

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY8 August 2018Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2018/11ERECTION OF AGRICULTURAL SHED AT 280 METRES NORTH NORTH WEST OF
FLOAK BRIDGE, HIGHFIELD ROAD, EASTWOOD**PURPOSE OF REPORT**

1. The purpose of the report is to present the information currently available to allow a review of the decision taken 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 in respect of the application detailed below.

DETAILS OF APPLICATION

2. Application type: Full Planning Permission (Ref No:- 2017/0584/TP).
- Applicant: Mr Andrew McCandlish.
- Proposal: Erection of Agricultural Shed.
- Location: 280 metres North North West of Floak Bridge, Highfield Road, Eastwood, East Renfrewshire
- 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.

- (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.

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 (Strategic Services).

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 their 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 have indicated that his stated preference is the assessment of the review documents only, with no further procedure.

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, 8 August 2018 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 103-112);
- (b) Copies of objections/representations – Appendix 2 (Pages 113-136);
- (c) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 3 (Pages 137-148);
- (d) Decision notice and reasons for refusal - Appendix 4 (Pages 149-152); and
- (e) A copy of the applicant's Notice of Review and Statement of Reasons - Appendix 5 (Pages 153-250).

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 251-262).

- (a) Refused - Location Plan – Ref No:- 01;
- (b) Refused – Section A-A – Ref No:- 02B;
- (c) Refused – Floor and Elevations – Ref No:- 03A;
- (d) Refused – Proposed Plans – Ref No:- 04; and
- (e) Refused – Proposed Plans – Ref No:- 05.

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 with the exception of any representations that have been made to the application.

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.

- (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:- July 2018

**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 100063752-001

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

Type of Application

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

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

Description of Proposal

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

Erection of a 30 x 12m Agricultural shed, with a ridge height of 5.4m.

Is this a temporary permission? *

Yes No

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

Yes No

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

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

No Yes – Started Yes - Completed

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	TLC Environmental		
Ref. Number:	100063752	You must enter a Building Name or Number, or both: *	
First Name: *	Keith	Building Name:	old telephone exchange
Last Name: *	Vernon	Building Number:	9a
Telephone Number: *	07525134913	Address 1 (Street): *	strathaven road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	lesmahagow
Fax Number:		Country: *	Scotland
		Postcode: *	ml11 0dn
Email Address: *	keith@tlcenvironmental.uk		

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:	Tepletonburn Lodge
First Name: *	Andrew	Building Number:	
Last Name: *	McCandlish	Address 1 (Street): *	Crookedhold
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Kilmarnock
Extension Number:		Country: *	Scotland
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

650646

Easting

250304

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

Meeting Telephone Letter Email

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

Email correspondence with Ralph Howden on the 09/02/17 and 06/06/17. All PAC questions were answered satisfactorily and have been factored into the supporting information report. Although we believe the questions posed as objections to be overcome, were overcome where we supplied the information required by each question, yet, we were still advised that there would be no change to the previous decision made in 2015/0135, with advice to select an alternative PO to deal with this application.

Title:

Other title:

First Name:

Last Name:

Correspondence Reference Number:

Date (dd/mm/yyyy):

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

Site Area

Please state the site area:

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)

Currently used as a storage area and site compound by Scottish Water for the installation of the new water main from the Gorbals to Coreshouse. Occupied by offices, welfare facilities and vehicles.

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

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

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

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

Yes No

Note:-

Please include details of SUDS arrangements on your plans

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

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

- Yes
 No, using a private water supply
 No connection required

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

Assessment of Flood Risk

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

Yes No Don't Know

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

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

Yes No Don't Know

Trees

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

Yes No

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

Waste Storage and Collection

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

Yes No

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

All waste is associated with agricultural activities and livestock management, all waste generated as a result shall be reused within the applicants agricultural activities.

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: Keith Vernon

On behalf of: Mr Andrew McCandlish

Date: 29/08/2017

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

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

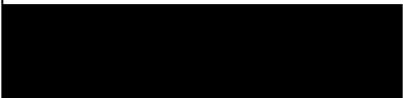
We are unclear whether a suds scheme is required, however we have factored in space should it be a requirement. Flood risk assessment carried via SEPA Flood risk maps.

Declare – For Application to Planning Authority

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

Declaration Name: Mr Keith Vernon
 Declaration Date: 29/08/2017

Payment Details



Created: 29/08/2017 10:10

COPIES OF OBJECTIONS/REPRESENTATIONS

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**Roads Service
OBSERVATIONS ON
PLANNING APPLICATION**

Our Ref: 2017/0584/TP
D.C Ref John Drugan
Contact: Malcolm Matheson
Tel: 0141-577-8431

Planning Application No: 2017/0584/TP **Dated:** 08/12/17 **Received:** 21/11/17
Applicant: Mr Andrew McCandlish
Proposed Development: Erection of agricultural shed
Location: Site 280m NNW of Floak Bridge, Highfield Road, Eastwood
Type of Consent: Full Planning Permission
Ref No. of Dwg.(s) submitted: Details on Idox

RECOMMENDATION**Refusal**

Proposals Acceptable Y/N or N/A

Proposals Acceptable Y/N or N/A

Proposals Acceptable Y/N or N/A

1. General

(a) General principle of development	N
(b) Safety Audit Required	N/A
(c) Traffic Impact Analysis Required	N/A

2. Existing Roads

(a) Type of Connection (junction / footway crossing)	N
(b) Location(s) of Connection(s)	N
(c) Pedestrian Provision	N/A
(d) Sightlines	N

3. New Roads

(a) Widths	N/A
(b) Pedestrian Provision	N/A
(c) Layout (horizontal/vertical alignment)	N/A
(d) Turning Facilities (Circles / hammerhead)	N/A
(e) Junction Details (locations / radii / sightlines)	N/A
(f) Provision for P.U. services	N/A

4. Servicing & Car Parking

(a) Drainage	N/A
(b) Car Parking Provision	Y
(c) Layout of parking bays / Garages	N/A
(d) Servicing Arrangements/Driveways	N/A

5. Signing

(a) Location	N/A
(b) Illumination	N/A

Ref.	REASONS FOR REFUSAL
1.	<p>The applicant has not provided any information to demonstrate that the required visibility splays can be achieved.</p> <p>This service has concerns regarding the impact on visibility the bund adjacent to the A77 has. Also any additional vegetation planted or occurring on the bund, as indicated by the plans provided may further impact visibility.</p>

Ref.	COMMENTS
1.	<p>Traffic Impact</p> <p>In terms of vehicular movements from the clarification document it is suggested that there would be a maximum of 22 movements in a day however this is unlikely due to seasonality (Most contractor vehicles used outwith winter, livestock related trips are at peak in winter months). This is acceptable and is unlikely to have a significant impact on the A77. It is also assumed the majority of these trips will be outwith AM and PM peak periods.</p> <p>Vehicular movement assumptions are summarised in table below.</p>

Controller (M&O)	N/A	Date		by	
VC letter	N/A	Date		by	

DEV File Ref	N/A	Date		by	
CC File Ref	N/A	Date		by	

Vehicle	Max. Movements per day	Assumption (Worst Case)
3 x Bailers	6 (2 each)	Leave in morning, return at night
2 x Steiger Tractors	2 (1 each)	Leave at beginning of season, return at end of season so max 1 movement per day.
2 x Crawlers	2 (1 each)	Leave at beginning of season, return at end of season so max 1 movement per day.
Other traffic – Stock Checks (Assume car/van sized)	4	2 stock checks per day. Assume 1 vehicle required.
Other traffic – Livestock feeding/welfare (Assume car/van sized)	8	Winter months max, 2 feeding assume a max of 2 welfare in a day. Assume 1 vehicle required. Assume feeding visits separate and done outwith stock checks.
TOTAL (MAX)	22	

2. **Visibility**

An appropriate visibility splay is necessary to enable drivers exiting the site to check for approaching vehicular traffic before safely joining the main carriageway.

A visibility splay of 9.0m x 215m x 1.05m should be achieved in both directions, where possible, for vehicular traffic at the site access. Whilst it is recognised that in the north direction the site access is less than 215m from the A77 the visibility envelope for the above splay should be considered and achieved.

At the A77 junction approximately c.25m north of the proposed north access a visibility splay of 9.0m x 215m x 1.05m should be achieved to the north. Any existing landscaping/vegetation or landscaping proposals associated with the site where they are adjacent to the public road must take into consideration these visibility requirements. This includes the bund and any proposed vegetation planted on it.

Drawings on a topographical survey should be provided by the applicant to demonstrate that these visibility splays (vertical and horizontal) can be achieved.

