Head Range	-	3.3

The hydrological calculations have been based on the Head/Discharge relationship for the Hydro-Brake® Optimum as specified. Should another type of control device other than a Hydro-Brake Optimum® be utilised then these storage routing calculations will be invalidated

Depth (m)	Flow (l/s)	Depth (m)	Flow (l/s)	Depth (m)	Flow (l/s)	Depth (m)	Flow (l/s)
0.100	3.7	1.200	8.2	3.000	12.7	7.000	19.3
0.200	4.2	1.400	8.8	3.500	13.6	7.500	20.0
0.300	4.3	1.600	9.4	4.000	14.5	8.000	20.6
0.400	4.9	1.800	9.9	4.500	15.4	8.500	21.3
0.500	5.4	2.000	10.4	5.000	16.3	9.000	21.9
0.600	5.9	2.200	10.9	5.500	17.1	9.500	22.5
0.800	6.8	2.400	11.4	6.000	17.9		
1.000	7.5	2.600	11.8	6.500	18.6		



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10/04/2019

**Planning Application 2018/0560/TP
Site NNW of Floak Bridge, Highfield Road, Newton Mearns**

In response to recent correspondence and discussions with yourself in relation to the above referenced application, the below provides additional information in relation to the points you have raised. Please note that the following should be read in conjunction with the supporting information originally submitted as part of the planning application and is intended to be supplemental to such.

The submitted Planning Statement highlights that there is not a policy requirement, or definition, which specifically requires an agricultural use to be solely related just to the land identified within an application. We maintain this position and would reiterate the point made within Paragraphs 6.1.4 – 6.1.5 of the Planning Statement.

Notwithstanding the above, the Planning Officer states that further attention should be paid to Policy D3 of the Local Development Plan. This policy determines the following:

Policy D3: Green Belt and Countryside Around Towns

5.6.1. Development in the green belt and countryside around towns as defined in the Proposals Map, will be strictly controlled and limited to that which is required and is appropriate for a rural location and which respects the character of the area.

Particular attention is suggested, by yourself, to be paid to limiting development to that which is required and appropriate for a rural location. We would again highlight the arguments presented within Paragraphs 6.1.6 – 6.1.19 which pertain directly to Policy D3 and the proposed agricultural use of the existing area of hardstanding.



The primary reason for the size of the hardstanding is that this was the area that is already in place following works by Scottish Water. Indeed the area required to facilitate their recent works was far more extensive than contained within the current application, however it is considered to be an entirely unsustainable solution to remove this part of the hardstanding to simply reinstate it for the required agricultural purposes. Figure 1 highlights the further areas of Scottish Water hardstanding in yellow and demonstrates that this is a large swathe of development which has detrimentally visually impacted upon the countryside in this location.

Figure 1: Scottish Water wider areas of hardstanding





It should also be noted that whilst the applicant does not have any other farm land or holdings, he has an option to buy another 2 blocks of land in the area, these being within close proximity to the existing site and comprising approximately 118 acres in total. The applicant will not purchase these additional land holdings until such time that permission is granted for the retention of the current area of hardstanding.

In light of the wider potential landholding, the current area of hardstanding would therefore equate to approximately 0.5% of the overall landholding.

It is our therefore assertion that in the current landholding that the amount of hardstanding is restricted to that which is required and in accordance with Policy D3, but when taking into account this wider landholding that this assertion is further emphasised and the following should be considered during the determination of the application.

This recent use of the site has hindered the applicant's ability to fully utilise the land for cattle and sheep grazing as the level of ongoing activity would be unsuitable to enable this. There has not been any livestock on the wider site for approximately the last five years as Scottish Water have been undertaking works to install a new water main but as of yet a satisfactory answer has not been received as to when and how they are going to complete the works. Their wayleave renders the holding unusable as accessible ground only amounts to 2 acres with the remainder located on the other side of the wayleave with no access provisions.

It should be reiterated that the retention of this area of hardstanding would be a more sustainable option than building a new area on either of the identified future landholdings. This is justified on a reduction in carbon footprint basis as well as a more practical cost point whereby it would be unviable to remove the existing hardstanding and replace it in either the same or a different location.

With specific reference to the size of site required, a conservative estimate of livestock that could be accommodated on the site as a whole is based on a sum of 6-10 sheep per hectare, and 2 cattle per hectare. This would equate to 84-140 sheep based on 14 acres, or 7 cattle. These figures are based on provision of productive grass within a high quality agricultural land classification.

The applicant has advised that there would be approximately 4 cattle and 61 sheep, however this is not a fixed figure and will vary depending on a number of factors, including weather, livestock prices, currency variations and increasing input costs. In fact cattle numbers can vary from 2 to 30 and sheep numbers from 12-80.



The number of livestock at the moment is relatively low as the market has taken a downward turn due mainly to the uncertainty over Brexit. The price of lamb has also halved in the last year. There are no receipts for the livestock as all the applicant's stock has been of their own breeding over the last 15–20 years. Presently they have 22 breeding ewes and no cattle. The ewes are due to start lambing any time. By way of further context, lambs were sold early because the applicant could not see an upturn in the market in the near future. However, he intends to increase numbers once other landholdings are purchased. The consent of this current application will enable this thus further demonstrating that the current application will serve to enhance an existing agricultural enterprise which would not be in conflict with the necessary policies of the LDP. It should be observed that Policy D3 determines that applications related to agriculture and other uses appropriate to the rural area, will be considered sympathetically by the Council. This sympathetic approach should be applied in this case.

The land classification of the site is split between categories 4.1 and 5.2. These are not recognised as being Prime Agricultural Land. These two grades are suitable for livestock grazing but are unlikely to support the higher figures quoted above.

It is therefore contended that approximately 4 cattle and 61 sheep would be appropriate in this location.

The area of hardstanding would be used as a safe and practical 'dry area' for managing livestock. This will include the storage of feed and other equipment. It will also provide a suitable storage and turning space for vehicles of the site which will be primarily agricultural in nature, as well as a dry storage area for hay bales and fodder etc that may be used to feed the livestock.

It is anticipated that approximately 16,000kg of hay will be required for 61 sheep, which equates to 64 bales of 250kg. This does not take into account the grass which will be consumed via grazing of the land. Although, the current level of sheep on the site is below this level and as such less hay will have been required, cognisance should be made to the future purchase of further landholdings which will also be served by the benefits of the current area of hardstanding insofar as it offers dry storage in a convenient location.

Feeding for the sheep and lambs is not purchased, and as such there are no receipts available for this. Fodder is made with the aid of the farm machinery that the applicant has. He has an ongoing agreement with one of his customers that when he makes their fodder, some will be retained for the applicant's purposes. Fodder or grain for winter feed is made in in part or whole, depending on what is needed by the customer. In return they will get the value of the applicant's requirements deducted from their bill. The fodder is transported to where the sheep will be wintered.



Movement of ewes and lambs is undertaken by the applicant with a tractor drawn livestock float. It is not a requirement for movement orders for sheep in any form at the moment. The applicant does not claim any subsidy at all never have so does have an IACS claim.

The applicant is also in the ownership of two widespread Track Marshall crawlers and two Steiger tractors with heavy disc harrows for hill reinstatement and reseeding. It is anticipated that the hardstanding will be utilised for their storage when they are not in use at the applicants other farm holdings.

As confirmed within the submitted Access Appraisal, vehicular use of the site will be consistent with agricultural purposes. It is anticipated that during the winter months the level of activity will be approximately 1 vehicle twice per day to facilitate feeding and checks on animals. Vehicle types would be a car or a 3.5t pick up.

During the summer months, and in particular during lambing season, this could increase to around 10 to 12 trips per day. This level of activity equates to around 1 movement per hour of the working day. Vehicles in use will be cars or a 3.5t pick up. No HGV traffic is anticipated.

Extant use of the access, when in operation as a Scottish Water compound, was observed at 30 to 40 vehicles per day comprising cars, vans, 20t tippers, HGV and heavy plant machinery.

The area of hardstanding is therefore considered the appropriate size required to allow for a dry area for livestock as well as allowing space for dry storage on the site. A smaller area of hardstanding would not be able to accommodate these requirements. This is in line with the requirements of Policy D3.

Furthermore, as demonstrated within Figure 2.7 of the Access Appraisal, the bunded area has been removed to enable sufficient visibility splays. This was undertaken through the relocation of excess material on the site to the end of the hardstanding area where Scottish Water have removed material and not filled it back. The rest of the material was relocated to the pipe track to help return the land levels back to nearer what they were before Scottish Water began their operations. This allows a more natural profile of the land adjacent to the A77 and will facilitate growth of grass in this location, further serving to blend the Proposals into the local landscape through a softer boundary feature.



I trust that the above is sufficient to demonstrate that the Proposal is of an appropriate size for the intended use. Please do not hesitate to contact me should you require anything further.

Yours sincerely,



Sarah Lapsley
Associate Director (Planning)

FLOAK BRIDGE

Access Appraisal

Project Ref: 18014

Issue Date: 25 March 2019

Revision: [01]



Client: Andrew McCandlish

Address: Templetonburn lodge, Crookedholm, Kilmarnock, KA3 6HP

Site Address: Floak Bridge, A77, East Renfrewshire

Report Author	Myles McGregor BEng (Hons), CEng, CMILT, MCIHT Director
Signed	
Date	25 March 2019

Rev	Issue Description	Issue Date
00	Draft for Client Review	21 March 2019
01	Issue to ERC Planning	25 March 2019

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APPENDICES

Appendix A – Drawings

Appendix B – Crashmap Accident Data

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1. INTRODUCTION AND BACKGROUND

1.1. BACKGROUND

On behalf of Andrew McCandlish a planning application was reviewed in August 2018 in respect planning permission for the retention of hard surface within an existing field located to the east of the A77 in association with the agricultural use of the land. The engineering operation has already been carried out on the land and comprises an area measuring 0.6ha with existing access to be retained.

Comments received from the council indicate that concerns about visibility from the access have not been fully resolved and further clarification is required.

1.2. LOCATION OF SITE

This application is for an area at Floak Bridge, adjacent to the A77 in East Renfrewshire, south of Newton Mearns and just north of the boundary with East Ayrshire. The location of the site is shown on Figure 1-1.



Figure 1-1 - Site Location

The site was previously in use as a storage compound / yard for Scottish Water during mains renewals works. The hard standing area was screened from the road by an earth bund along the A77 edge of the site. All adjoining land is within the control of the applicant.

1.3. SCOPE OF APPRAISAL

East Renfrewshire Council (ERC) provided a response in terms of traffic and transportation which requires additional information to be submitted in order to address the concerns of the Roads service.

This Access Appraisal will show how the applicant will provide visibility splays of 4.5m x 215m at the junction access to the A77.

McGregor Traffic Solutions Ltd (MTS) has been commissioned to provide the Access Appraisal and supporting information required.

2. ACCESS PROPOSALS

2.1. SITE DESCRIPTION

This application is for the retention of an area of hard surface within an existing field located to the east of the A77 in association with the agricultural use of the land. The land comprises an area measuring 0.6ha with existing access to be retained. The area was used most recently by Scottish Water as a compound for the storage of materials during the Water Mains Renewal Programme.

Figure 2-1 - Proposed site at Floak Bridge



2.1. TRAFFIC GENERATION

Vehicular use of the site will be consistent with agricultural purposes. It is anticipated that during the winter months the level of activity will be approximately 1 vehicle twice per day to facilitate feeding and checks on animals. Vehicle types would be a car or a 3.5t pick up.

During the summer months, and in particular during lambing season, this could increase to around 10 to 12 trips per day. This level of activity equates to around 1 movement per hour of the working day. Vehicles in use will be cars or a 3.5t pick up. No HGV traffic is anticipated.

Extant use of the access, when in operation as a Scottish Water compound, was observed at 30 to 40 vehicles per day comprising cars, vans, 20t tippers, HGV and heavy plant machinery.

2.2. ACCESS JUNCTION

Access to the site is via a priority junction adjacent to the Kingswell Road junction with the A77. As a result of the proximity of the two junctions and the geometry of the A77 junction the

officials at ERC have requested that the visibility splay from the access junction is extended to ensure appropriate visibility to / from vehicles on the A77.

Visibility to be achieved is 4.5m x 215m.

2.3. ACCIDENT HISTORY

A review of Crashmap data indicates that in the last 5 years there have not been any incidents on the A77 in the vicinity of the site. An extract of the Crashmap data map is included in Appendix B.

Further investigation across a wider date range indicates that in the last 10 years there was 1 serious incident on this stretch of road. This covers the period that the site was in use as a compound by Scottish Water. No incidents have been recorded in connection with the site access.

Date	Severity	Vehicles Involved	Casualties Involved
03/07/2010	Serious	1	1

2.4. JUNCTION VISIBILITY

Existing Junction

The existing access is via a priority junction adjacent to an angled priority junction with the A77. In terms of geometry and capacity the junctions are considered more than adequate in their current form to accommodate the expected traffic.