4. **Access and Drainage**

The large site area should enable vehicles to enter and exit in a forward gear.

Other 'access' considerations include :-

- Gates if provided must open inward and must be at least 8.0m from the adjacent public road edge.
- The first 10 metres of the access nearest the public footway should be surfaced or paved to prevent any deleterious material, e.g. loose chippings, being carried onto the adjacent road.
- Surface water should be contained within the curtilage of the applicant's site by inclining the access away from the public verge or a providing a positive drainage system.

Notes for Intimation to Applicant:

(i) Construction Consent (S21)*	Not Required
(ii) Road Bond (S17)*	Not Required
(iii) Road Opening Permit (S56)*	Not Required

* Relevant Section of the Roads (Scotland) Act 1984

O'Neil, Paul [CE]

From: Matheson, Malcolm
Sent: 17 January 2018 15:48
To: Drugan, John
Cc: Marley, John
Subject: RE: planning application 2017/0584/TP - Erection of agricultural shed, Site 280km NNW Of Floak Bridge, Highfield Road, Eastwood, East Renfrewshire.

John,

The applicant has now provided us with visibility splays at the A77 junction and at the site access.

The A77 junction visibility splays may be acceptable however the visibility at the site access is not. We requested that:

'A visibility splay of 9.0m x 215m x 1.05m should be achieved in both directions, where possible, for vehicular traffic at the site access. Whilst it is recognised that in the north direction the site access is less than 215m from the A77 the visibility envelope for the above splay should be considered and achieved.

Drawings on a topographical survey should be provided by the applicant to demonstrate that these visibility splays (vertical and horizontal) can be achieved. '

The applicant has only provided a drawing (060(P)100_05) showing the horizontal visibility splays. The X distance has been reduced by the applicant from the requested 9.0m to 4.5m. This may be acceptable however the reduction of the Y distance from 215m to 30m is not.

Thanks,

Malcolm

From: Drugan, John
Sent: 10 January 2018 12:08
To: Matheson, Malcolm
Subject: FW: planning application 2017/0584/TP - Erection of agricultural shed, Site 280km NNW Of Floak Bridge, Highfield Road, Eastwood, East Renfrewshire.

See attached drawing. Let me know if this is what you need.

John Drugan
Senior Planning Officer
Environment (Planning, Economic Development and City Deal)
Tel. 0141 577 3175

East Renfrewshire: Your Council, Your Future
www.eastrenfrewshire.gov.uk

Please consider the environment - do you need to print this email?

Information security classification

No marking No special handling practices

PROTECT Protective action required

PROTECT+ Additional protective action required DPA sensitive

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Ack Sent 27/9/17 ¹¹⁹

RECEIVED

26 SEP 2017

72 Newton Grove
Newton Mearns
Glasgow
G77 5QJ

22 September 2017

Mr John Drugan
Planning Department
East Renfrewshire Council
2 Speirs Bridge Way
Speirs Bridge Business Bank
Thornilebank
Glasgow
G46 8NG

Dear Mr Drugan

YOUR REF: 2017-0584-TP

**PROPOSED ERECTION OF AGRICULTURAL SHED AT SITE 280 METRES NORTH,
NORTHWEST OF FLOAK BRIDGE, HIGHFIELD ROAD, EAST RENFREWSHIRE**

I understand that an application has been made to construct a building on a piece of land at the junction of Highfield Road and the A77.

I objected to a similar application some time ago on the grounds that my wife and I have friends who live off Highfield Road and whom we visit regularly. We enter and leave onto the A77.

When we are heading home, we cross the southbound carriageway to access the northbound carriageway towards Mearns Cross.


Even although much traffic travels by the M77, there is still a fair amount of traffic on the A77 including a regular bus service, cars and commercial vehicles. Many of these appear to be travelling at in excess of the speed limit and the sighting when pulling out of Highfield Road is not great, particularly in respect of northbound traffic which comes around a blind corner.

I believe that the construction of any form of building close to this junction will be dangerous in terms of traffic entering, but more particular leaving Highfield Road.

Can I also make the observation that it seems very peculiar to site an agricultural building where it is proposed when the farmer will have a farm house and steadings fairly close by and I do wonder what agricultural purpose the farmer has in mind?

I should be grateful if you could treat this letter as a formal objection to the proposal.

Yours sincerely



John C Cairns

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ACK 121 11/17
(J.D)

24th October, 2017

East Renfrewshire Council
Planning, Property & Regeneration
2 Spiersbridge Way
Spiersbridge Business Park
Thornliebank
Glasgow
G46 8NG

RECEIVED
25 OCT 2017

Dear Sir/Madam,

**Planning Application Ref: 2017/0584/TP
Erection of Agricultural Shed**

I write on behalf of Patersons of Greenoakhill Ltd to comment on the above application which we have just become aware of.

We wish to draw the Council's attention to the fact that water discharged from Floak Quarry flows underground from the most northerly settlement pond to a manhole adjacent to the A77, from where it flows under the public road to emerge as a field drain running eastwards to the Earn Water (please see attached aerial photograph). The discharge from the quarry is regulated by SEPA to ensure compliance with the terms of CAR licence, ref: CAR/L/1004224.

Perusal of the plans submitted with the above planning application shows that some of the proposed development at the northern end of the application area – the detention pond and swale – may be on or adjacent to the field that discharges water from the quarry.

If it is the intention of the Council to approve the above planning application, Patersons would want an assurance that the proposed development would not compromise the discharge of water from the quarry.

I trust the foregoing and attachment are of assistance.

Yours faithfully,



Kemp Lindsey
Estates Director

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--- → --- DISCHARGE (UNDERGROUND) 123 DISCHARGE (FIELD DRAIN)



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ACK 12/10/17
(JD)

125

High Netherfield Dyke
Strathaven
ML10 6TB

Date: 3rd October 2017

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

Dear Mr Drugan

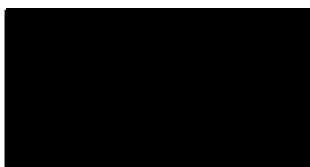
Your ref: 2017/0584/TP - Proposal: Erection of agricultural shed
Address: Site 280m NNW of Floak Bridge, Highfield Road, Eastwood, East Renfrewshire

I refer to the above mentioned application and wish to object on the following grounds:

- Proposed development is in the Greenbelt.
- Applicant has already had permission refused for the same purpose, with no change in circumstances in subsequent period.
- A77 is a popular cycle route, as is utilising the Highfield Road which connects to the B764 Eaglesham moor road cycle lane, and visibility is already poor at the Highfield Road end, and large contractors vehicles exiting and entering the proposed site will pose a serious risk to road users and in particular cyclists.
- Proposed siting and scale would have a negative impact on the landscape.

I therefore wish to strongly object to this proposal especially on the grounds of road safety, and breach of Greenbelt policy.

Yours sincerely



Forbes Paton

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Ack **127** sent 27/9/17

Highfield Farm
Loganswell
Newton Mearns
Renfrewshire
G77 6SH

Date: 20th September 2017

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

RECEIVED
26 SEP 2017

Dear Mr Drugan

Your ref: 2017/0584/TP

Proposal: Erection of agricultural shed

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

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

The applicant Mr Andrew McCandlish has already had permission refused for the erection of an agricultural shed on this site (2015/0135), and there has been no change in circumstances in the intervening period.

I understand Mr McCandlish operates a contracting business, and I also understand he does not live in the area, and does not appear to operate any farming or agricultural business. The field where the shed is proposed is in Greenbelt and to my local knowledge has not been actively farmed for over 40 years and is classed as poor quality land. For this reason I do not understand how the proposed building could be considered to be for agricultural purposes, and also it's siting and scale would have a negative impact on the landscape.

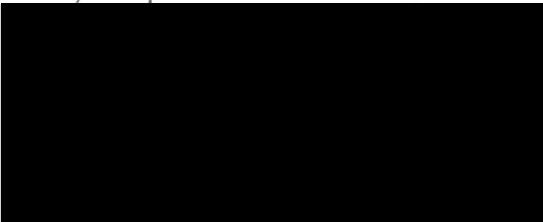
I have a further concern relating to road safety and the visibility splay at the junction of the Highfield Road where it is rising to meet the A77. There is a sharp bend to turn south with vehicles, buses (A77 is a bus route) and HGV's travelling at various speeds, frequently very fast. I also consider that the volume of HGV's using the road to access Floak Quarry, and shortly the new North Drumbooy Quarry, coming from Glasgow and the North is also of concern, particularly with the increasing volume of cyclists, who choose to use the cycle lane on the A77 and the Highfield Road to connect to the B764 Eaglesham moor road cycle lane, with even the photograph on the first page of the 'Supporting Information Report', showing how difficult it is to access Scottish Waters temporary compound.