Visibility southwards from the junction to Kingswell Road is excellent with no issues to road safety. This is shown in Figure 2-2.



Figure 2-2 - View southwards from access

However, due to the proximity of the access junction to the A77 junction it is essential that visibility is achieved northwards on the A77, particularly as the layout and geometry of the existing junction could result in vehicles travelling at significant speed when leaving the A77.

Furthermore a bund was erected to screen the compound from the A77 which significantly affects the visibility from the minor road northwards to the A77. The bund and lack of visibility is shown in Figure 2-3



Figure 2-3 View northwards to A77 showing bund

The plan view of visibility is shown on Figure 2-4 and at a larger scale on Drawing No 18014-MTS-00-XX-DR-TP-06001-P00 included in Appendix A. The splay identifies the area of the site which must be kept clear to avoid interference with the visibility from the access to the A77.

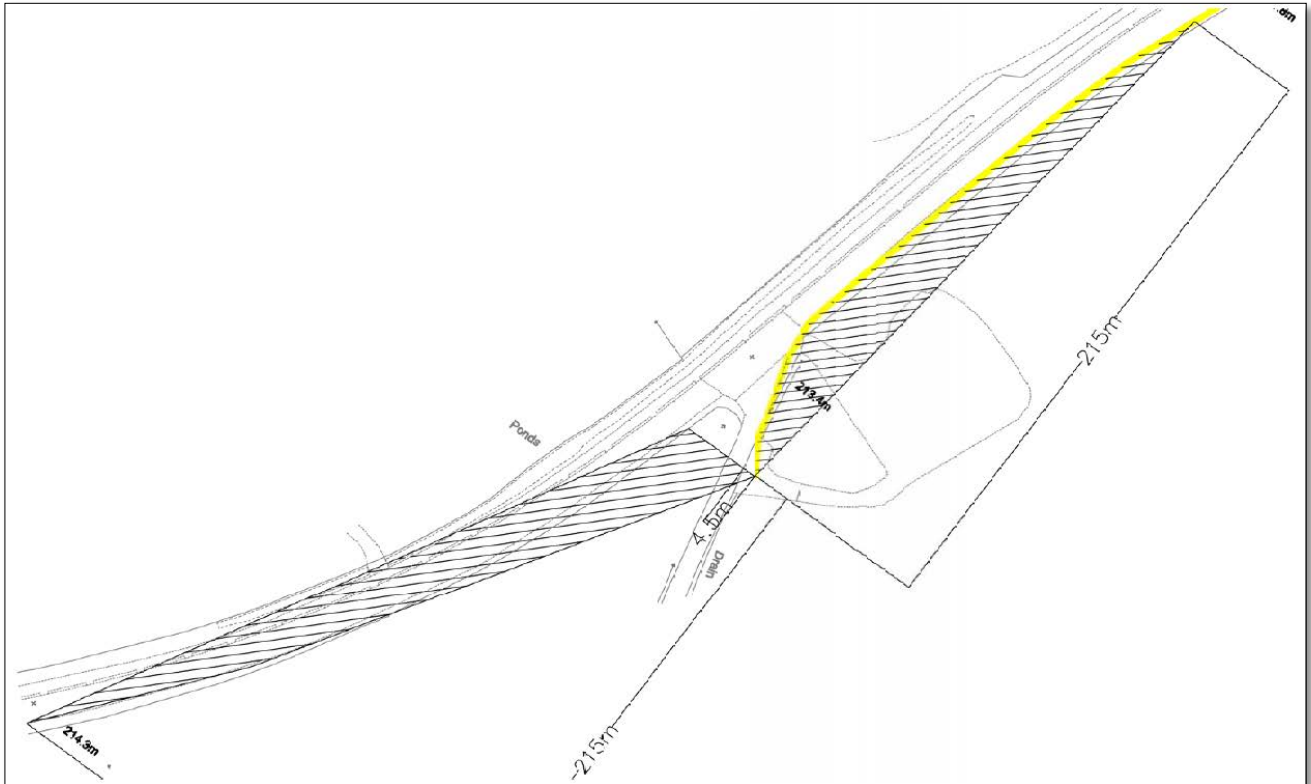


Figure 2-4 - Visibility splay to A77

A 3d model was developed from topographical information. The 3d view is shown on Figure 2-5 and at a larger scale on Drawing No 18014-MTS-00-XX-DR-TP-06002-P00 included in Appendix A. Visibility is shown from 1.05m above a point 4.5m back from the give way line on the access road. A driver should be able to see to a point 0.6m above the carriageway 215m along the kerbline from the junction. For robustness the kerbline itself is shown on the 3d view.

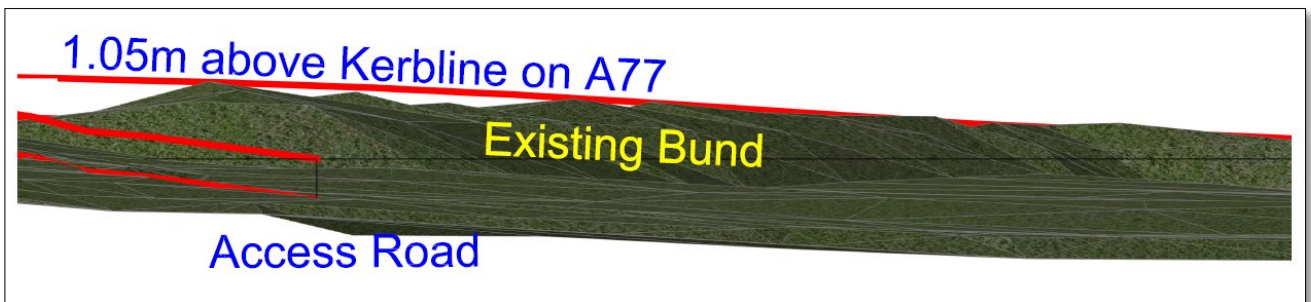


Figure 2-5 – 3d View with Bund in place

It is clear that with the bund in place visibility to the A77 cannot be achieved. The bund blocks the view from the access to the A77 and hence gives rise to potential concerns with road safety.

The bund was reprofiled to remove approximately 1.5 to 2.0 metres of height across its width with the resulting view shown in Figure 2-6.

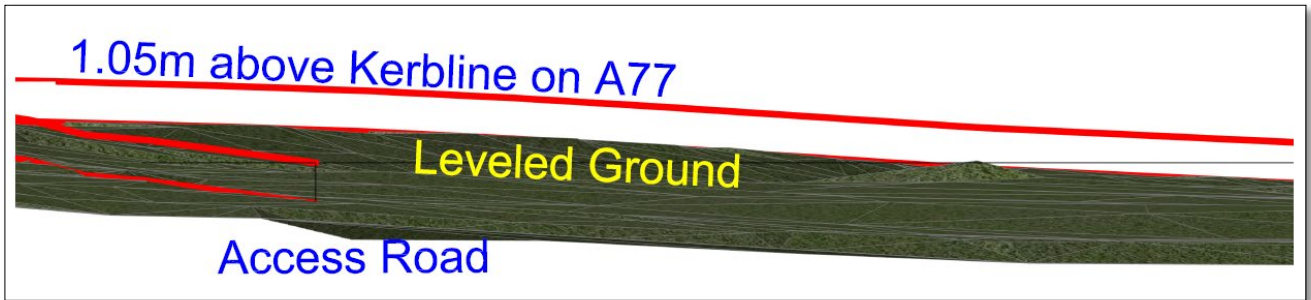


Figure 2-6 – 3d View with Bund reprofiled

The kerblines is now visible along the A77 thereby removing any concerns of road safety as a result of visibility.

These indicative drawings were used to guide a reprofiling of the bund on site. Once reprofiling was completed excellent visibility is now achieved to the A77 as can be seen on Figure 2-7.



Figure 2-7 - View with Bund reprofiled

Visibility along the A77 is now over 650m to the north.

3. SUMMARY AND CONCLUSION

3.1. SUMMARY

On behalf of Andrew McCandlish a planning application was reviewed in August 2018 in respect of the retention of hard surface within an existing field located to the east of the A77 in association with the agricultural use of the land.

The Council raised concerns about visibility from the access and sought further clarification.

A topographic survey was conducted and 3d drawings prepared which identified that the bund along the edge of the site adjacent to the A77 prevented full visibility from the access.

A 3d reprofiling exercise was completed which demonstrated that the visibility could be achieved with appropriate levelling of the bund. The bund was reprofiled on site and the kerblineline along the A77 is now visible from the access thereby removing any concerns of road safety. The access complies with the appropriate requirements for visibility as specified by the council – 4.5m x 215m.

3.2. CONCLUSION

It is concluded that as there is no intensification of traffic movements, no road safety concern and visibility can be fully achieved there is therefore no reason in terms of traffic and transport to refuse planning permission at this location.

18014 Floak Bridge

Access Appraisal

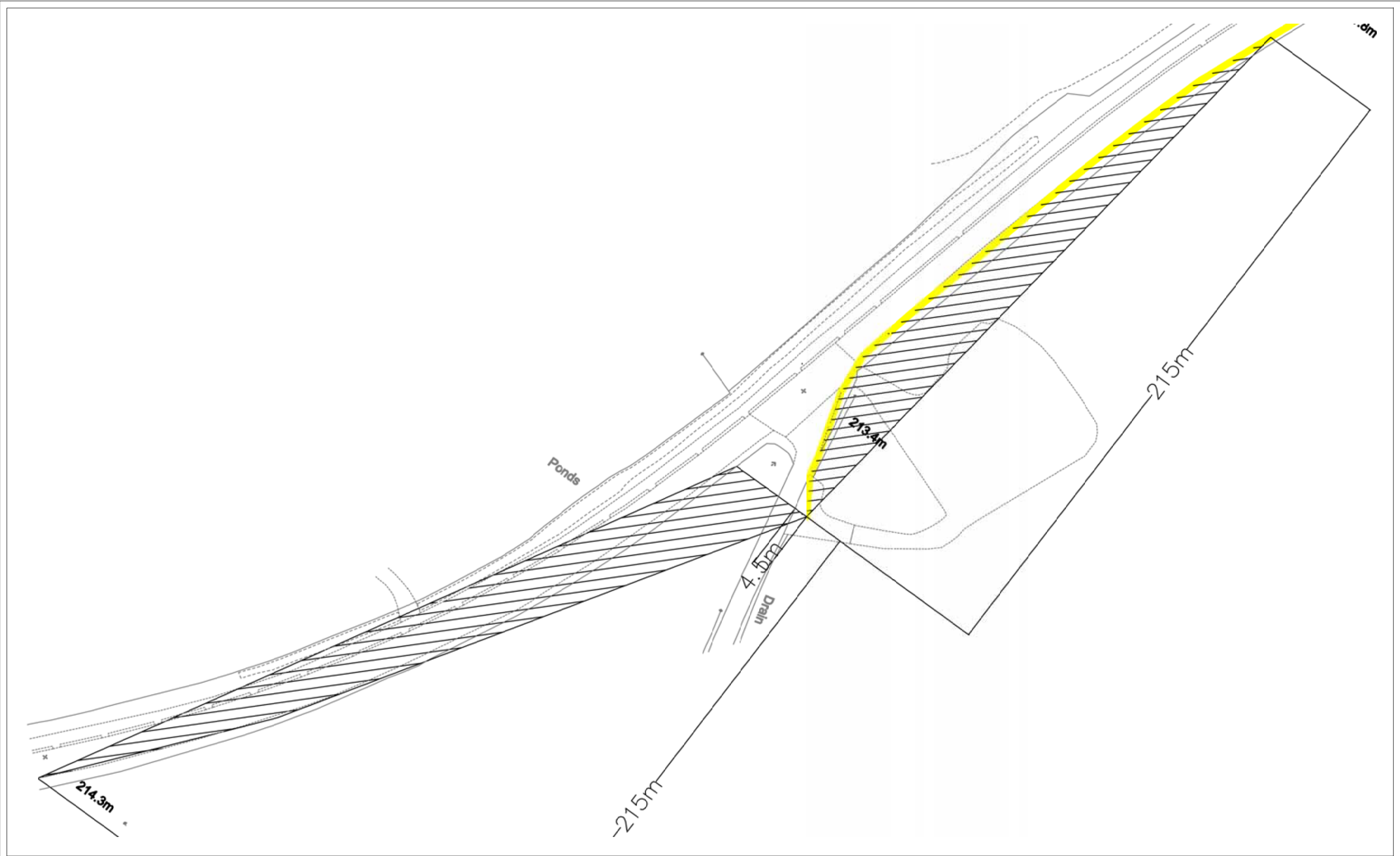
APPENDIX A - DRAWINGS

18014-MTS-00-XX-DR-TP-06001-P00-Visibility Splay

18014-MTS-00-XX-DR-TP-06002-P00-Existing Bund

18014-MTS-00-XX-DR-TP-06003-P00-Reprofiled Bund

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Revision notes:		
Rev:	Date:	Notes:
?		