2.

Also the land falls towards the Earn Burn, and if this development is allowed, I would be a concern that the burn became polluted with diesel and oil from the proposed business.

I therefore wish to strongly object to this proposal on the grounds of road safety, and breach of Greenbelt policy to allow a shed to facilitate a contracting business.

Yours sincerely



Philip C. Smith

72 Newton Grove
Newton Mearns
GLASGOW
G77 5QJ

20 July 2018

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

Dear Mr O'Neil

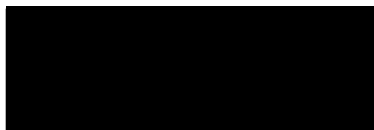
ERECTION OF AGRICULTURAL SHED (REF NO: 2017/0584/TP)
YOUR REF: REVIEW/2018/11

Many thanks for your letter of 17 July 2018 and I note the position with regard to the local review body.

I have nothing substantive to add to the terms of my earlier objections other than I would like the local review body to consider why it is necessary to construct an agricultural shed in a corner of ground near a road junction. In my experience of farms and farming, agricultural buildings are centred around the farmhouse and steadings, rather than a remote location, apart perhaps from hill sheep farmers who sometimes erect modest shelters for the sheep.

My understanding is that this particular agricultural shed is intended for vehicles and I do not understand why the farmer is not constructing his shed adjacent to his existing steading.

Yours sincerely

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

John C Cairns

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O'Neil, Paul [CE]

From: keith Vernon <keith@tlcenvironmental.uk>
Sent: 24 July 2018 08:57
To: O'Neil, Paul [CE]
Cc: [REDACTED]
Subject: RE: Local Review Body - 8 August 2018 - Review 2018/11 - Protect

Good Morning Paul

Thank you for the email and additional observation letter.

I have to say there was never any intention to use the shed for vehicles, nor was this ever indicated. The shed is for over-wintering stock and storage of winter feed.

This further adds to the misrepresentation that has been apparent throughout the planning process that the shed for always for ulterior motives. To reiterate, this is not the case.

Do you required a signed letter to this effect?

Look forward to hearing from you.

Kind Regards

Keith Vernon *MLA DMS DHE CertArb FCIHort FARborA CHort CEnv CMLI*
Director

TLC Environmental Limited

Landscape Architects | Arboriculturists | Planning Consultants
Registered SC549065
OTE Studios
9A Strathaven Road
Lesmahagow
ML11 0DN

T: 01555894631
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www.tlcevironmental.uk



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From: O'Neil, Paul [CE] <paul.o'neil@eastrenfrewshire.gov.uk>
Sent: 23 July 2018 16:20
To: keith Vernon <keith@tlcenvironmental.uk>
Subject: Local Review Body - 8 August 2018 - Review 2018/11 - Protect
Importance: High

Keith,

I refer to our telephone conversation earlier today in connection with your client's review case.

I now attach, for your attention, a copy of my letter of today's date enclosing a further letter of representation from Mr John C Cairns in relation to the case.

Paul O'Neil
Committee Services Officer
Department of Corporate and Community Services

Tel No. 0141 577 3011
Fax No. 0141 577 3129

e-mail:- paul.o'neil@eastrenfrewshire.gov.uk

East Renfrewshire Council: Your Council, Your Future

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Highfield Farm
Loganswell
Newton Mearns
Renfrewshire
G77 6SH

Date: 30th July 2018

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

Dear Mr O'Neil

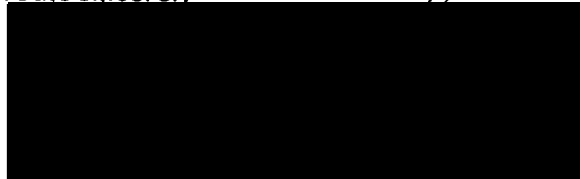
Ref No: REVIEW/2018/11

**Location: Site 280 meters NNW of Floak Bridge, Highfield Road, Eastwood,
East Renfrewshire**

Proposal: Erection of agricultural shed

I refer to my representation dated 20th September 2017 and your subsequent review letters dated 17th and 26th July 2018 in relation to the applicant submitting a 'Notice of Review' and advise I am concerned if the proposal was to be granted that the Earn Burn, which the land falls toward will be subject to pollution, and also the number of cyclists using the resurfaced Highfield Road has increased considerably.

Yours sincerely

A large black rectangular redaction box covering the signature area.

Philip C. Smith

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O'Neil, Paul [CE]

From: keith Vernon <keith@tlcenvironmental.uk>
Sent: 31 July 2018 11:10
To: O'Neil, Paul [CE]; [REDACTED]
Cc: Shankland, Graham
Subject: RE: Local Review Body - 8 August 2018 - Review 2018/11

In response to the attached letter.

Measures would be in place through SUDs to ensure that no impact would be made to the water course. Three stage treatment would be proposed. This was raised in the initial planning report and the subsequent observations made about the handling report.

This is an unfounded comment.

I am unsure what the issue is with the cyclists?

Kind Regards

Keith Vernon *MLA DMS DHE CertArb FCIHort FARborA CHort CEnv CMLI*
Director

TLC Environmental Limited

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Registered SC549065
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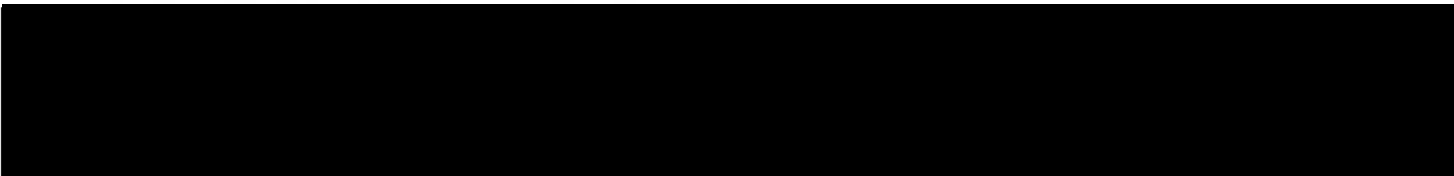
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REPORT OF HANDLING

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REPORT OF HANDLING

Reference: 2017/0584/TP

Date Registered: 8th September 2017

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
Tepletonburn Lodge
Crookedhold
Kilmarnock
KA3 6HP

Agent:
TLC Environmental
Keith Vernon
Old Telephone Exchange
9A Strathaven Road
Lesmahagow
M11 0DN

Proposal: Erection of agricultural shed
Location: Site 280km NNW Of Floak Bridge
Highfield Road
Eastwood
East Renfrewshire

CONSULTATIONS/COMMENTS:

Roads Network Manager Refuse

Transport Scotland Trunk Roads Network Management No objection

PUBLICITY:

22.09.2017 Glasgow and Southside Extra Expiry date 06.10.2017

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

REPRESENTATIONS: 4 representations have been received, which can be summarised as follows: Siting, scale, road safety, impact on cyclist, construction traffic, questions regarding agricultural use, proposal is for contracting business, impact on Greenbelt, impact on landscape, land is not farmed, impact on landscape, contamination of the Earn Burn from diesel and oil resulting from the commercial use of the farm machinery, impact on water discharge course from adjacent quarry, and previous planning application was refused.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

Planning Statement: A site analysis concludes that the proposed site offers little in terms of landscape value and aesthetic contributions, and that the proposal will offer some visual landscape relief through shaping of mounds and native tree and understory shrub planting. They also state that the proposal will not have an adverse impact on the floodplain or adjacent water course, and that it will bring economic benefits through potential employment and sustained agricultural practices servicing the applicant's adjacent stock fields. It includes an assessment against the Local Development Plan and objections to the previous application, and concludes that the proposal is in keeping with the character of the area and complies with the Local Development Plan.

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. It sits in a position remote from other buildings. The applicant's land holding at this location amounts to some 16 acres. The site as identified by the planning application is some 2.7 acres. 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 Council's Local Development Plan (LDP). The LDP further describes the area as "Plateau moorland - a sense of apparent naturalness and remoteness".

The current proposal is for the erection of a shed measuring approx. 30m long by 12m wide. The shed will have an eaves height of 4.4m, a shallow dual pitched roof rising to a ridge height of 5.4m. The applicant has indicated that a temporary hardstanding area installed by Scottish Water for purposes related to the installation of a new water main would remain in situ accounting for some 1.5 acres of the site. The proposal also involves creating a swale and detention pond, Oil interceptor, landscaping bund (adjacent to the A77 road), and an access located to the southernmost part of the site off Highfield Road. The proposed access utilises and widens the access currently used by Scottish Water. No detail information has been submitted regarding the swale and detention pond, oil interceptor or landscaping proposals.