Drawn by:
MMcG

Client:
Andrew McCandlish

Project:
18014 - Floak Bridge
Access Appraisal

Drawing Title:
18014-MTS-00-XX-DR-TP-06001
Visibility Splay

Date:
6 March 2019

Scale @ A3:
NTS

Revision:
P00



McGregor Traffic Solutions Ltd
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mcgregortraffic@outlook.com
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1.05m above Kerbline on A77

Existing Bund

Access Road

Revision notes:

Rev:	Date:	Notes:
?		

Drawn by:

MMcG

Client:

Andrew McCandlish

Project:

18014 - Floak Bridge
Access Appraisal

Drawing Title:

18014-MTS-00-XX-DR-TP-06002
Current 3D View

Date:

7 March 2019

Scale @ A3:

NTS

Revision:

P00



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1.05m above Kerbline on A77

Leveled Ground

Access Road

Revision notes:

Rev:	Date:	Notes:
?		

Drawn by:

MMcG

Client:

Andrew McCandlish

Project:

18014 - Floak Bridge
Access Appraisal

Drawing Title:

18014-MTS-00-XX-DR-TP-06003
Revised Levels 3D View

Date:

8 March 2019

Scale @ A3:

NTS

Revision:

P00



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18014 Floak Bridge

Access Appraisal

APPENDIX B – CRASHMAP DATA

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The screenshot shows the crashmap.co.uk interface. At the top left is the logo and search bar. Below it are 'Map' and 'Satellite' view options. The main map area shows a road network including the M77 (Autostrada M77) and A77, with a red arrow marker labeled 'Site Location'. A legend in the bottom left corner shows incident severity icons: Slight (yellow), Serious (red), and Fatal (black), with a note '2 results found'. On the right side, there is a search panel with the following settings:

- Location: floak
- Years: 10 of 20 years selected
- Severity: Fatal , Serious , Slight
- Casualty Types: All Casualty Types
- Vehicles Involved: All Vehicle Types
- Search button



McGregor
Traffic Solutions Ltd

Land North of Floak Bridge,
Newton Mearns

Notice of Review
October 2019



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Document history

	Name	Date
Author	Sarah Lapsley	07/10/2019
Technical Reviewer	Nick Edwards	18/10/2019
Approved	Sarah Lapsley	22/10/2019

1 Introduction

1.1 Introduction

1.1.1 This Notice of Review has been prepared by Stephenson Halliday on behalf of Andrew McClandish (“the Appellant”) in relation to an appeal against East Renfrewshire Council’s (“the Council”) decision to refuse retrospective planning permission for the retention of 1.5 acres of hardstanding (“the Proposed Development”) on land to the north of Floak Bridge, Newton Mearns (“the Site”).

1.1.2 The application was registered by the Council on 29th October 2018 with reference number 2018/0560/TP (“the Application”). The Application was determined under delegated powers and subsequently refused on 25th July 2019, although notification was not provided until 6th August 2019.

1.1.3 This Notice of Review constitutes the Appellant’s statement of appeal and sets out the full particulars of the Appellant’s case and the matters which it is considered required to be taken into account in determining the Appeal. This Notice should be read in conjunction with the following:

- Planning Statement (Stephenson Halliday);
- Drainage Impact Assessment (Neo Environmental);
- Access Appraisal (MTS);
- Additional Information 10/04/2019 (Stephenson Halliday);
- Additional Information 14/05/2019 – including Appellant’s Holding Number and Movement Records (Stephenson Halliday);
- Submission of BRN Number 24/05/2019 (Stephenson Halliday) and various email correspondence contained within Appendix 1;
- Further Additional Information 31/05/2019 (Stephenson Halliday).

1.2 Reasons for Refusal

1.2.1 The Council cite two reasons for refusal within their decision notice:

1. The proposal is contrary to Policy D3 of the Local Development Plan as it has not been demonstrated that the hardstanding is solely for agricultural use and of a scale requisite for any agricultural practices directly associated with the site.

2. The proposal is contrary to Policy D1 and D3 of the Local Development Plan as its siting, scale and use will impact adversely on the rural landscape character of the area.

2 Site and Surrounding Area

2.1 Introduction

2.1.1 For the purposes of the Planning Statement, the term ‘Site’ refers to the red line area illustrated on Figure 2.1 which encompasses the entire application site and extends to approximately 1.5 acres.

2.2 Site Context

2.2.1 The Site is located within the open countryside approximately 5.2km to the south west of Newton Mearns.

2.2.2 Directly to the west is the A77, with the M77 lying beyond this. An area of mature woodland separates the M77 from the A77 providing the site with a substantial level of screening from the motorway.

2.2.3 A hard rock quarry is sited approximately 172m to the west. As shown on Figure 2.1, the wider site context is characterised by areas of mature woodland and forestry, as well as a number of lochs and large water bodies such as Corsehouse Reservoir.

Figure 2.1: Site Location Context



2.2.4 The area immediately surrounding the site is characterised more by undulating land used predominantly for rough grazing.

Figure 2.2: Scottish Water's Works



2.2.5 Leading from the site, in a generally northern direction, are works currently being undertaken by Scottish Water (and their subcontractors) for purposes related to the installation of a new water main. As shown in Figure 2.2, this consists of various areas of hardstanding, equipment and materials.

2.2.6 There are no residential properties within close proximity to the Application Site, the closest of which being Highfield located approximately 850m to the South.

2.3 The Site

2.3.1 The Application Site boundary extends to some 1.5acres (0.6ha) of hardstanding currently in situ is under the proviso of the Permitted Development rights that Scottish Water enjoy to allow them to undertake their operations. The land within the boundary is gently sloping, falling in elevation from 214m Above Ordnance Datum (AOD) along the western boundary, to 211m AOD along the eastern boundary.

2.3.2 Access is currently taken directly from the A77 and this will remain the situation as part of this application.

Figure 2.3: Aerial Photograph of the Site



Source: Google Earth

Figure 2.4: Existing Area of Hardstanding



Figure 2.5: View of Site Access



Figure 2.6: View From A77



Source: Google Earth

3 Development Description

- 3.1.1 The planning application submission sought planning permission for the retention of an area of hard surfacing within an existing field located to the east of the A77 in association with the agricultural use of the land. The engineering operation had already been carried out on the land and comprises an area measuring 0.6ha, with existing access to be retained.
- 3.1.2 The wider site boundary includes grazing land which is to be used for the grazing of livestock comprising of mainly sheep and cattle. This amounts to approximately 118 acres in total, however these land holdings will not be purchased until such time that permission is granted for the retention of the current area of hardstanding.
- 3.1.3 In light of the wider potential landholding, the current area of hardstanding would equate to approximately 0.5% of the overall landholding.
- 3.1.4 The existing area of hardstanding, which is the subject of this planning application, will provide a safe, secure, level and practical 'dry' area for managing the livestock the landowner has, together with the storing of necessary feed and other equipment.
- 3.1.5 The hardstanding will also provide suitable storage and turning space for vehicles on the site which are largely agricultural in nature and require a large turning circle. It will also provide a safe, dry storage location for hay bales that may be used to feed the livestock.
- 3.1.6 The Proposal will perform an ancillary function to the primary grazing of livestock which will occur following the completion of Scottish Water's works. In light of this, it is considered that the Proposal would fall within the description of Agriculture as it will support an agribusiness in the countryside around Renfrewshire.

Consultee Responses

Roads

- 3.1.7 An Access Appraisal was produced in support of the application which was based on discussions and liaison with the Council's Road Services Department. The Council's Roads Service has subsequently raised no objection to the proposal in relation to road safety and it has been agreed that the required visibility splays can be achieved.

Drainage

- 3.1.8 A Drainage Impact Assessment was submitted as part of the application which demonstrates how drainage will be dealt with. Whilst the Council's Road Services (Structures) department has made comment on the requirement for a 20% factor for Climate Change it was agreed that it is likely that the scheme could accommodate it. Any permission would therefore require the imposition of a condition requiring an update of the Drainage Impact Assessment.

3.1.9 No further consultation responses have been received and it is considered that there are no issues to determine as part of this Notice of Review other than those raised within the Grounds for Appeal and detailed below.

4 Grounds of Appeal

4.1.1 The Appellant's Grounds of Appeal are summarised below and are explained in more detail within Chapter 5 of this Notice of Review. It is the Appellant's assertion that the Council has arrived at the wrong decision in determining that it has not been demonstrated that the hardstanding is solely for agricultural use.

4.1.2 The following is a summary of the key points raised within the Notice of Review:

- The Appellant has provided substantial information to demonstrate that the site will be used for agricultural purposes, no contradictory evidence has been provided by the Council.
- An agricultural use in this Countryside Around Towns location is deemed to be appropriate development under the terms of Policy D3 and the Planning Officer's Report of Handling accepts that the site will be utilised for agricultural uses.
- The reasons for refusal do not clearly identify the specific elements of the landscape character in this area that merit preservation or protection from the agricultural use of this proposal.
- No detailed assessment of the potential impact on the Landscape Character Type has been undertaken by the Planning Officer in their consideration of the application and it is therefore unreasonable to conclude that there will be an adverse impact on the rural landscape character of the area.
- Furthermore, it is contended that there will be no adverse impact on the landscape character of the area.
- The siting, scale and use of the development is entirely consistent with the Appellant's use of the wider landholding for livestock grazing. The retention of the hardstanding will therefore allow a functional area to be used in conjunction with the agricultural use of the site and wider landholding.
- It is considered that the Council have acted unreasonably in their determination of the application and have failed to demonstrate reasonable planning grounds for their decision.
- It is the Appellant's considered position that the Proposal is in accordance with the Development Plan when viewed as a whole, including compliance with supplementary guidance. The Council have also failed to undertake a fair and reasonable assessment of the planning balance and omit to make reference in Planning Officer's Report of Handling on the contribution that the Proposal will make towards an agricultural use in this rural location.
- The material considerations do not outweigh the provisions of the Development Plan and indeed they lend further support to the position that the Appeal should be upheld and planning permission granted.

5 Appeal Considerations

5.1 Reason for Refusal 1

1. The proposal is contrary to Policy D3 of the Local Development Plan as it has not been demonstrated that the hardstanding is solely for agricultural use and of a scale requisite for any agricultural practices directly associated with the site.

5.1.1 We would strongly contend this reason for refusal and question the Planning Officer's reasoning for reaching the conclusion the hardstanding would not be used solely for an agricultural use. Indeed, the Planning Officer's Report of Handling is entirely contradictory in its handling of the issue of agricultural use, as described below.

5.1.2 We would also point to the reference within the reason for refusal to scale of the proposal and, again, strongly challenge the assertion that the proposal would not be of a scale requisite for such agricultural practices.

Agricultural Use

5.1.3 Policy D3 determines that:

Where planning permission is sought for development proposals, within the green belt or countryside around towns and these are related to agriculture, forestry, outdoor recreation, renewable energy and other uses appropriate to the rural area, the Council will consider them sympathetically subject to compliance with other relevant policies of the Plan.

5.1.4 Notably, the policy calls for agricultural development proposals to be considered sympathetically, and it is our view that this has not been the case with the determination of this proposal. The Planning Officer has dismissed the evidenced agricultural use of the site and thus reached the incorrect conclusions in reaching a decision.

5.1.5 Extensive information was provided throughout the determination of the application, in particular the Appellant provided the following at the request of the Planning Officer:

- CPH number (County/Parish/Holding Number)
- Business Reference Number (BRN)
- Haulage Records
- Confirmation that the Appellant is not in receipt of IACS

5.1.6 All of the above referenced pieces of evidence were requested to be submitted by the Planning Officer throughout the extended period of determination and relate directly to the Appellant's farming practices. This information demonstrates that the

Appellant currently operates as a 'farmer' with ongoing agricultural business concerns. No evidence to contradict this has been provided by the Planning Officer or Consultees.

5.1.7 The Planning Officer's Report of Handling states that:

Whilst the CPH and BRN indicate that the land is identified for agricultural purposes, they do not establish what animals are on the site or that there is viable agricultural going concern which justifies the proposal at that location.

5.1.8 Evidently, from this quote, the Planning Officer accepts that the land is identified for agricultural purposes as qualified by the CPH and BRN. Policy D3 does not require detailed justification of the agricultural business or practices, nor does it require justification as to the types of animal that will use the site, as being asserted by the Planning Officer in their assessment. The Policy test is merely for development proposals to be 'related to agriculture', which clearly the Planning Officer acknowledges. Indeed there are other instances within the Report of Handling which refer to the 'agricultural use' of the site, and these will be discussed further within this Notice of Review.

5.1.9 It is therefore considered unreasonable to refuse the proposal based on the Planning Officer's reasoning that the site is not solely for agricultural use, when the Report of Handling acknowledges that in fact this is actually the case.

5.1.10 The Planning Officer details that the Landscape Character Assessment (LCA) identifies the site as "moorland grass". It should be noted that the Planning Officer does not explain which LCA is being referenced, however it is considered that the East Renfrewshire Greenbelt Landscape Character Assessment Update (2016) is the most pertinent in this instance with the 2005 LCA having now been superseded.