It should be noted that the applicant has only applied for an agricultural shed. They have not applied for the formation of a hardstanding and associated works. Although the application shows the extent of the hardstanding area, no details have been submitted in this regard. As indicated above, the hardstanding currently in situ is under the proviso of the Permitted Development rights that Scottish Water enjoy 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 has stated that they will reinstate the land.

This proposal is the latest of several of a similar nature. A prior notification was refused on 18.10.2013 (2013/0459/PN) for an agricultural shed on the same site. It was deemed 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 refused (14th 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, 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, contrary to the Council's Local Plan policies. Furthermore, it did not meet the Council's access requirements by reason of large vehicles manoeuvring in and out of a sub-standard access to the detriment of public road safety. The previously proposed shed measured 46.5m long by 12m wide with an eaves height of 6.1m and ridge of 6.8m height.

This latest application is required to be assessed against the Council's Local Development Plan, in particular Strategic Policy 2, and Policies D1 and D3 which seek to protect the Green Belt and Countryside Around Towns from inappropriate development. Where the principle of the proposal is acceptable, it must be sympathetic in scale and design to the rural location and landscape. Furthermore, it should not impact adversely on landscape character or the green network or involve 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 should be the primary consideration. Scottish Government Planning Policy is also relevant and seeks to protect Greenbelt location from inappropriate development.

The abovementioned planning statement and additional information submitted with the application state that the erection of the shed is for the sole purpose of Agricultural and farming activities. They also state that the current proposal has reduced the size and height of the shed from the previous refused application. The applicant has indicated that the shed will be used for crop storage, shelter for livestock and storage of machinery. The agricultural machinery, described as "tractor, Steiger tractor, ploughing equipment, harvesting and bailing equipment" are proposed to be used on site as well as on other farms/sites over the season. This machinery can be away from three to five weeks depending on each job. This information confirms that one machine has been on a job, outwith the site, for two and a half years. No details/information have been submitted indicating how the shed will be split between the proposed hire functions or why such an extensive external hardstanding area is required.

Information submitted also indicates that the applicant has 4 cattle, and 61 sheep in total which are farmed on four other farms located mainly in Ayrshire. No animals are farmed currently on the application site as it is being used by Scottish Water as a compound since 2016 in relation to the new water main serving Ayrshire. They also indicate that the land had been farmed for over 40 years and more intensively since the applicant took over, with animals grazing every year in some of the summer months, and topping and harrowing of the ground also taking place. They state that the farm is too small to be a viable agricultural business on its own but when combined with their other agricultural works, the business is viable. It is noted that 'other agricultural works' are not explained.

The applicant was requested to submit details regarding tenancy, length of tenancy/lease, Hectares of rented land and to submit the IACs (Integrated Administration and Control System) registration numbers for the farms in question. In response, they stated that there were no leases, and that grazing areas (hectares) was at the discretion of each farmer. They also state that the farmers did not want to divulge the IACs. This raises concerns regarding the validity and viability of the applicant's claim that they undertake farming, especially when coupled with the limited size of the land associated with the application site. At the time of the site visit for the current application there was no livestock on site, which the applicant has stated is due to the works being undertaken by Scottish Water. However it should also be noted that at the time of the previous application and Prior Notification, there was no livestock seen on site during site visits.

The site is identified as moorland grass in East Renfrewshire Council Landscape Character Assessment, which is considered of limited agricultural use. The poor quality of the land at the application site suggests that it would be difficult to sustain the level of grazing or to grow winter feed suggested in the supporting statement. The land would at most appear capable of providing a low level of seasonal grazing. It does not appear suitable for more intensive agricultural use that would necessitate the scale of the building applied for.

Furthermore, the size, type and number of machinery/equipment proposed to be stored within the shed, is considered disproportionate for an agricultural holding of this small scale or nature. It is considered that the information submitted demonstrates that the machinery is primarily utilised elsewhere, and not on the holding indicated at the site. The failure by the applicant to demonstrate that the scale and nature of the shed is requisite to the purposes of agriculture on the site, raise concerns that its purpose is more related to a machinery contracting business.

This point is further reinforced by the fact that, as outlined above the machinery is substantially used outwith the site in some cases for prolonged periods. There is no indication as to where the agricultural machinery is stored when not on hire although it is noted that the applicant's address is given as a lodge house outside Kilmarnock. Information also submitted states that the applicant employs 4 staff who act as stockmen, machine operators and farm hands. However given the number of animals (which are currently not on the land associated with this application), it is considered the number of employees would far exceed what was required for farm land of this nature and size.

To summarise the above it is therefore considered, based on the information submitted that the applicant undertakes a commercial/agricultural machinery hire operation. Accordingly it is considered that the proposed shed and hard standing is not for agricultural purposes relating to the land identified at the site. The applicant could not supply the requested information regarding their other farming operations or provide confirmation of the extent of their interests in other farmland. Consequently, it is considered that there is no evidence that the applicant undertakes a viable agricultural business on the site that would justify the need for the proposal at this location, contrary to the East Renfrewshire Council Local Development Plan Policy D3.

As indicated above, it is considered that the proposal relates more to a machinery contracting business. Limited information has been submitted in this regard; however Roads Services calculate that the proposal could result in a maximum of 22 vehicle movements in a day. The applicant 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. However the applicant has not demonstrated that they can achieve a visibility splay of 9.0m x 215m x 1.05m in both directions for vehicular traffic at the site access to Highfield Road. No information has been submitted justifying a relaxation in the required visibility splay. Accordingly the proposal fails to meet the access requirements of the Council and therefore contrary to the requirements of the Local Development Plan Policy D1.

The applicant has stated that the proposed shed will support the local economy as well as potential employment opportunities. However, no information has been submitted demonstrating this, nor has it been demonstrated that the site is a viable or capable of being a viable agricultural unit, which would provide employment or economic benefits as stipulated by Strategic Policy 2 of Local Development Plan.

The absence of any specific detail on the level of use of the shed makes it difficult to assess the level of any increased contamination of the watercourse. Any contamination of the watercourse could be the subject of investigation by SEPA. In terms of light pollution, the applicant has not submitted detail information however state that the lighting will form part of the proposal for security and for functional purposes. Given the location of the site, extent of hardstanding and potential use of the shed and hardstanding, it is considered that the proposal will result in significant light pollution and adversely impact on the rural amenity of the area, contrary to the Local Development Plan Policy D1.

The applicant has stated that they propose to use the site compound hardstanding material put in place by Scottish Water. It is noted the extent of hardstanding is excessive for the size of the

related farmland. No information has been provided regarding the make-up material of the hard standing surface and whether it complies with the policy requirement ensuring that impermeable surfaces are kept to a minimum to assist with flood risk management. It is noted that the application indicates that a swale is proposed to the south, north and east boundaries of the site, however again no details have been submitted to allow a full assessment. Therefore, the proposal is contrary to the Local Development Plan Policy D1.

The proposed shed would sit in an exposed position immediately to the side of the A77 and within close proximity to the M77. While it is of a design and scale typical of agricultural buildings it would be an incongruous addition and be out of place in this setting given the general remoteness and moorland setting.

The siting, nature and size of the building and extent of hardstanding, which accounts for approximately 19 percent of the applicant's farm land in the area, would in this context suggest that the intent is to provide a base for a wider use of commercial/agricultural machinery rather than one largely serving the remaining farmland, some 13 acres. Given the above it is considered that the application is contrary to Policy D1 of the Local Development Plan as it would, due to its design, siting and scale, adversely impact on the existing landscape and rural character of the area.

The applicant states that the proposal complies with the sequential approach to site selection as it is currently a yard complex, raised off the flood plain, ideal to house livestock and animal food, and available in line with sequential approach. They also state that visual impacts to urban environments and nuisance were considered, and that proposed site is within the radius of the applicant's other rented farmed areas. However as indicated previously, the current area of hardstanding is temporary and the other farmers are outwith East Renfrewshire Council area. No information has been presented that demonstrates that the proposed storage of commercial machinery cannot be located in an urban area and therefore it is considered that a sequential approach has not been fully adopted by the applicant and consequently there is no justification for the proposal in terms of Policy D1 and D3 of the Local Development Plan.

In terms of the issues raised by representations regarding siting, scale, impact on Greenbelt, impact on landscape, road safety, questions regarding agricultural use, proposal is for commercial contracting business, land is not farmed, contamination of the Earn Burn from diesel and oil resulting from the commercial use of the farm machinery, have all been addressed above. The issue regarding construction traffic is not considered material given the scale of the proposal. Impact on water discharge course from adjacent quarry is considered a private legal matter. The fact that the previous planning application was refused is not a material consideration as each application is assessed on its own merit.