5.1.11 In light of the above, the correct Landscape Character Type is 'Moorland Farmland' and not "moorland grassland". Notwithstanding this, the Planning Officer goes on to state that this LCT is considered to be 'of limited agricultural use'. It would therefore appear that the Planning Officer is concluding that the land within this particular LCT is of limited agricultural use. However, the text contained within the LCA does not make this assertion within its assessment and it is unclear how the Planning Officer has reached such a conclusion.

5.1.12 Reference is then made within the Report of Handling to the quality of the land and the Planning Officer's assertion that the site would only be 'capable of providing low level grazing'. Regardless of the level of grazing which could be achieved the key consideration, which the Planning Officer appears to have missed, is that some level of grazing could still be accomplished and thus an agricultural use be achieved. It is not for Policy D3 to distinguish the level of agricultural use of the site, it should be sufficient for any level to be appropriate in policy terms.

5.1.13 Indeed, the area of hardstanding to be retained, which is the subject of this Appeal, is for use as a safe, dry area for managing livestock associated with the grazing on the wider landholding. This will be entirely ancillary to the livestock grazing, and as such will still be agricultural in its use.

- 5.1.14 Furthermore, the land classification of the site is split between categories 4.1 and 5.2. Whilst these are not recognised as being Prime Agricultural Land, the classifications mean that it is unlikely that the site could be used viably for crop growth however these two grades are suitable for livestock grazing.
- 5.1.15 Land within Grade 4 is noted as being suitable for permanent grassland/rough grazing eg beef and sheep rearing with limited dairying and cereals, whilst Grade 5 is characterised by rough grazing often with rock outcrops, eg principally summer grazing with hardy sheep breeds and hill cattle. This is in line with the Appellant's requirements and would not detrimentally impact on any Prime Agricultural Land from being used or indeed being lost to the area of retained hardstanding which forms the basis of this appeal.
- 5.1.16 As has been demonstrated through the submission of substantial supporting evidence, the Appellant lodged a retrospective application for the retention of an existing area of hardstanding which was laid in relation to recent works by Scottish Water. This has impacted on the Appellant's ability to fully utilise the site for grazing purposes.
- 5.1.17 Regardless of this, any level of grazing of livestock on the site would still constitute an agricultural use. Indeed, the Planning Officer's assertion that the Landscape Character Type would be of 'limited agricultural use' again highlights acceptance that the site is within a use considered acceptable under the terms of Policy D3. Just because the agricultural use is considered to be 'limited' it is still acknowledgement of an agricultural use on the site. Further contradiction by the Planning Officer in their assessment of the proposal.
- 5.1.18 In addition, Policy D3 does not require the assessment of whether a development proposal is a viable agricultural use as has been determined by the Planning Officer within the Report of Handling. The Policy also does not require any application site to be an existing agricultural use prior to the submission of any planning application. Reference is made within Policy D3 to the following:
- Any decision will, however, take into consideration the impact the proposals will have on the function of the green belt and countryside around towns and the viability of important agricultural land.*
- 5.1.19 However, it should be remarked that this area of policy seeks to safeguard the 'viability of important agricultural land'. As discussed within the Report of Handling, whilst the site is considered to be agricultural in use, it is not noted as being 'important' agricultural land. Nor is there any 'important agricultural land' within close proximity of the site which would in any way be impacted by the retention of hardstanding. As such it is considered that the proposal does not conflict with this element of Policy D3.
- 5.1.20 The Report of Handling dicusses the following:
- The current planning application supporting statement states that the 'business is economically sound'. However it should be noted that in the previous application (2017/0584/TP), the applicant stated that the farm is too small to be a viable agricultural business. The current planning application provides no explanation as to why the agricultural holding is now economically sound.*

5.1.21 As has been discussed previously, and will be further detailed below, the Appellant has access to further landholdings within the vicinity of the appeal site and currently landholding. This will allow a much larger landholding which provides extended opportunity to have additional livestock making the agricultural practices more viable and thus economically sound.

5.1.22 Even if the Planning Officer had sufficient evidence to substantiate the claim that the site is not a viable agricultural unit, it is not within the bounds of Policy D3 to determine whether this is the case or is even necessary. The policy simply relates to development proposals 'related to agriculture', which the Planning Officer has accepted to be the case.

Scale of Development

5.1.23 With regards to the scale of the development, this has been largely dictated by the Appellant's desire to retain the area of hardstanding laid by Scottish Water. As detailed within the Planning Statement, it is considered that the retention of the current area of hardstanding would be substantially more sustainable than its removal and replacement at a later date.

5.1.24 The removal of the existing hardstanding will be a relatively extensive engineering process. It is unlikely that the land underneath the hardstanding will be of a condition to match the quality of the grazing land on the rest of the site. This will effectively impede further grazing on this parcel of land for a number of years while the quality is improved. The retention of the hardstanding will therefore allow a functional area to be used in conjunction with the agricultural use of the site and wider landholding.

5.1.25 It should also be noted that the Appellant has outlined their position insofar as further land becoming available once permission has been granted for the retention of the area of hardstanding.

5.1.26 The area of hardstanding equates to approximately 0.6ha. This is 9.6% of the overall site currently within the Appellants' control, which extends to approximately 6.19ha in total and is located adjacent to the hardstanding forming a single agricultural unit in this location.

5.1.27 It should also be noted that the Appellant has an option to buy another 2 blocks of land in the local vicinity, these being within close proximity to the existing site and comprising approximately 118 acres (48 hectares) in total. The applicant will not purchase these additional land holdings until such time that permission is granted for the retention of the current area of hardstanding. These additional blocks of land will further be utilised for the grazing of livestock.

5.1.28 In light of the wider potential landholding, the current area of hardstanding would therefore equate to approximately 0.5% of the overall future landholding.

5.1.29 The application therefore needs to be considered in light of the wider ownership and future agricultural land ownership of the Appellant. In this context the scale of development is considered to be entirely appropriate in line with the current landholding as well as if the future landholding is taken into consideration. As such it

is strongly argued that the development is sympathetic in scale and design to the rural location and landscape and as such in compliance with Policy D3 of the LDP.

- 5.1.30 As has been noted within the Planning Statement, the existing area of hardstanding, which is the subject of this appeal, will provide a safe, secure, level and practical 'dry' area for managing livestock, together with the storing of necessary feed and other equipment. Importantly it will also provide a safe, dry storage location for hay bales that may be used to feed the livestock. With regards to both the Appellant's current landholding and following the completion of the purchase of the wider land holdings, this area of hardstanding will play a key role in the welfare of livestock and is considered to be of a scale that is entirely consistent with the existing and future farm.
- 5.1.31 The Proposal will therefore perform an ancillary function to the primary grazing of livestock which will occur following the completion of Scottish Water's works. In light of this, it is considered that the Proposal would fall within the description of Agriculture as it will support an agribusiness in the countryside around Renfrewshire.
- 5.1.32 This is entirely consistent with Policy D3 and this reason for refusal is therefore considered to be unreasonable.

5.2 Reason for Refusal 2

2. The proposal is contrary to Policy D1 and D3 of the Local Development Plan as its siting, scale and use will impact adversely on the rural landscape character of the area.

- 5.2.1 It is considered that only limited parts of Policy D1 are relevant to this reason for refusal and as such we have concentrated on these aspects within this Notice of Review.
- 5.2.2 Specifically, the pertinent points within D1 are as follows:
- 4. The development should not impact adversely on landscape character or the green network, involve significant loss of trees or other important landscape, greenspace or biodiversity features.*
- 5.2.3 The relevant parts of Policy D3 are set out below, with the detailed assessment of wider policy aspects being discussed as part of the Reason for Refusal 1, above.

Development in the green belt and countryside around towns as defined in the Proposals Map, will be strictly controlled and limited to that which is required and is appropriate for a rural location and which respects the character of the area...

...Any decision will, however, take into consideration the impact the proposals will have on the function of the green belt and countryside around towns and the viability of important agricultural land. Development must be sympathetic in scale and design to the rural location and landscape.

Impact on Landscape

- 5.2.4 The key grounds of appeal in relation to this reason for refusal is that there is no justification presented by the Planning Officer within the Report of Handling that suggests that an assessment of the potential impact on the landscape character of the area has been undertaken. It is therefore challenging to understand the potential impact on landscape character and thus this reason for refusal is unreasonable.
- 5.2.5 Reference is made to the East Renfrewshire Landscape Character Assessment but, as stated previously no clarification as to which version of the LCA has been considered, with no detailed discussion regarding the specific aspects of the landscape character that will be 'adversely' impacted been presented.
- 5.2.6 It is therefore unclear how the development would impact on the Landscape Character and we would therefore advise the following;
- 5.2.7 As identified within the Council's Rural Development Guidance SPG (2015) the site falls within the Landscape Character Area described as Moorland Farmland. The East Renfrewshire Greenbelt Landscape Character Assessment Update (2016) provides an updated assessment of the sensitivities of landscapes within the Green Belt to inform the LDP2.
- 5.2.8 The Landscape Character Assessment Update (2016) determines that as this landscape falls within the Countryside around Towns designation, the majority of this area has not been taken forward with fieldwork, however the Key Characteristics of Moorland Farmland are as follows:

Key Characteristics

- knolly, undulating rough moorland extending southwards into more undulating broad plateau, elevated to heights of 200m to 330m AOD, which gives upland exposed character openness reinforced by lack of dominant tree cover;
 - large scale open irregular field pattern on upper slopes enclosing rough grazing and moorland/heathland pasture;
 - predominant land cover is rough pasture with some reedy, wet areas and some flooded areas;
 - lack of development with few scattered farms in the landscape;
 - field boundaries comprise partially derelict stone walls and replacement fences;
 - typically vast open moorland landscape with limited areas of small block of woodland typically associated with cluster of buildings; and surrounding views are to the elevated upland moorland.
- 5.2.9 The site is not located within an area of landscape sensitivity as identified within the SPG. Furthermore, the Moorland Farmland Landscape Character Type (LCT) is the most common landscape type within East Renfrewshire. Given the small scale of the hardstanding in relation to the wider LCT it is considered that there will only be a very limited, minor impact on the landscape character and the following is observed in relation to the specific elements of the LCT:

- The hardstanding would be sited within an area of rough moorland which could be considered to have an exposed character, with no tree cover. The small section of hardstanding would be read in the context of the adjacent A77 and would have limited impact on the exposed character of the wider location and its landscape.
- The proposal will be sited within a large scale, open, irregular field with rough grazing and moorland pasture. It will be viewed as a small scale area of hardstanding within the wider field boundary which extends out to the irregular line of the river banks to the east, and backdropped by open, irregular fields further east.
- Predominant land cover of the site and within the wider landholding is rough moorland pasture with some reedy, wet areas and some flooded areas. The Proposal will have limited impact on this character.
- There are very few farms within close proximity to the appeal site, none of which can be viewed cumulatively with the site. This will ensure that the character of a 'lack of development with few scattered farms in the landscape' will be maintained.
- Existing field boundaries will not be compromised.
- There will only be very limited impact on the typically vast open moorland landscape. There will be no impact on nearby limited areas of small block of woodland, with surrounding views to the elevated upland moorland being retained.

5.2.10 As can be seen from the above, there will be only limited impact on the key characteristics of the LCT and it is considered that the Proposal does not compromise the above identified key characteristics of the Landscape Character. Given the small scale of development it is considered to be sympathetic in scale to the rural location and wider landscape character. There would certainly not be sufficient impact to warrant refusal of the proposal.

5.2.11 The appeal Site and associated grazing fields are subject to agricultural use. One would typically expect to see agricultural development such as that proposed in a countryside location. The development is therefore consistent with the character of the surrounding countryside and the objectives of the Countryside Around Towns policy requirements.

5.2.12 The appearance of the proposed development, which is of an inherently functional nature, will be clearly indicative of its agricultural use. One would typically expect to see this type of development within the countryside defined by farmland. The development will therefore have a limited impact upon the character and setting of the site and its surroundings.

5.2.13 There will be no loss of trees or other landscape features, greenspace or biodiversity. Indeed there are no identified important landscape characters within the site and as such there will be no loss to such as part of this proposal. It therefore complies with the provision of Policies D1 (4) and D3 in this regard.

Siting, Scale and Use

5.2.14 The LDP describes the Countryside Around Towns as:

The wider rural area beyond the outer edge of the Green Belt which, although not generally subject to the same level of development pressure, requires to be protected from inappropriate development.

5.2.15 This gives a limited description as to the functions of the designation but of key consideration is the requirement to protect the area from 'inappropriate development'. Policy D3 sets out what is considered to be appropriate development and comprises agriculture, forestry, outdoor recreation and renewable energy. As discussed in relation to Reason for Refusal 1, the agricultural use of the site has been established and the proposal is therefore considered to be appropriate development in this location.

5.2.16 There are no specified size or scale limitations attached to the Policy although development is:

"limited to that which is required and is appropriate for a rural location and which respects the character of the area."

5.2.17 The scale of the development and the agricultural use of the site have been discussed in detail in relation to Reason for Refusal 1 and these arguments will not be repeated here. However, it is maintained that sufficient evidence has been submitted at the request of the Planning Officer during the determination of the application to demonstrate that the size of the hardstanding is appropriate in relation to the Appellant's requirements.

5.2.18 The Report of Handling states:

...it is considered that the development is inappropriate in this location as it would adversely impact on the existing landscape and rural character of the area contrary to Policy D1 of the adopted Local Development Plan.

5.2.19 A sequential approach was undertaken as part of the original planning submission and the Planning Officer has not questioned the outcomes of this assessment. It is therefore considered that this approach has been accepted by the Planning Officer and the siting of the hardstanding is therefore accepted.

5.2.20 The sequential approach was in the form of a detailed assessment of identified, available sites within an 8km radius.

5.2.21 In order to be considered suitable, the following site requirements have been set out:

- Site area of at least 0.6ha to accommodate hardstanding, set within a larger landholding to allow for the grazing of animals;
- Undeveloped / Greenfield;
- Available.

- 5.2.22 Any other site located within the Green Belt or Countryside around Towns were dismissed in line with the Council's requirements.
- 5.2.23 The sequential assessment concluded that there are no other suitable sites within the urban area for the proposed development. The proposal was therefore determined to be in line with Strategic Policy 2 (1). There was no requirement in Policies D1 or D3 to prove such a locational need.
- 5.2.24 The Planning Officer's key dispute is therefore not the siting of the hardstanding within the current location but instead the perceived impact it would have on the landscape and rural character of the area.
- 5.2.25 The area of hardstanding is located close to the A77, within 15m. This substantially minimises the perceived intrusion of man-made features within the setting of the countryside. The A77 provides a strong man-made, urbanising feature within the wider landscape. The area of hardstanding would be viewed against the backdrop of this road and given the small scale of the Application Site it is unlikely to be viewed as being intrusive in the landscape.
- 5.2.26 In light of this, it is therefore maintained that the siting of the proposal should not be a reason for refusal as it has been demonstrated that there is a locational need for the proposal.
- 5.2.27 The siting, scale and use of the existing hardstanding will be in conjunction with the wider existing landholding of the Appellant and does not conflict with the requirement of Policy D3 to respect the character of the area, which itself is agricultural in nature and allows the provision of an appropriate agricultural use within this area of Countryside Around Towns.

6 Conclusion

6.1.1 The Appellant sought to diversify his business through the retention of an area of hardstanding currently utilised by Scottish Water. Both national and local planning policy seek to support a prosperous rural economy, however the proposal was refused under delegated powers with two reasons for refusal:

1. The proposal is contrary to Policy D3 of the Local Development Plan as it has not been demonstrated that the hardstanding is solely for agricultural use and of a scale requisite for any agricultural practices directly associated with the site.

2. The proposal is contrary to Policy D1 and D3 of the Local Development Plan as its siting, scale and use will impact adversely on the rural landscape character of the area.

6.1.2 The Appellant strongly contends both reasons for refusal.

6.1.3 There has been no detailed assessment of the impact on the rural landscape character by the Planning Officer within their Report of Handling and it is therefore considered that the impact of the proposal on the character and appearance of the local area and the amenity of nearby residential properties will be negligible.

6.1.4 The development relates to engineering operations relating to agriculture and the use of the land for that purpose. The development is therefore considered to represent appropriate development for the purposes of Countryside Around Towns and in line with Policy D3. The Planning Officer's Report of Handling accepts that the proposal is to be utilised for agricultural purposes and it is therefore asserted that the first reason for refusal is entirely unreasonable.

6.1.5 It is not accepted that the proposal represents inappropriate development with the use being ancillary to the grazing of cattle and sheep which is purely agricultural by definition, the scale of development has been demonstrated as being appropriate in association with this use and will not impact upon landscape character.

6.1.6 The need for the applicant to provide a functional area in association with the agricultural use of the wider landholding are circumstances which are worthy of consideration, in the balancing exercise, when assessed against the limited impact this proposal will have on the openness of the Countryside Around Towns policy area. It is therefore considered that the Proposal is in accordance with relevant policies within the East Renfrewshire LDP and it is respectfully requested that the appeal be accepted and permission be approved.

Appendix 1



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Sarah Lapsley

From: Sarah Lapsley
Sent: 31 May 2019 15:10
To: 'Drugan, John'
Subject: RE: Ref 2018/0560/tp

John,

In response to your recent queries, please see the below for points of clarification:

1. You are correct insofar as the movement orders look like the livestock has been moved from my client to my client with different ownership numbers in some instances, however this is not in fact the case. Simply, it is that the movement order has been filled in incorrectly and you are the first to have noticed, including my client. Whilst the ownership is correct the holding number is not in some places.
2. The incomplete sections you refer to have never had to be filled in previously and this approach has never been questioned until now. My client will speak to the Agricultural Department about this the next time he is there.
3. The use of the English forms is purely due to them being available for download previously and my client not being able to find a downloadable Scottish version. This is the version that has always been used and again it has not been questioned as the relevant information within the forms is provided.

My client notes the incorrect filling in on the forms and will rectify this going forward, however he is not prepared to retrospectively amend the forms as they current stand as this will lead to confusion. He will also seek to find the correct Scottish forms to download, again to prevent any future potential confusion.

I trust that this now clarifies the position.

All necessary requested evidence has now been submitted and required points of clarification provided. I presume, therefore, that sufficient justification of my client's credibility as a farmer has now been demonstrated.

Whilst it is accepted that the onus of proof is on the applicant, you have not provided any evidence to contradict or otherwise make my client's claims any less probable and as such, on the evidence presented, the balance of probability would determine that the application should be approved.

I look forward to hearing from you.

Kind regards,

Sarah

Sarah Lapsley
Associate Director (Planning)
Tel: 0141 204 7900
Mob: 07990 442 374

Stephenson Halliday
7th Floor, Atlantic House
45 Hope Street
Glasgow, G2 6AE
www.stephenson-halliday.com



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From: Drugan, John [mailto:John.Drugan@eastrenfrewshire.gov.uk]
Sent: 24 May 2019 16:31
To: Sarah Lapsley
Subject: RE: Ref 2018/0560/tp

Hi Sarah,

I am waiting on a consultation response on the BRN information. I am on leave next week but will chase up the response on my return.

However, you should note that the submitted information regarding animal movement appears to be haulage records which suggest that on all but one of the forms that your client, based on the CPH numbers entered into the submitted forms, moved animals from his farm to his farm, although he gives different names as the 'keeper'. I also note that certain parts are incomplete, such as departure addresses, making it impossible to verify. Furthermore the submitted forms refer to English legislation and relates to the Department for Environment Food & Rural Affairs, which I fail to understand their relevance to movement of animals reportedly moved within Scotland.

Consequently, noting the above I intend to proceed to determine the application the week of my return (Monday 3rd June).

I trust this clarifies the situation.

Yours sincerely,

John Drugan
Senior Planning Officer
Environment (Operations)
Tel. 0141 577 3175

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From: Sarah Lapsley [mailto:Sarah.lapsley@stephenson-halliday.com]
Sent: 24 May 2019 12:17
To: Drugan, John
Subject: RE: Ref 2018/0560/tp

John,

Following confirmation of my client's BRN on Monday, I wondered if you had any further updates on the progress of the application or any requirements for any further information.

Kind regards,

Sarah

Sarah Lapsley

Associate Director (Planning)
Tel: 0141 204 7900
Mob: 07990 442 374

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From: Sarah Lapsley
Sent: 20 May 2019 12:27
To: Drugan, John
Subject: Re: Ref 2018/0560/tp [Filed 16 May 2019 08:59]

John,

My Client's BRN number is 298979.

He has also advised that it is not necessary for him to have this as it is only required if subsidies are to be claimed and, as advised with my recent correspondence, my client does not claim subsidies.

I trust that this is sufficient.

Please advise if you require anything further.

Kind regards,

Sarah

On 16 May 2019, at 08:59, Sarah Lapsley <Sarah.lapsley@stephenson-halliday.com> wrote:

John,

I have asked the client for this and will get back to you as soon as I have it. Is there anything else that you require at this stage?

Kind regards,

Sarah

Sarah Lapsley
Associate Director (Planning)
Tel: 0141 204 7900
Mob: 07990 442 374

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45 Hope Street
Glasgow, G2 6AE
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From: Drugan, John [<mailto:John.Drugan@eastrenfrewshire.gov.uk>]
Sent: 15 May 2019 11:00
To: Sarah Lapsley
Subject: RE: Ref 2018/0560/tp

Thanks for this information Sarah.

Can you please give me a note of your client's farm BRN.

Regards,

John Drugan
Senior Planning Officer
Environment (Operations)
Tel. 0141 577 3175

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From: Sarah Lapsley [<mailto:Sarah.lapsley@stephenson-halliday.com>]
Sent: 14 May 2019 08:56
To: Drugan, John
Subject: RE: Ref 2018/0560/tp

John,

I can confirm that my client's Holding Number is: 90/723/0029.

The below is a link to the animal movement records for the past few years, I will also upload these directly to ePlanning:

<https://www.dropbox.com/sh/0jpl36k1yswgqrb/AAC2VwLvQEXiV6VcQsFj7ruxa?dl=0>

I trust that this covers all the information you requested and demonstrates my client's legitimacy as a farmer, thus demonstrating the agricultural use of the application site and surrounding land.

Kind regards,

Sarah

Sarah Lapsley
Associate Director (Planning)
Tel: 0141 204 7900
Mob: 07990 442 374

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www.stephenson-halliday.com



From: Drugan, John [<mailto:John.Drugan@eastrenfrewshire.gov.uk>]
Sent: 13 May 2019 12:25
To: Sarah Lapsley
Subject: RE: Ref 2018/0560/tp

Hi Sarah,

I note you intent to submit information next week. However as I have stated in my email, I am moving to determine the application as soon as possible. It is my view that your client has had ample time over the course of this application and previous applications to submit record movements and his CPH registration or any other information such as IACs to support his proposals.

If the information is submitted before my report is completed, I will consider it and consult where appropriate.

I trust this clarifies the situation.

John Drugan
Senior Planning Officer
Environment (Operations)
Tel. 0141 577 3175

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From: Sarah Lapsley [<mailto:Sarah.lapsley@stephenson-halliday.com>]

Sent: 10 May 2019 13:56

To: Drugan, John

Subject: RE: Ref 2018/0560/tp

John,

My client is in the process of obtaining this information for me now and has advised that it will be with me at some point over the weekend. I should therefore be able to provide it to you next week.

This will demonstrate his legitimacy as a farmer and further strengthen the case already put to you within the application.

Kind regards,

Sarah

Tel: 0141 204 7900
Mob: 07990 442 374

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www.stephenson-halliday.com



From: Drugan, John [<mailto:John.Drugan@eastrenfrewshire.gov.uk>]
Sent: 09 May 2019 12:24
To: Sarah Lapsley
Subject: RE: Ref 2018/0560/tp - FAO Allan Telfer

Hi Sarah,

I note you state in the additional information submitted (12/4/19) that your client is not in receipt of an IACs payment. However I also note that you have not submitted a copy of their record of animal movements and their CPH registration, I understand both these are legal requirements for all farms, and therefore on this basis I have to advise that I have significant doubts in connection with your client's claim to be a farmer. I was waiting on clarification from my Trading Standard colleagues who are responsible for animal and farm welfare in the area.

Given, the length of time this application has taken, the history on this site and request for information, it is now my intention to proceed to determine the application on the basis of the information received.

I trust this clarifies the position.

Yours sincerely,

John Drugan
Senior Planning Officer
Environment (Operations)
Tel. 0141 577 3175

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From: Sarah Lapsley [<mailto:Sarah.lapsley@stephenson-halliday.com>]
Sent: 09 May 2019 09:57
To: Drugan, John
Subject: RE: Ref 2018/0560/tp - FAO Allan Telfer

John,

Thanks for the update. Who are you waiting for a consultation response from?

Kind regards,

Sarah

Sarah Lapsley
Associate Director (Planning)
Tel: 0141 204 7900
Mob: 07990 442 374

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45 Hope Street
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From: Drugan, John [<mailto:John.Drugan@eastrenfrewshire.gov.uk>]
Sent: 08 May 2019 15:32
To: Sarah Lapsley
Subject: RE: Ref 2018/0560/tp - FAO Allan Telfer

Hi Sarah,

I am waiting on one other consultation response (hopefully this week) and will come back to you thereafter.

Regards,

John Drugan
Senior Planning Officer
Environment (Operations)
Tel. 0141 577 3175

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From: Sarah Lapsley [<mailto:Sarah.lapsley@stephenson-halliday.com>]

Sent: 08 May 2019 15:22

To: Drugan, John

Subject: RE: Ref 2018/0560/tp - FAO Allan Telfer

John,

I trust that you have now had opportunity to review the additional information submitted via the Planning Portal which responds to your concerns about the agricultural use of the site.