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 shed. Furthermore, given its location and size, the proposed shed would be visually prominent and adversely impact on the existing landscape and rural character of the area. Therefore taking into account the Development Plan and other material considerations, including representations and consultations, it is recommended that the application be refused.

RECOMMENDATION: Refuse

PLANNING OBLIGATIONS: None.

REASON(S)

Reason: 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.

Reason: 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.

Reason: 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.

Reason: 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.

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.: 2017/0584/TP
(JODR)

DATE: 29th January 2018

DIRECTOR OF ENVIRONMENT

Reference: 2017/0584/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.

Strategic Policy 2

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 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;
2. Provision of a mix of house types, sizes and tenures to meet housing needs and accord with the Council's Local Housing Strategy and the Glasgow and Clyde Valley Strategic Housing Need and Demand Assessment;
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;
5. The impact on existing and planned infrastructure;
6. The impact upon existing community, leisure and educational facilities;
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, including the green belt and green network taking into account the need for an Environmental Impact Assessment and the requirement for proposals to provide a defensible green belt boundary and links to the green network;
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;
10. The potential for remedial or compensatory environmental measures including temporary greening;
11. The contribution to energy reduction and sustainable development.
12. The impact on health and well being;
13. The cumulative impact of the development;
14. The impact of proposals on other proposals or designations (including the Town and Neighbourhood Centres in Schedule 14) set out in the Local Development Plan;
15. The suitability of proposals when assessed against any relevant Adopted Supplementary Planning Guidance.

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 04/04/2018.AC.

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**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. **2017/0584/TP**

Applicant:

Mr Andrew McCandlish
Tepletonburn Lodge
Crookedholm
Kilmarnock
KA3 6HP

Agent:

TLC Environmental
Keith Vernon
Old Telephone Exchange
9A Strathaven Road
Lesmahagow
M11 0DN

With reference to your application which was registered on 8th September 2017 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of agricultural shed

at: Site 280km NNW Of Floak Bridge Highfield Road Eastwood 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 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.

Dated 28th March 2018



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	01		
Plans Proposed	02	B	
Elevations	03	A	
Plans Proposed	04		
Plans Proposed	05		

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. Alternatively, you can download a Notice of Review form (along with notes for guidance) from www.eastrenfrewshire.gov.uk/planning-appeals-reviews which should be returned to The Planning Service, 2 Spiersbridge Way, Spiersbridge Business Park, Thornliebank, East Renfrewshire G46 8NA. You may also call the Council on 0141 577 3001 to request the Notice of Review Form. 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 100094504-001

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:	<input type="text" value="TLC Environmental Limited"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Keith"/>	Building Name:	<input type="text" value="OTE Studios"/>
Last Name: *	<input type="text" value="Vernon"/>	Building Number:	<input type="text" value="9a"/>
Telephone Number: *	<input type="text" value="07525134913"/>	Address 1 (Street): *	<input type="text" value="strathaven road"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="lesmahagow"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
		Postcode: *	<input type="text" value="ml11 0dn"/>
Email Address: *	<input type="text" value="keith@tlicenvironmental.uk"/>		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="templetonburn lodge"/>
First Name: *	<input type="text" value="Andrew"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="McCandlish"/>	Address 1 (Street): *	<input type="text" value="Crookedholm"/>
Company/Organisation	<input type="text" value="Andrew McCandlish"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="07831566646"/>	Town/City: *	<input type="text" value="Kilmarnock"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KA3 6HP"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="andrewsmccandlish@icloud.com"/>		

Site Address Details

Planning Authority:

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing	<input type="text" value="650609"/>	Easting	<input type="text" value="250278"/>
----------	-------------------------------------	---------	-------------------------------------

Description of Proposal

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

Erection of an agricultural shed at site 280km NNW of Highfield Road Eastwood East Renfrewshire

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 supporting 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)

LRB Planning report

Application Details

Please provide details of the application and decision.

What is the application reference number? *

2017/0584/TP

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

08/09/2017

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

17/04/2018

Review Procedure

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

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

Yes No

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

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

Yes No

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

Yes No

Checklist – Application for Notice of Review

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

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

Yes No

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

Yes No

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

Yes No N/A

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

Yes No

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

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

Yes No

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

Declare – Notice of Review

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

Declaration Name: Mr Keith Vernon

Declaration Date: 25/06/2018

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LRB PLANNING REPORT

Local Review Body – Site 280m NNW of Highfield Road Eastwood East Renfrewshire

For

Mr Andrew McCandlish Templetonburn Lodge Crookedholm Kilmarnock KA3 6HP



Prepared by



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Issue 02. FINAL
25 JUNE 2018



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Document Control Sheet

Project Title: SITE 280km NNW OF FLOAK BRIDGE HIGHFIELD ROAD
 EASTWOOD EAST RENFREWSHIRE

Scheme No. 060

Report Title: LOCAL REVIEW BODY REPORT

Revision: 0.2

Status: FINAL

Record of Issue

Issue	Status	Author	Date	Check	Date	Authorised	Date
0.1	DRAFT	Keith Vernon	13.06.18	Andrew McCandlish	13.06.18	Andrew McCandlish	13.06.18
0.2	FINAL	Keith Vernon	25.06.18	Andrew McCandlish	25.06.18	Andrew McCandlish	25.06.18

Issue Details

Issue	Details	Date
0.2	Amendments made following discussion and proofing.	25.06.18

Distribution

Organisation	Contact	Copies
Applicant	Andrew McCandlish	1 electronic
East Renfrewshire Council	LRB	1 electronic

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SITE 280km NNW of FLOAK BRIDGE HIGHFIELD ROAD EAST RENFREWSHIRE

LRB Planning Report

The author: The author is a Chartered Landscape Architect and Chartered Environmentalist who has been developing and managing ISO14001:2004 Management Systems for the past 10 years. He has extensive experience of working with and alongside local authority Planning Development Departments, preparing a range of landscape schemes, often on constructed on contaminated greenfield sites. Work of this nature requires a working knowledge of relevant Waste and Environmental legislation and geotechnical investigation requirements in order to make informed decisions regarding waste management of offsite materials and remediation. In addition, the author is also involved in developing Landscape Management schemes, BS5837:2012 Tree Surveys and OHSAS 18001:2007 Occupational Health and Safety Management Systems.

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1 Introduction

1.1 This report has been commissioned by Mr Andrew McCandlish, Templetonburn Lodge, Crookedholm, Kilmarnock, KA3 8HP in support of an application to appeal the refusal decision 2017/0584/TP 14 May 2018, for the Erection of an Agricultural shed at site 280km NNW of Floak Brige Highfield Road Eastwood East Renfrewshire (Appendix A).

1.2 We request that under Notice of Review 9 (1)¹ in accordance with section 43A(8)² that this report be submitted to raise salient evidence and arguments in support under 9 (3)(d)³ in respect of the above refusal and contents of the handling report⁴ (3.6).

1.3 This report will be evidence based and shall in turn make reference to the contents of the Decision Notice 2017/0584/TP, with references made to the previous refusal 2015/0135/TP (Appendix B), to add context to our arguments.

1.4 The site location identified in the decision notice, referes to a location 10km NNW of Lochinver, Sutherland in the Scottish Highland. This is most likely a typo, however, it makes the actual decision notice unreliable, and that objections raised do not refer to the actual application Ref 100063752⁵.

1.5 The actual application site (Figure 1) lies within the East Refrewshire Green Belt Landscape Character Assessment describes the area where the proposed development site lies as a landscape type that occurs in one location within East Renfrewshire, to the south of Newton Mearns following the route of the Earn Water flowing from the more elevated upland moorland northeast. Boundaries to this landscape type are less well defined and relate to the visual horizons of the relatively broad river valley.