This was also supplemented by the Access Appraisal which was also uploaded and is noted that your colleague in Highways has confirmed that there are no further objections in this regards.

I would therefore appreciate if you could advise me of where you are currently in the determination of this application and whether you require any further information from us at this stage.

Kind regards,

Sarah

Sarah Lapsley

Associate Director (Planning)

Tel: 0141 204 7900

Mob: 07990 442 374

Stephenson Halliday

7th Floor, Atlantic House

45 Hope Street

Glasgow, G2 6AE

www.stephenson-halliday.com



RTPI
Chartered Town Planners





From: Sarah Lapsley
Sent: 12 April 2019 16:27
To: john.drugan@eastrenfrewshire.gov.uk
Subject: FW: Ref 2018/0560/tp - FAO Allan Telfer

John,

Please see the below confirmation, if you have not received it formally from your colleagues, that there are no further objections from highways.

Kind regards,

Sarah

Sarah Lapsley
Associate Director (Planning)
Tel: 0141 204 7900
Mob: 07990 442 374

Stephenson Halliday
7th Floor, Atlantic House
45 Hope Street
Glasgow, G2 6AE
www.stephenson-halliday.com



RTPI
Chartered Town Planners



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Please consider the environment before printing this email

From: Myles McGregor [<mailto:mgregortraffic@outlook.com>]
Sent: 12 April 2019 16:24
To: Telfer, Allan
Cc: Sarah Lapsley
Subject: RE: Ref 2018/0560/tp - FAO Allan Telfer

Good afternoon Allan,
That's great to hear.
Have a grand weekend.

Regards,
Myles

Myles McGregor | Director | M: 07720 949504



McGregor Traffic Solutions Ltd

From: Telfer, Allan <Allan.Telfer@eastrenfrewshire.gov.uk>
Sent: 12 April 2019 14:12
To: 'Myles McGregor' <mcgregortraffic@outlook.com>
Subject: RE: Ref 2018/0560/tp - FAO Allan Telfer

Hello Myles,

The Roads Service has no further objections to the application.

Kind regards
Allan

From: Myles McGregor [<mailto:mcgregortraffic@outlook.com>]
Sent: 11 April 2019 12:36
To: Telfer, Allan
Cc: Sarah Lapsley
Subject: RE: Ref 2018/0560/tp - FAO Allan Telfer

Good afternoon Allan,
Please confirm that the objection from Roads has now been removed.
I'm asking you directly as I have been unable to get in touch with the planning officer.
If you feel there are further concerns I am happy to discuss this over the phone in the first instance.

Regards,
Myles

Myles McGregor | Director | M: 07720 949504



McGregor Traffic Solutions Ltd

From: Myles McGregor
Sent: 01 April 2019 15:36
To: 'Telfer, Allan' <Allan.Telfer@eastrenfrewshire.gov.uk>
Cc: 'Sarah Lapsley' <Sarah.lapsley@stephenson-halliday.com>
Subject: RE: Ref 2018/0560/tp - FAO Allan Telfer

Good afternoon Allan,
That's excellent news and thank you for your quick response.

Regards,
Myles

Myles McGregor | Director | M: 07720 949504



McGregor Traffic Solutions Ltd

From: Telfer, Allan <Allan.Telfer@eastrenfrewshire.gov.uk>
Sent: 01 April 2019 15:30
To: 'mcgregortraffic@outlook.com' <mcgregortraffic@outlook.com>
Subject: Ref 2018/0560/tp - FAO Allan Telfer

Hello Myles,

The planning officer sent me this report on Thursday and I replied to him on the same day.

I note that the bund has been reprofiled and the required visibility splay has now been achieved.

I trust the foregoing is of assistance.

Kind regards

Allan

This e-mail and any files transmitted with it are not necessarily the view of East Renfrewshire Council. It is intended only for the person or entity named above. If you have received this e-mail in error please notify the author by replying to this e-mail and then erasing the e-mail from your system. If you are not the intended recipient, you are hereby notified that any use, review, dissemination, distribution or copying of the e-mail is strictly prohibited.

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This footnote also confirms that this e-mail message has been swept for the presence of computer viruses.

Movement Document under the Sheep and Goats
(Records, Identification and Movement) (England) Order 2009 (as amended).Please complete in BALLPOINT pen and press firmly but
before doing so read the important notes overleaf.

1. Departure Location

Departure CPH 907230029

Keeper's name and full postal address of holding of Departure

J Dunbar
Bladh R. Yn
Hilmer

Postcode PA

Full postal address of Destination

A Mccann
Aulbar gum
Carnarvon

Postcode G82

Food Chain Information (FCI) - for sheep and goat movements
to slaughter onlyI have read the FCI statement on the reverse of this form and declare that all animals
in this consignment satisfy its conditions that allow them to enter the food chain.

OR

The FCI Statements are not satisfied for all the animals in the consignment and additional
information is provided on the reverse of the pink copy or on an attached document.

I declare that the above details are correct

Keeper's Signature

Print Name

Phone

Email

Name of Owner if Different
to Keeper Named Above

Sheep <input type="checkbox"/>	Goats <input type="checkbox"/>	Individual identification number(s) or For Slaughter Animals - the Mix of Flock/Herd Mark(s)
12		
12		<<<Total Number of Animals moved

- Please tick box if:
- Moving animals to a Central Point Recording Centre (CPRC)
- Moving animals within your business that remain under your
day to day care and control
- Return after rounding up from common land
- Using a supplementary sheet (ARAMS-S) or attaching a list of
individual identification numbers (stapled to this form)
- Destination Exhibition or Performance with permit (Non CPH)
- Moving from/to* an approved isolation unit
(*delete whichever does not apply)
- Moving animals to a collection centre
for immediate slaughter

Tick one box

I have read the FCI statement on the reverse of this form and declare that all animals
in this consignment satisfy its conditions that allow them to enter the food chain.

The FCI Statements are not satisfied for all the animals in the consignment and additional
information is provided on the reverse of the pink copy or on an attached document.

Keeper's Signature

Print Name

Phone

Email

Name of Owner if Different
to Keeper Named AboveDeparture Date
(DD/MM/YY)

040419

Date of Loading (if different)
(DD/MM/YY)Time First Animal Loaded
(H/M)Time of Departure
(H/M)Expected Duration of Journey
(H/M)

2. Transport Details

Tick box to indicate who is transporting animals

Departure Keeper Receiving Keeper Haulier

Vehicle Registration

AA0742P

Haulage Company

Self

Transporters Authorisation
Number (Where journey is
over 65km)Haulier's
Signature

Print Name

3. Receiving Location (All sections must be completed)

Destination CPH or
Slaughterhouse No.

907230029

Arrival Date
(DD/MM/YY)

040419

Date of Unloading
(if different)Time Last Animal Unloaded
(H/M) Tick box if location is a dedicated slaughter market

Number Received

12

 Tick box if keeper has NOT changed. If this is the
case, boxes below are optional

I declare that the above details are correct

Keeper's
Signature

Print Name

ARAMS1(11/15)

Email

White Copy: Please return to Animal Reporting & Movement Service, Capita Customer Solutions,
PO Box 6299, MILTON KEYNES, MK10 1ZQ within 3 days of move.
Pink copy: Destination. Blue Copy: Haulier. Yellow copy: Departure.
(If the receiving keeper is located outside of England (e.g. Scotland, Wales),
please post the white copy to the relevant Local Authority or entity in that jurisdiction.)
For further information visit www.arams.co.uk



Movement Document under the Sheep and Goats (Records, Identification and Movement) (England) Order 2009 (as amended).

Please complete in BALLPOINT pen and press firmly but before doing so read the important notes overleaf.

1. Departure Location

Departure CPH **907230029**

Keeper's name and full postal address of holding of Departure

**J Turnwell
Dunniet
quilts.**

Postcode **PH2**

Full postal address of Destination

**J Simpson
Bulgozier**

Postcode **EH48**

Food Chain Information (FCI) - for sheep and goat movements to slaughter only

I have read the FCI statement on the reverse of this form and declare that all animals in this consignment satisfy its conditions that allow them to enter the food chain.

OR

The FCI Statements are not satisfied for all the animals in the consignment and additional information is provided on the reverse of the pink copy or on an attached document. I declare that the above details are correct.

Keeper's Signature

Print Name

Phone

Email

Name of Owner if Different to Keeper Named Above

Sheep <input checked="" type="checkbox"/>	Goats <input type="checkbox"/>	Individual identification number(s) or For Slaughter Animals - the Mix of Flock/Herd Mark(s)
No. of Animals		
19		
19		<<<Total Number of Animals moved

Please tick box if:

Moving animals to a Central Point Recording Centre (CPRC)

Moving animals within your business that remain under your day to day care and control

Return after rounding up from common land

Using a supplementary sheet (ARAMS-S) or attaching a list of individual identification numbers (stapled to this form)

Destination Exhibition or Performance with permit (Non CPH)

Moving from/to* an approved isolation unit (*delete whichever does not apply)

Moving animals to a collection centre for immediate slaughter

Tick one box

Departure Date (DD/MM/YY) **020518**

Date of Loading (if different) (DD/MM/YY)

Time First Animal Loaded (H/M)

Time of Departure (H/M)

Expected Duration of Journey (H/M)

2. Transport Details

Tick box to indicate who is transporting animals

Departure Keeper

Receiving Keeper

Haulier

Vehicle Registration **NA67ARE**

Haulage Company **Self**

Transporters Authorisation Number (Where Journey is over 65km)

Haulier's Signature

Print Name

Phone

3. Receiving Location (All sections must be completed)

Destination CPH or Slaughterhouse No. **907230029**

Arrival Date (DD/MM/YY) **020518**

Date of Unloading (if different)

Tick box if location is a dedicated slaughter market

Number Received **19**

Time Last Animal Unloaded (H/M)

Tick box if keeper has NOT changed. If this is the case, boxes below are optional

I declare that the above details are correct

Keeper's Signature

Print Name

ARAMS1(11/15)

Email

White Copy: Please return to Animal Reporting & Movement Service, Capita Customer Solutions, PO Box 6299, MILTON KEYNES, MK10 1ZQ within 3 days of move.

Pink copy: Destination. Blue Copy: Haulier. Yellow copy: Departure.

(If the receiving keeper is located outside of England (e.g. Scotland, Wales), please post the white copy to the relevant Local Authority or entity in that jurisdiction.)

For further information visit www.arams.co.uk

CS767591 (PROOF 4) Front Parts 1 - 4 Black (Customer O/No. David)

CS767591 (PROOF 4) Front Parts 1 - 4 Black (Customer O/No. David)

CS

Movement Document under the Sheep and Goats (Records, Identification and Movement) (England) Order 2009 (as amended).

Please complete in BALLPOINT pen and press firmly but before doing so read the important notes overleaf.

1. Departure Location

Departure CPH

Keeper's name and full postal address of holding of Departure

5 Dunbart
Black Byres
Kilmalcolm

Postcode

Full postal address of Destination

Aulhen Gull
(crossroads)
A meann

Postcode

For completion by Keeper at Departure Location

Sheep <input checked="" type="checkbox"/>	Goats <input type="checkbox"/>	Individual identification number(s) or No. of Animals	For Slaughter Animals - the Mix of Flock/Herd Mark(s)
		26	
		26	<<<Total Number of Animals moved

- Please tick box if:
- Moving animals to a Central Point Recording Centre (CPRC)
 - Moving animals within your business that remain under your day to day care and control
 - Return after rounding up from common land
 - Using a supplementary sheet (ARAMS-S) or attaching a list of individual identification numbers (stapled to this form)
 - Destination Exhibition or Performance with permit (Non CPH)
 - Moving from/to* an approved isolation unit (*delete whichever does not apply)
 - Moving animals to a collection centre for immediate slaughter

Food Chain Information (FCI) - for sheep and goat movements to slaughter only

I have read the FCI statement on the reverse of this form and declare that all animals in this consignment satisfy its conditions that allow them to enter the food chain.
OR
The FCI Statements are not satisfied for all the animals in the consignment and additional information is provided on the reverse of the pink copy or on an attached document.
I declare that the above details are correct

Keeper's Signature

Print Name

Phone

Email

Name of Owner if Different to Keeper Named Above

Departure Date (DD/MM/YY)

Date of Loading (if different) (DD/MM/YY)

Time First Animal Loaded (H-M/AM)

Time of Departure (H-M/AM)

Expected Duration of Journey (H-M/AM)

2. Transport Details

Vehicle Registration

Haulage Company

Transporters Authorisation Number (Where journey is over 65km)

Haulier's Signature

Print Name

Phone

3. Receiving Location (All sections must be completed)

Destination CPH or Slaughterhouse No.