Key Characteristics

- small valley with gentle slope to north, rising more steeply to the south;
- valley enclosed by smooth rounded undulating hillside rising to around 200m AOD;
- land cover is improved grazing and rough grazing the rough character of which imparts a rugged wild quality and typically upland valley character;
- minor roads on edge of area, and important for recreation;

¹ The Town & Country Planning (Schemes of Delegation & Local Review Procedure)(Scotland) Regulations 2013

² Town & Country Planning (Scotland) Act 1997

³ The Town & Country Planning (Schemes of Delegation & Local Review Procedure)(Scotland) Regulations 2013

⁴<https://ercbuildingstandards.eastrenfrewshire.gov.uk/buildingstandards/applicationDetails.do?activeTab=documents&keyVal=OVFYK0GPIXW00>

⁵ <https://www.eplanning.scot/ePlanningClient/CustomPages/ProposalSummary.aspx>

- site is surrounded by predominantly rural landscape;
- field boundaries comprise some stone walls and some fences with some treelines;
- views within the site are to some extent restricted by the topography, providing some enclosure within the valley landscape, with distant views to the urban area;
- the wooded hill crest to the north provides a boundary between the area and adjacent urban fringe;
- some farms and also residential houses particularly adjacent to western edge of landscape character area;
- rich area of marsh stretching along the Earn Water (Brown et al 1991).

The assessment describes the area as:

Landscape Sensitivity Medium Strength of Typical Character Medium to High - gently sloping upland valley

Condition/Intactness Low to Medium – there is some degradation of the field boundaries and tree lines in the landscape.

Aesthetic character Medium –open upland landscape, although distant views restricted by the landscape.

Visual Sensitivity Low General Visibility Low to Medium – there is little screening tree cover within the landscape, and the visibility of the landscape character area is limited by the gently sloping surrounding landform.

Population Low – there are a small number of farms and residential properties in the valley

Mitigation Potential Low to medium – the field boundaries and tree lines could be restored, but this is a largely upland valley landscape character, which development could intrude upon.

Landscape Value against Green Belt Objectives - Weak to Moderate

Robustness of Boundaries n/a Contribution to Settlement Setting Weak – landscape character set at low elevation along river valley

Provision of Containment Weak - landscape character set at low elevation along river valley
 Clarity of Separation Weak to Moderate – provision of broad valley to constrain development south

Contribution to Green Corridors Moderate to Strong – contribution to undeveloped corridor running north past Newton Mearns.

In terms of landscape value and aesthetic contribution the proposed development site offers little as described above. Albeit small in comparison to the overall area, the proposed development will offer some visual landscape relief through shaping of mounds and native tree and understory shrub planting.

With the close proximity of the Earn Water, The Water Environment (Controlled Activities) (Scotland) Regulations 2005 require all surface water from new development to be treated by a sustainable drainage system (SUDS) before it is discharged into the water environment. There may be a requirement to install a Sustainable Urban Drainage System (SUDs). The aim of SUDS is to mimic natural drainage, encourage infiltration and attenuate both hydraulic and pollutant impacts to minimal adverse impacts on people and the environment. The application made reference to the need to investigate such requirements



Figure 1

3 Limitations

2.1 Inaccurate information relating to the application address on application and decision notice 2017/05584/TPThe site location identified in the decision notice, refers to a location 10km NNW of Lochinver, Sutherland in the Scottish Highland. This makes the actual decision notice unreliable, and that objections raised do not refer to the actual application Ref 100063752⁶.

⁶ <https://www.eplanning.scot/ePlanningClient/CustomPages/ProposalSummary.aspx>

4 Scope of Report

3.1 The scope of this report will assess the validity of reasons 1 to 4, drawing attention to the PAC process following the application date, where correspondence took place with:

Ralph Howden Planning Officer. The dates of the correspondence with Mr Howen are 01.08.16, 04.01.17, 07.02.17(Report sent)(Appendix C), 06.05.17 (Report sent)(Appendix D)

John Dugan Senior Planning Officer. The dates of the correspondence with Mr Dugan are; 10.11.17 (two months after the initial application), 21.11.17 (Report sent)(Appendix E), 19.12.17, 10.01.18 (Report sent)(Appendix F), 13.02.18, 13.02.18 (Report sent (Appendix G).

At every stage of the pre application process and post application process, we made every attempt to provide the information requested, and duly submitted accurate information, none of which appeared to pertain to the following decision reasons. These reasons are almost a 'copy and paste' from the refusal made in decision notice 2015/0135/TP. The main question is: How can a decision be reached on a much improved and application based on the refusal reasons of a previous application against the new application following a comprehensive PAC process and post planning discussion?

The following appeal argument is framed around our initial thoughts on the refusal reasons, with a more detailed assessment of the Handling report. Our comments are in blue text.

3.2 Reason 1 - 2017/0584/TP

The proposal is contrary to Policy 03 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.

We were aware throughout the PAC process and post application to answer all the related agricultural questions, and we were clear to emphasise that this was a purely agricultural operation and was in no way connected to any other of my clients business interests. What is a scale requisite for an agricultural practice? We believe the application complies with Policy 03 of the Local Development Plan.

3.3 Reason 2 - 2017/0584/TP

The proposal is contrary to Policy D 1 and 03 of the Local Development Plan as its siting and scale will impact adversely on the rural landscape character of the area.

The rural landscape has been demonstrated to be low value. We were advised to reduce the size of the shed from the previous application, with some comfort from the planners that the shed size was no longer a problem. A fact borne out in the communications with the

planners. We believe the application complies with Policy D1 and 03 of the Local Development Plan.

3.4 Reason 3 - 2017/0584/TP

The proposal is contrary to Policy D 1 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.

We followed instructions from the planning process to incorporate the appropriate visibility splay distances and the proposed site entrance was beyond what the DMRB guidelines and East Renfrewshire councils Road Department parameters.

The current site use, technically a brownfield site and has been for more than three years been a site compound for Scottish water, there has been no major complaints and no complaints about traffic entering and leaving the site and the level of traffic is far higher than I would be as a site for an agricultural shed. We believe the application complies with Policy D of the Local Development Plan.

3.5 Reason 4 - 2017/0584/TP

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.

My client did not own any other sites at the time of the application in the area, so therefore it would not be possible to investigate alternative locations. We believe the application has been unfairly prejudiced by applying Polict Strat 2.

3.6 Handling report

3.6.1 Representations

4 representations have been received, which can be summarised as follows: Siting, scale, road safety, impact on cyclist, construction traffic, questions regarding agricultural use, proposal is for contracting business, impact on Greenbelt, impact on landscape, land is not farmed, impact on landscape, contamination of the Earn Burn from diesel and oil resulting from the commercial use of the farm machinery, impact on water discharge course from adjacent quarry, and previous planning application was refused.

The Landscape Character assessment of this area describes it as low value, and any impact would be minimal, and landscape mitigation was included to address this concern, along with the treatment of potential contamination using swales and oil interceptors. We are concerned that reference has been made to the Quarry, which bares no relevance to the application. The previous planning application was refused on the basis of very little information or issues reporting being submitted. We had endeavoured to included extensive supporting information in favour of a positive planning outcome.

3.6.2 Supporting reports

Planning Statement: A site analysis concludes that the proposed site offers little in terms of landscape value and aesthetic contributions, and that the proposal will offer some visual landscape relief through shaping of mounds and native tree and understory shrub planting. They also state that the proposal will not have an adverse impact on the floodplain or adjacent water course, and that it will bring economic benefits through potential employment and sustained agricultural practices servicing the applicant's adjacent stock fields. It includes an assessment against the Local Development Plan and objections to the previous application, and concludes that the proposal is in keeping with the character of the area and complies with the Local Development Plan.

The supporting information report was considered and provided much more information than the previous application. The report drew on both landscape and environmental management strategies to ensure the proposal was responsible in terms of protecting, landscape water quality, habitat and increasing the landscape value with the introduction of species variety that would increase biodiversity. We find it hard to believe that these elements were not received more favourably.

3.6.3.1 Assessments

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. It sits in a position remote from other buildings. The applicant's land holding at this location amounts to some 16 acres. The site as identified by the planning application is some 2.7 acres. 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 Council's Local Development Plan (LDP). The LDP further describes the area as "Plateau moorland - a sense of apparent naturalness and remoteness".

The supporting information report describes the actual landscape characterisation in greater detail, and concludes the area as low value. We believe the proposals would have enhanced an otherwise remote and desolate area and made a positive contribution to road safety.⁷

The current proposal is for the erection of a shed measuring approx. 30m long by 12m wide. The shed will have an eaves height of 4.4m, a shallow dual pitched roof rising to a ridge height of 5.4m. The applicant has indicated that a temporary hardstanding area installed by Scottish Water for purposes related to the installation of a new water main would remain in situ accounting for some 1.5 acres of the site. The proposal also involves creating a swale and detention pond, Oil interceptor, landscaping bund (adjacent to the A77 road), and an access located to the southernmost part of the site off Highfield Road. The proposed access utilises and widens the access currently used by Scottish Water. No detail

⁷ DMRB Volume 10 HA 57/92 New roads integration with rural landscape. 1992.

information has been submitted regarding the swale and detention pond, oil interceptor or landscaping proposals.