Tick box if location is a dedicated slaughter market

Number Received

Tick box if keeper has NOT changed. If this is the case, boxes below are optional

I declare that the above details are correct

Arrival Date (DD/MM/YY)

Date of Unloading (if different)

Time Last Animal Unloaded (H-M/AM)

Phone

Email

Keeper's Signature

Print Name

ARAMS1(11/15)

White Copy: Please return to Animal Reporting & Movement Service, Capita Customer Solutions, PO Box 6299, MILTON KEYNES, MK10 1ZQ within 3 days of move.
Pink copy: Destination. Blue Copy: Haulier. Yellow copy: Departure.
(If the receiving keeper is located outside of England (e.g. Scotland, Wales), please post the white copy to the relevant Local Authority or entity in that jurisdiction.)
For further information visit www.arams.co.uk

Movement Document under the Sheep and Goats
(Records, Identification and Movement) (England) Order 2009 (as amended).Please complete in BALLPOINT pen and press firmly but
before doing so read the important notes overleaf.

1. Departure Location

Departure CPH

Keeper's name and full postal address of holding of Departure

A meen
Aulken gull
corpsePostcode

Full postal address of Destination

P Singh

Postcode Food Chain Information (FCI) - for sheep and goat movements
to slaughter onlyI have read the FCI statement on the reverse of this form and declare that all animals
in this consignment satisfy its conditions that allow them to enter the food chain.

OR

The FCI Statements are not satisfied for all the animals in the consignment and additional
information is provided on the reverse of the pink copy or on an attached document.

I declare that the above

Keeper's Signature Print Name Phone Email Name of Owner if Different
to Keeper Named Above

Sheep <input checked="" type="checkbox"/>	Goats <input type="checkbox"/>	Individual identification number(s) or For Slaughter Animals - the Mix of Flock/Herd Mark(s)
18		18
18		<<<Total Number of Animals moved

Please tick box if:

- Moving animals to a Central Point Recording Centre (CPRC)
- Moving animals within your business that remain under your
day to day care and control
- Return after rounding up from common land
- Using a supplementary sheet (ARAMS-S) or attaching a list of
individual identification numbers (stapled to this form)
- Destination Exhibition or Performance with permit (Non CPH)
- Moving from/to* an approved isolation unit
(*delete whichever does not apply)
- Moving animals to a collection centre
for immediate slaughter

Tick one box

2. Transport Details

Tick box to indicate who is transporting animals

Departure Keeper Receiving Keeper Haulier Vehicle Registration Haulage Company Transporters Authorisation
Number (Where journey is
over 65km) Haulier's
Signature Print Name Phone

3. Receiving Location (All sections must be completed)

Destination CPH or
Slaughterhouse No. Tick box if location is a dedicated slaughter marketNumber Received Tick box if keeper has NOT changed. If this is the
case, boxes below are optional

I declare that the above details are correct

Keeper's
Signature Print Name

ARAMS1(11/15)

Arrival Date
(DD/MM/YY) Date of Unloading
(if different) Time Last Animal Unloaded
(H+MM) Email White Copy: Please return to Animal Reporting & Movement Service, Capita Customer Solutions,
PO Box 6299, MILTON KEYNES, MK10 1ZQ within 3 days of move.
Pink copy: Destination. Blue Copy: Haulier. Yellow copy: Departure.
(If the receiving keeper is located outside of England (e.g. Scotland, Wales),
please post the white copy to the relevant Local Authority or entity in that jurisdiction.)
For further information visit www.arams.co.uk

Movement Document under the Sheep and Goats (Records, Identification and Movement) (England) Order 2009 (as amended).

Please complete in BALLPOINT pen and press firmly but before doing so read the important notes overleaf.

1. Departure Location

Departure CPH **907230029**

Keeper's name and full postal address of holding of Departure

A M ...
Flour

Postcode

Full postal address of Destination

Postcode **982**

Food Chain Information (FCI) - for sheep and goat movements to slaughter only

I have read the FCI statement on the reverse of this form and declare that all animals in this consignment satisfy its conditions that allow them to enter the food chain.
OR
The FCI Statements are not satisfied for all the animals in the consignment and additional information is provided on the reverse of the pink copy or on an attached document.
I declare that the above details are correct

Keeper's Signature [Redacted]
Print Name [Redacted]
Date of Loading (if different) [Redacted]
Time First Animal Loaded [Redacted]
Time of Departure [Redacted]
Expected Duration of Journey [Redacted]
Name of Owner if Different to Keeper Named Above [Redacted]

Sheep <input checked="" type="checkbox"/>	Goats <input type="checkbox"/>	Individual identification number(s)
No. of Animals		For Slaughter Animals - the Mix of Flock/Herd Mark(s)
27		
27		<<<Total Number of Animals moved

- Please tick box if:
- Moving animals to a Central Point Recording Centre (CPRC)
 - Moving animals within your business that remain under your day to day care and control
 - Return after rounding up from common land
 - Using a supplementary sheet (ARAMS-S) or attaching a list of individual identification numbers (stapled to this form)
 - Destination Exhibition or Performance with permit (Non CPH)
 - Moving from/to* an approved isolation unit (*delete whichever does not apply)
 - Moving animals to a collection centre for immediate slaughter

2. Transport Details

Tick box to indicate who is transporting animals
 Departure Keeper Receiving Keeper Haulier
 Vehicle Registration **A A O 7 A V E**
 Haulage Company **Self**
 Transporters Authorisation Number (Where journey is over 65km) [Redacted]

3. Receiving Location (All sections must be completed)

Destination CPH or Slaughterhouse No. **907230029**
 Tick box if location is a dedicated slaughter market
 Number Received **27**
 Tick box if keeper has NOT changed. If this is the case, boxes below are optional
 Arrival Date [Redacted]
 Date of Unloading (if different) [Redacted]
 Time Last Animal Unloaded [Redacted]

I declare that the above details are correct
 Keeper's Signature [Redacted]
 Print Name [Redacted]
 ARAMS1(11/15)

White Copy: Please return to Animal Reporting & Movement Service, Capita Customer Solutions, PO Box 6299, MILTON KEYNES, MK10 1ZQ within 3 days of move.
 Pink copy: Destination. Blue Copy: Haulier. Yellow copy: Departure.
 (If the receiving keeper is located outside of England (e.g. Scotland, Wales), please post the white copy to the relevant Local Authority or entity in that jurisdiction.)
 For further information visit www.arams.co.uk

Movement Document under the Sheep and Goats
(Records, Identification and Movement) (England) Order 2009 (as amended).Please complete in BALLPOINT pen and press firmly but
before doing so read the important notes overleaf.

1. Departure Location

Departure CPH

Keeper's name and full postal address of holding of Departure

Flack
Amccanmer

Postcode

Full postal address of Destination

P Singh
Geddes

Postcode

Food Chain Information (FCI) - for sheep and goat movements
to slaughter onlyI have read the FCI statement on the reverse of this form and declare that all animals
in this consignment satisfy its conditions that allow them to enter the food chain.

OR

The FCI Statements are not satisfied for all the animals in the consignment and additional
information is provided on the reverse of the pink copy or on an attached document.

I declare that the above details are correct

Keeper's Signature Print Name
Email Name of Owner if Different
to Keeper Named Above

Sheep <input checked="" type="checkbox"/>	Goats <input type="checkbox"/>	Individual identification number(s) or For Slaughter Animals - the Mix of Flock/Herd Mark(s)
16		16
16		<<<Total Number of Animals moved

Please tick box if:

- Moving animals to a Central Point Recording Centre (CPRC)
- Moving animals within your business that remain under your
day to day care and control
- Return after rounding up from common land
- Using a supplementary sheet (ARAMS-S) or attaching a list of
individual identification numbers (stapled to this form)
- Destination Exhibition or Performance with permit (Non CPH)
- Moving from/to* an approved isolation unit
(*delete whichever does not apply)
- Moving animals to a collection centre
for immediate slaughter

Tick one box

2. Transport Details

Tick box to indicate who is transporting animals

Departure Keeper Receiving Keeper Haulier Vehicle Registration Haulage Company Transporters Authorisation
Number (Where journey is
over 65km) Haulier's
Signature Print Name

3. Receiving Location (All sections must be completed)

Destination CPH or
Slaughterhouse No. Tick box if location is a dedicated slaughter marketNumber Received Tick box if keeper has NOT changed. If this is the
case, boxes below are optional

I declare that the above details are correct

Keeper's
Signature Print Name

ARAMS1(11/15)

Email Arrival Date
(DD/MM/YY) Date of Unloading
(If different) Time Last Animal Unloaded
(HH/MM)

White Copy: Please return to Animal Reporting & Movement Service, Capita Customer Solutions,
PO Box 6299, MILTON KEYNES, MK10 1ZQ within 3 days of move.
Pink copy: Destination. Blue Copy: Haulier. Yellow copy: Departure.
(If the receiving keeper is located outside of England (e.g. Scotland, Wales),
please post the white copy to the relevant Local Authority or entity in that jurisdiction.)
For further information visit www.arams.co.uk

Movement Document under the Sheep and Goats
(Records, Identification and Movement) (England) Order 2009 (as amended).

CAPITA | Customer solutions

Department
for Environment
Food & Rural Affairs

Please complete in BALLPOINT pen and press firmly but
before doing so read the important notes overleaf.

1. Departure Location

Departure CPH

Keeper's name and full postal address of holding of Departure

6 Kerr.
Ayrshire.

Postcode

Full postal address of Destination

A Murray
Flack

Postcode

For completion by Keeper at Departure Location

Sheep <input checked="" type="checkbox"/>	Goats <input type="checkbox"/>	Individual identification number(s) or For Slaughter Animals - the Mix of Flock/Herd Mark(s)
No. of Animals		
<input type="text" value="32"/>		
<input type="text" value="32"/>		<<<Total Number of Animals moved

- Please tick box if:
- Moving animals to a Central Point Recording Centre (CPRC)
 - Moving animals within your business that remain under your day to day care and control
 - Return after rounding up from common land
 - Using a supplementary sheet (ARAMS-S) or attaching a list of individual identification numbers (stapled to this form)
 - Destination Exhibition or Performance with permit (Non CPH)
 - Moving from/to* an approved isolation unit (*delete whichever does not apply)
 - Moving animals to a collection centre for immediate slaughter

Food Chain Information (FCI) - for sheep and goat movements to slaughter only

I have read the FCI statement on the reverse of this form and declare that all animals in this consignment satisfy its conditions that allow them to enter the food chain.

OR

The FCI Statements are not satisfied for all the animals in the consignment and additional information is provided on the reverse of the pink copy or on an attached document.

I declare that the above details are correct

Tick one box

Keeper's Signature

Print Name

Email

Name of Owner if Different to Keeper Named Above

Departure Date (DD/MM/YY)

Date of Loading (if different) (DD/MM/YY)

Time First Animal Loaded (H/MM)

Time of Departure (H/MM)

Expected Duration of Journey (H/MM)

2. Transport Details

Tick box to indicate who is transporting animals

Departure Keeper Receiving Keeper Haulier

Vehicle Registration

Haulage Company

Transporters Authorisation Number (Where journey is over 65km)

Haulier's Signature

Print Name

3. Receiving Location (All sections must be completed)

Destination CPH or Slaughterhouse No.

Tick box if location is a dedicated slaughter market

Number Received

Tick box if keeper has NOT changed. If this is the case, boxes below are optional

I declare that the above details are correct

Keeper's Signature

Print Name

ARAMS1(11/15)

Arrival Date (DD/MM/YY)

Date of Unloading (if different)

Time Last Animal Unloaded (H/MM)

Email

White Copy: Please return to Animal Reporting & Movement Service, Capita Customer Solutions, PO Box 6299, MILTON KEYNES, MK10 1ZQ within 3 days of move. Pink copy: Destination. Blue Copy: Haulier. Yellow copy: Departure. (If the receiving keeper is located outside of England (e.g. Scotland, Wales), please post the white copy to the relevant Local Authority or entity in that jurisdiction.) For further information visit www.arams.co.uk

CS767591 (PROOF 4) Front Parts 1 - 4 Black (Customer O/No. David)

Movement Document under the Sheep and Goats (Records, Identification and Movement) (England) Order 2009 (as amended).

Please complete in BALLPOINT pen and press firmly but before doing so read the important notes overleaf.

1. Departure Location

Departure CPH **907230029**

Keeper's name and full postal address of holding of Departure

*T Turnbull
Dumfries*

Postcode **PA**

Full postal address of Destination

*A McCann
Flack*

Postcode **977**

Food Chain Information (FCI) - for sheep and goat movements to slaughter only

I have read the FCI statement on the reverse of this form and declare that all animals in this consignment satisfy its conditions that allow them to enter the food chain.

OR
The FCI Statements are not satisfied for all the animals in the consignment and additional information is provided on the reverse of the pink copy or on an attached document.
I declare that the above details are correct

Keeper's Signature [Redacted]

Print Name [Redacted]

Phone [Redacted]

Email [Redacted]

Name of Owner if Different to Keeper Named Above [Redacted]

Departure Date (DD/MM/YY) **230214**

Date of Loading (if different) (DD/MM/YY)

Time First Animal Loaded (H/MM)

Time of Departure (H/MM)

Expected Duration of Journey (H/MM)

Sheep <input checked="" type="checkbox"/>	Goats <input type="checkbox"/>	Individual identification number(s) or For Slaughter Animals - the Mix of Flock/Herd Mark(s)
No. of Animals		
5		
5		<<<Total Number of Animals moved

- Please tick box if:
- Moving animals to a Central Point Recording Centre (CPRC)
 - Moving animals within your business that remain under your day to day care and control
 - Return after rounding up from common land
 - Using a supplementary sheet (ARAMS-S) or attaching a list of individual identification numbers (stapled to this form)
 - Destination Exhibition or Performance with permit (Non CPH)
 - Moving from/to* an approved isolation unit (*delete whichever does not apply)
 - Moving animals to a collection centre for immediate slaughter

2. Transport Details

Tick box to indicate who is transporting animals

Departure Keeper Receiving Keeper Haulier

Vehicle Registration **NA07AR E**

Haulier's Signature [Redacted]

Haulage Company **Self**

Print Name [Redacted]

Transporters Authorisation Number (Where journey is over 65km) [Redacted]

3. Receiving Location (All sections must be completed)

Destination CPH or Slaughterhouse No. **907230029**

Arrival Date (DD/MM/YY) **230214**

Date of Unloading (if different)

Tick box if location is a dedicated slaughter market

Number Received

Time Last Animal Unloaded (H/MM)

Tick box if keeper has NOT changed. If this is the case, boxes below are optional

I declare that the above details are correct

Keeper's Signature [Redacted]

Print Name [Redacted]

ARAMS1(11/15)

White Copy: Please return to Animal Reporting & Movement Service, Capita Customer Solutions, PO Box 6299, MILTON KEYNES, MK10 1ZQ within 3 days of move.
Pink copy: Destination. Blue Copy: Haulier. Yellow copy: Departure.
(If the receiving keeper is located outside of England (e.g. Scotland, Wales), please post the white copy to the relevant Local Authority or entity in that jurisdiction.)
For further information visit www.arams.co.uk

Movement Document under the Sheep and Goats (Records, Identification and Movement) (England) Order 2009 (as amended).

Please complete in BALLPOINT pen and press firmly but before doing so read the important notes overleaf.

1. Departure Location

Departure CPH 907230029

Keeper's name and full postal address of holding of Departure

J DUMM
Bunsine Kern

Postcode PA12

Full postal address of Destination

Hmeanley
Fleuch Burnage

Postcode 677

Food Chain Information (FCI) - for sheep and goat movements to slaughter only

I have read the FCI statement on the reverse of this form and declare that all animals in this consignment satisfy its conditions that allow them to enter the food chain.

OR
The FCI Statements are not satisfied for all the animals in the consignment and additional information is provided on the reverse of the pink copy or on an attached document.

I declare that the above details are correct

Keeper's Signature

Print Name

Phone

Email

Name of Owner if Different to Keeper Named Above

Sheep <input checked="" type="checkbox"/>	Goats <input type="checkbox"/>	Individual identification number(s) or For Slaughter Animals - the Mix of Flock/Herd Mark(s)
No. of Animals		
22		
22		<<<Total Number of Animals moved

- Please tick box if:
- Moving animals to a Central Point Recording Centre (CPRC)
 - Moving animals within your business that remain under your day to day care and control
 - Return after rounding up from common land
 - Using a supplementary sheet (ARAMS-S) or attaching a list of individual identification numbers (stapled to this form)
 - Destination Exhibition or Performance with permit (Non CPH)
 - Moving from/to* an approved isolation unit (*delete whichever does not apply)
 - Moving animals to a collection centre for immediate slaughter

Tick one box

2. Transport Details

Tick box to indicate who is transporting animals

Departure Keeper Receiving Keeper Haulier

Vehicle Registration NA07AVE

Haulage Company Self

Transporters Authorisation Number (Where journey is over 65km)

Haulier's Signature

Print Name

Phone

3. Receiving Location (All sections must be completed)

Destination CPH or Slaughterhouse No. 907230029

Tick box if location is a dedicated slaughter market

Number Received 22

Tick box if keeper has NOT changed. If this is the case, boxes below are optional

I declare that the above details are correct

Keeper's Signature

Print Name

ARAMS1(11/15)

Arrival Date (DD/MM/YY) 030913

Date of Unloading (if different)

Time Last Animal Unloaded (H/M)

Phone

Email

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Pink copy: Destination. Blue Copy: Haulier. Yellow copy: Departure.

(If the receiving keeper is located outside of England (e.g. Scotland, Wales), please post the white copy to the relevant Local Authority or entity in that jurisdiction.)

For further information visit www.arams.co.uk

For completion by Keeper at Departure Location

For completion by Transporter

For completion by Keeper at Receiving Location

CS767591 (PROOF 4) Front Parts 1 - 4 Black (Customer O/No. David)

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PLANS/PHOTOGRAPHS/DRAWINGS

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Movement Document under the Sheep and Goats (Records, Identification and Movement) (England) Order 2009 (as amended).

Please complete in BALLPOINT pen and press firmly but before doing so read the important notes overleaf.

1. Departure Location

Departure CPH Keeper's name and full postal address of holding of Departure

*T Dunbar
Balsh R.ym
Milner*

Postcode Full postal address of Destination
*A mceann
A ulan gun
Cindwies*

Food Chain Information (FCI) - for sheep and goat movements to slaughter only

I have read the FCI statement on the reverse of this form and declare that all animals in this consignment satisfy its conditions that allow them to enter the food chain.
OR
The FCI Statements are not satisfied for all the animals in the consignment and additional information is provided on the reverse of the pink copy or on an attached document.
I declare that the above details are correct

Keeper's Signature Print Name
Email

2. Transport Details

Departure Keeper Receiving Keeper Haulier
Vehicle Registration Haulier's Signature
Haulage Company Print Name
Transporters Authorisation Number (Where journey is over 65km)

3. Receiving Location (All sections must be completed)

Destination CPH or Slaughterhouse No. Arrival Date (DD/MM/YY)
Number Received Date of Unloading (if different)
Tick box if location is a dedicated slaughter market Time Last Animal Unloaded (H/H/MM)

I declare that the above details are correct
Keeper's Signature Email
Print Name

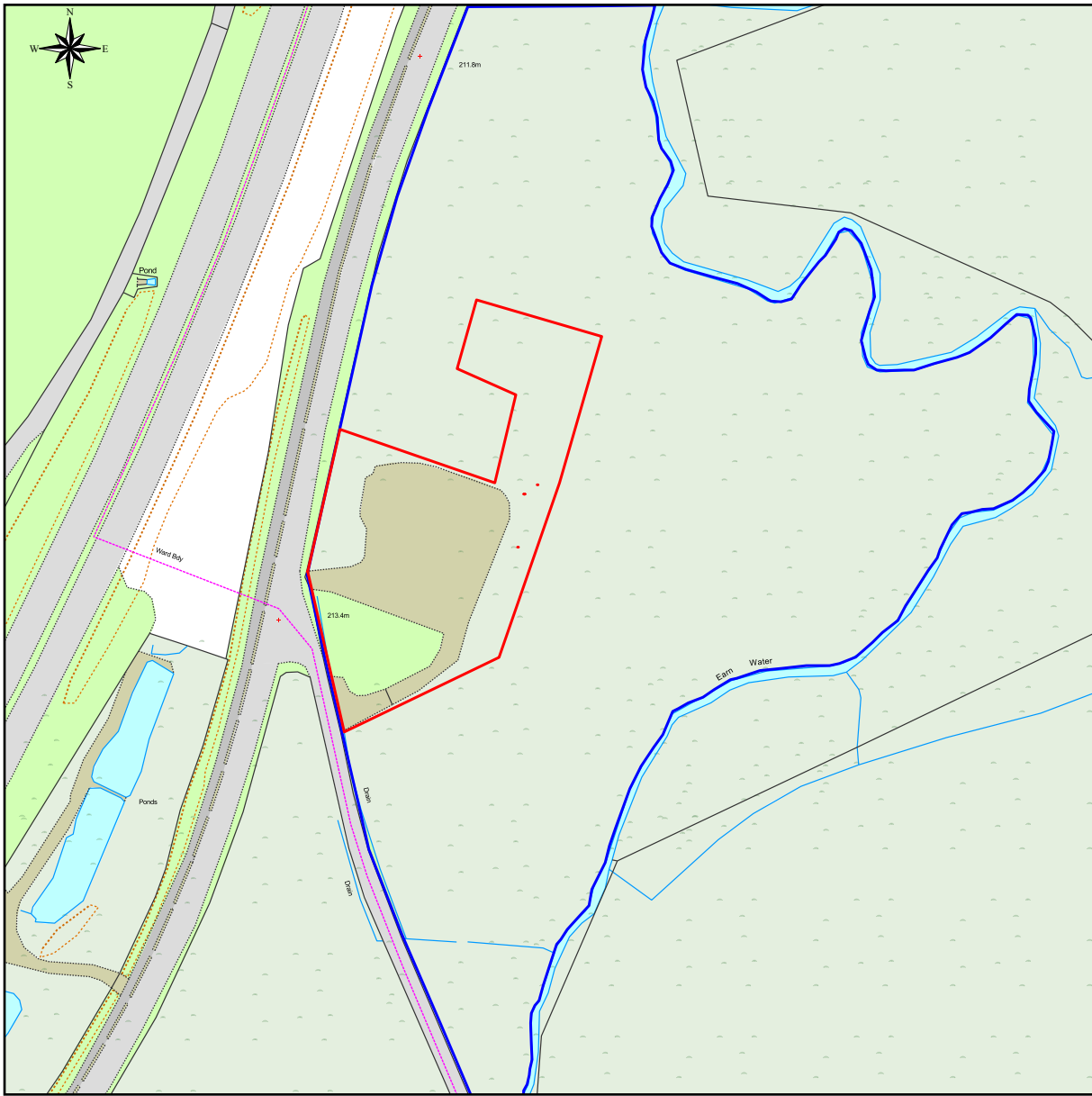
Sheep <input type="checkbox"/>	Goats <input type="checkbox"/>	Individual identification number(s)
No. of Animals		For Slaughter Animals - the Mix of Flock/Herd Mark(s)
<input type="text" value="12"/>		
<input type="text" value="12"/>		

<<< Total Number of Animals moved
Please tick box if:
Moving animals to a Central Point Recording Centre (CPRC)
Moving animals within your business that remain under your day to day care and control
Return after rounding up from common land
Using a supplementary sheet (ARAMS-S) or attaching a list of individual identification numbers (stapled to this form)
Destination Exhibition or Performance with permit (Non CPH)
Moving from/to* an approved isolation unit (*delete whichever does not apply)
Moving animals to a collection centre for immediate slaughter

Departure Date (DD/MM/YY)
Date of Loading (if different) (DD/MM/YY)
Time First Animal Loaded (H/H/MM)
Time of Departure (H/H/MM)
Expected Duration of Journey (H/H/MM)

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Site Location Plan



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0m 25m 50m 75m 100m 125m 150m 175m 200m

Scale: 1:2500, paper size: A4

Site 280m NNW Of Floak Bridge
Highfield Road
Eastwood
East Renfrewshire



plans ahead by emapsite™

Prepared by: Sarah Lapsley, 07-09-2018

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- GENERAL**
1. Do not scale from drawing.
 2. All dimensions are in metres, unless stated otherwise.
 3. This drawing to be read & printed in colour.
 4. This drawing to be read in conjunction with other contract drawings.
- CONSTRUCTION**
1. Works shall comply with the current Department of Transport Specification for Highway Works.
 2. Filling of voids formed by site clearance operations shall be measured under Series 600 of the Specification.
 3. Contractor is to ensure that all voids are to be filled with granular sub base material Type 1.
 4. All hard material broken out under the Contract is to be disposed of to contractor's tip.
- CDM (RISKS & HAZARDS)**
1. Prior to commencement of construction the contractor is to liaise with all relevant statutory undertakers and protect / divert apparatus and to protect the workforce during the works. Any damage caused to the apparatus to be the responsibility of the contractor.
 2. Contractor to undertake their own statutory plant checks on site prior to the commencement of excavation exercise.
 3. The contractor is to make sure that any excavation should be adequately covered at night to protect both public and wildlife from becoming trapped.
 4. Appropriate health and safety measures should be adhered to while working in close proximity to the existing overhead power lines.
- DISCLAIMERS**
1. The information contained in this drawing is based on a combination of OS and survey data provided by others and Neo Environmental shall not be liable for any inaccuracies or deficiencies.

Rev	Rev. Date	Purpose of revision	Drawn	Checked	Approved
A	14/09/18	FIRST ISSUE	AM	MM	CC

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 Web: www.neo-environmental.co.uk

Client
MR A McCANDLISH

Project
FLOAK BRIDGE

Drawing title
Proposed Drainage

Date
14/09/2018

Scale
 1:250 on A1
 Project No.
NEO 00464

Drawing number
NEO 00464-0050 Rev
A

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