The details required would have been conditional as part of a successful decision. During the post planning process, we were not asked for any other additional information. We were clear regarding the potential objection and negative reactions, and what was required in terms of drainage and water management in order to ensure a positive and responsible scheme was delivered.

It should be noted that the applicant has only applied for an agricultural shed. They have not applied for the formation of a hardstanding and associated works. Although the application shows the extent of the hardstanding area, no details have been submitted in this regard. As indicated above, the hardstanding currently in situ is under the proviso of the Permitted Development rights that Scottish Water enjoy 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 has stated that they will reinstate the land.

We made application under the provision of sustainability. Why would you replace a perfectly suitable hardstanding to replace with another. The costs of fuel, roadmiles, waste removal and increased CO2 emissions renders this argument at odds with all of East Renfrewshires Council sustainability policy⁸ and sustainability action plan⁹. During the PAC and post application process this was not brought up as an issue. If it had been so additional information and drawings would have been provided.

This proposal is the latest of several of a similar nature. A prior notification was refused on 18.10.2013 (2013/0459/PN) for an agricultural shed on the same site. It was deemed 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.

The application in question was specifically for agricultural use and we thought this was made clear in the application and throughout the PAC and post planning processes. We believe a degree of suspicion against my client has been a motive in the application and has been applied without any foundation, as well as what appears judgement rulled against the applicant rather than the application. This appears to suggest that the decision was not based on the contents of the application alone.

A planning application (2015/0135/TP) was refused (14th 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, 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, contrary to the Council's Local Plan policies. Furthermore, it did not meet the Council's access requirements by

⁸ <http://www.eastrenfrewshire.gov.uk/CHttpHandler.ashx?id=13941&p=0>

⁹ <http://www.eastrenfrewshire.gov.uk/CHttpHandler.ashx?id=13942&p=0>

reason of large vehicles manoeuvring in and an out of a sub-standard access to the detriment of public road safety. The previously proposed shed measured 46.5m long by 12m wide with an eaves height of 6.1m and ridge of 6.8m height.

All of the above objections were factored into the application. The removal of all of the above objections should of in our minds facilitated a positive outcome. We had provided additional information on access and visibility splays to what we though were to a satisfactory levels applying DMRB¹⁰

This latest application is required to be assessed against the Council's Local Development Plan, in particular Strategic Policy 2, and Policies D1 and D3 which seek to protect the Green Belt and Countryside Around Towns from inappropriate development. Where the principle of the proposal is acceptable, it must be sympathetic in scale and design to the rural location and landscape. Furthermore, it should not impact adversely on landscape character or the green network or involve 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 should be the primary consideration. Scottish Government Planning Policy is also relevant and seeks to protect Greenbelt location from inappropriate development.

We included information in the submission on the need to manage water on site both in terms of quality and impact. Measures were described at a level that should have been acceptable at the planning stage of the proposal. On delivery of a successful outcome and the appropriate conditioning, the required detailed information would have been proposed.

The above mentioned planning statement and additional information submitted with the application state that the erection of the shed is for the sole purpose of Agricultural and farming activities. They also state that the current proposal has reduced the size and height of the shed from the previous refused application. The applicant has indicated that the shed will be used for crop storage, shelter for livestock and storage of machinery. The agricultural machinery, described as "tractor, Steiger tractor, ploughing equipment, harvesting and bailing equipment" are proposed to be used on site as well as on other farms/sites over the season. This machinery can be away from three to five weeks depending on each job. This information confirms that one machine has been on a job, outwith the site, for two and a half years. No details/information have been submitted indicating how the shed will be split between the proposed hire functions or why such an extensive external hardstanding area is required.

¹⁰ DMRB Volume 6 Section 2 Geometric design of major/ minor priority junctions. 1995

Every business needs a flexible approach. Drawing 060(P)100_03A shows a flexible internal layout. No request was made to show the various external options, nor any information of hires etc. My client is trying to run a competitive business, yet he has been called into question regarding what appears to be business ethics? This application again had been examined under alteria motives. The extent of the hard standing was never challenged or any representation made regarding what would be considered a adequate size. This could have been raised and discussed and any doubts and fears resolved.

Information submitted also indicates that the applicant has 4 cattle, and 61 sheep in total which are farmed on four other farms located mainly in Ayrshire. No animals are farmed currently on the application site as it is being used by Scottish Water as a compound since 2016 in relation to the new water main serving Ayrshire. They also indicate that the land had been farmed for over 40 years and more intensively since the applicant took over, with animals grazing every year in some of the summer months, and topping and harrowing of the ground also taking place. They state that the farm is too small to be a viable agricultural business on its own but when combined with their other agricultural works, the business is viable. It is noted that 'other agricultural works' are not explained.

No indication was received regarding 'other agricultural works' being a material consideration. We did however, indicate the nature of the applicants business and that the application would address the issues experienced with stock being grazed remotely. Yet we fully provided information on the extent of the overall business in order to satisfy the needs of the planner in making his decision.

The applicant was requested to submit details regarding tenancy, length of tenancy/lease, Hectares of rented land and to submit the IACs (Integrated Administration and Control System) registration numbers for the farms in question. In response, they stated that there were no leases, and that grazing areas (hectares) was at the discretion of each farmer. They also state that the farmers did not want to divulge the IACs. This raises concerns regarding the validity and viability of the applicant's claim that they undertake farming, especially when coupled with the limited size of the land associated with the application site. At the time of the site visit for the current application there was no livestock on site, which the applicant has stated is due to the works being undertaken by Scottish Water. However it should also be noted that at the time of the previous application and Prior Notification, there was no livestock seen on site during site visits.

There are Data Protection/ GDPR issues regarding disclosure of the IAC numbers, for it to be suggested there is some subterfuge behind not releasing them is outrageous, and should in any way affect this application. This raises the possiblity of the applicant being considered rather than the application.

The site is identified as moorland grass in East Renfrewshire Council Landscape Character Assessment, which is considered of limited agricultural use. The poor quality of the land at the application site suggests that it would be difficult to sustain the level of grazing or to grow winter feed suggested in the supporting statement. The land would at most appear capable of providing a low level of seasonal grazing. It does not appear suitable for more intensive agricultural use that would necessitate the scale of the building applied for.

This is purely subjective and does not merit featuring in this handling report. In Agricultural terms land improvement provision can be implemented to increase yield and productivity. The process did not at any time predicate against the size of the development in the application and we were guided by observations and comments made during the PAC and post planning process. We therefore reject the comments made in respect of this paragraph.

Furthermore, the size, type and number of machinery/equipment proposed to be stored within the shed, is considered disproportionate for an agricultural holding of this small scale or nature. It is considered that the information submitted demonstrates that the machinery is primarily utilised elsewhere, and not on the holding indicated at the site. The failure by the applicant to demonstrate that the scale and nature of the shed is requisite to the purposes of agriculture on the site, raise concerns that its purpose is more related to a machinery contracting business.

We are intrigued to see the science and rationale behind what has been consered as 'disproportionate' and does not equate to anything I can see as a planning directective. Regarding the purpose and scale etc, we submitted additional information as requested, which in our minds described the level of the business and the necessity for the shed increasing and improving the agricultural business oportunities.

This point is further reinforced by the fact that, as outlined above the machinery is substantially used outwith the site in some cases for prolonged periods. There is no indication as to where the agricultural machinery is stored when not on hire although it is noted that the applicant's address is given as a lodge house outside Kilmarnock. Information also submitted states that the applicant employs 4 staff who act as stockmen, machine operators and farm hands. However given the number of animals (which are currently not on the land associated with this application), it is considered the number of employees would far in exceed what was required for farm land of this nature and size.

There was no indication that this presented a problem, and again there is a broad scientific assessment made of the economics of my Client business, what has been applied in an ahoc and arbitrary maner.

To summarise the above it is therefore considered, based on the information submitted that the applicant undertakes a commercial/agricultural machinery hire operation. Accordingly it is considered that the proposed shed and hard standing is not for agricultural purposes relating to the land identified at the site. The applicant could not supply the requested information regarding their other farming operations or provide confirmation of the extent of their interests in other farmland. Consequently, it is considered that there is no evidence that the applicant undertakes a viable agricultural business on the site that would justify the need for the proposal at this location, contrary to the East Renfrewshire Council Local Development Plan Policy D3.

The above comment leaves us speachless. This planning application has involved an ill conceived and badly handled foresnic assessment of the applicant rather than the application. The questions posed during the post planning process were never clearly organised and were constantly changing as the planners assessment of what should be being asked changed. This suggests a very subjective and non-empirical methodology that has been applied to and lead to the refusal decision.

As indicated above, it is considered that the proposal relates more to a machinery contracting business. Limited information has been submitted in this regard; however Roads Services calculate that the proposal could result in a maximum of 22 vehicle movements in a day. The applicant 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. However the applicant has not demonstrated that they can achieve a visibility splay of 9.0m x 215m x 1.05m in both directions for vehicular traffic at the site access to Highfield Road. No information has been submitted justifying a relaxation in the required visibility splay. Accordingly the proposal fails to meet the access requirements of the Council and therefore contrary to the requirements of the Local Development Plan Policy D1.

The initial refusal in the previous decision suggested by the Roads department was to ensure the access to the site be 28m back from the A77. How can a visibility splay of 215m be applied? The above statement make no sense or any relevance.

The applicant has stated that the proposed shed will support the local economy as well as potential employment opportunities. However, no information has been submitted demonstrating this, nor has it been demonstrated that the site is a viable or capable of being a viable agricultural unit, which would provide employment or economic benefits as stipulated by Strategic Policy 2 of Local Development Plan.

We provided the information we were asked for, and would conclude this was supported.

The absence of any specific detail on the level of use of the shed makes it difficult to assess the level of any increased contamination of the watercourse. Any contamination of the watercourse could be the subject of investigation by SEPA. In terms of light pollution, the applicant has not submitted detail information however state that the lighting will form part of the proposal for security and for functional purposes. Given the location of the site, extent of hardstanding and potential use of the shed and hardstanding, it is considered that the proposal will result in significant light pollution and adversely impact on the rural amenity of the area, contrary to the Local Development Plan Policy D1.

Measures were described in the application based on worst case scenarios.

The applicant has stated that they propose to use the site compound hardstanding material put in place by Scottish Water. It is noted the extent of hardstanding is excessive for the size of the related farmland. No information has been provided regarding the make-up material of the hard standing surface and whether it complies with the policy requirement ensuring that impermeable surfaces are kept to a minimum to assist with flood risk management. It is noted that the application indicates that a swale is proposed to the south, north and east boundaries of the site, however again no details have been submitted to allow a full assessment. Therefore, the proposal is contrary to the Local Development Plan Policy D1.

This could have been conditioned and no request was made in order to purify this objection.

The proposed shed would sit in an exposed position immediately to the side of the A77 and within close proximity to the M77. While it is of a design and scale typical of agricultural buildings it would be an incongruous addition and be out of place in this setting given the general remoteness and moorland setting.

The length of this stretch of road provides several precedents that make this statement unreliable. This was never a factor in the PAC or post planning process. The focus was always on the applicant and not the application.

The siting, nature and size of the building and extent of hardstanding, which accounts for approximately 19 percent of the applicant's farm land in the area, would in this context suggest that the intent is to provide a base for a wider use of commercial/agricultural machinery rather than one largely serving the remaining farmland, some 13 acres. Given the above it is considered that the application is contrary to Policy D1 of the Local Development Plan as it would, due to its design, siting and scale, adversely impact on the existing landscape and rural character of the area.

This application has been viewed with suspicion and an abnormal amount of internal objections have been applied to this application, notwithstanding the poor low quality landscape value of the area. There were no parameters given to what was acceptable or even appropriate. We complied faithfully with every request made to submit additional information. Nothing was mentioned about size and scale or where this information is indeed available.

The applicant states that the proposal complies with the sequential approach to site selection as it is currently a yard complex, raised off the flood plain, ideal to house livestock and animal food, and available in line with sequential approach. They also state that visual impacts to urban environments and nuisance were considered, and that proposed site is within the radius of the applicant's other rented farmed areas. However as indicated previously, the current area of hardstanding is temporary and the other farmers are outwith East Renfrewshire Council area. No information has been presented that demonstrates that the proposed storage of commercial machinery cannot be located in an urban area and therefore it is considered that a sequential approach has not be fully adopted by the applicant and consequently there is no justification for the proposal in terms of Policy D1 and D3 of the Local Development Plan.

There was never any proposal or is there to store additional commercial machinery. This comment is spurious to the application.

In terms of the issues raised by representations regarding siting, scale, impact on Greenbelt, impact on landscape, road safety, questions regarding agricultural use, proposal is for commercial contracting business, land is not farmed, contamination of the Earn Burn from diesel and oil resulting from the commercial use of the farm machinery, have all been addressed above. The issue regarding construction traffic is not considered material given the scale of the proposal. Impact on water discharge course from adjacent quarry is considered a private legal matter. The fact that the previous planning application was refused is not a material consideration as each application is assessed on its own merit.

We do not understand why the Quarry development is considered as part of the handling report, as it bares no relivance to the application, we do believe that giving the amount of times the previous application has been rasied suggested it was indeen a material consideration.

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 shed. Furthermore, given its location and size, the proposed shed would be visually prominent and adversely impact on the existing landscape and rural character of the area. Therefore taking into account the Development Plan and other material considerations, including representations and consultations, it is recommended that the application be refused.

Again as discribed above. The applicant has been considered above the application. As a landscape and planning professional, I will always strive to prepare an honest and responsible landscape and environmental solution that is based on relevance and fuction. To state that my client didn't have a genuine interest in argiculture is absurd and makes a mockery of the East Renfrewshire Councils planning decision process. We believe on this statement alone the decision is unreliable.

5. Conclusion

We were lead to believe during the PAC process and post planning application discussions we had a reasonable chance of a successful planning outcome, based on resolving all previous negative elements pertaining previous application (Appendix B).

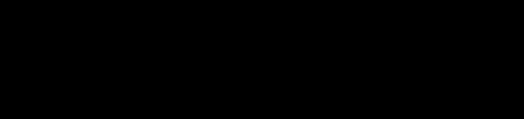
The subsequent application (Apendix B) had addressed all these elements. A responsible scheme was issued, along with what we thought approval to proceed. The reasons for the refusal were a surprise as at no time was any reference made that these elements were even being considered, nor was it apparent that there was a level of suspicion being directed a my client concerning his motives and whether he had a 'genuine farming interest'.

The submitted planning application was more sophisticated and accurate than the previous, yet, in view of the fact of the weight of supporting information. The decision was almost a cut and paste of the previous decision. I would have thought the infromation submitted would have merited more consideration.

The handling report at times I believe was emotive and personal, along with accuratory and discrimative, lacking any positivitivity and concession.

The fact that the planning address was clearly wrong should render the application to be reconsidered along with the contents on this report we submit as the supporting information to accompany the application for appeal. Reference 100094504-001.

Chartered Landscape Architect/ Chartered Environmentalist



Keith Vernon *MLA DMS DHE Cert Arb FCIHort M Arbor A CHort CEnv CMLI*

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Appendix A

Decision Notice 2017/0584/TP

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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. **2017/0584/TP**

Applicant

Mr Andrew McCandlish
Tepletonburn Lodge
Crookedholm
Kilmarnock
KA3 6HP

Agent:

TLC Environmental
Keith Vemon
Old Telephone Exchange
9A Strathaven Road
Lesmahagow
M11 0DN

With reference to your application which was registered on 8th September 2017 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of agricultural shed

at: Site 280km NNW Of Floak Bridge Highfield Road Eastwood 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 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.

Dated 28th March 2018



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	01		
Plans Proposed	02	B	
Elevations	03	A	
Plans Proposed	04		
Plans Proposed	05		

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. Alternatively, you can download a Notice of Review form (along with notes for guidance) from www.eastrenfrewshire.gov.uk/planning-appeals-reviews which should be returned to The Planning Service, 2 Spiersbridge Way, Spiersbridge Business Park, Thornliebank, East Renfrewshire G46 8NA. You may also call the Council on 0141 577 3001 to request the Notice of Review Form. 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**

Appendix B

Decision Notice 2015/0135/TP

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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. **2015/0135/TP**

Applicant

Mr Andrew McCandlish
Templetonburn Lodge
Crookedholm
Kilmarnock
KA3 6HP

Agent:

Cameron Planning
Mr. Steven Cameron
Clifton Cottage
29 East Argyle Street
Helensburgh
G84 7EJ

With reference to your application which was registered on 16th March 2015 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of agricultural shed

at: Site 500M North Of High Field Newton Meams East Renfrewshire G77 6SH

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 Policies E2 and DM3 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 D1 and 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 vehicles manoeuvring in and an 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.

Dated 14th May 2015



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	11/0010/062A		
Plans Proposed	11/0010/064		
Elevations Proposed	11/0010/063		

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 the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or 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 should be addressed to the Principal Committee Services Officer, Council Headquarters, Eastwood Park, Rouken Glen Road, Giffnock G46 6UG. Applicants can also ask for a review if the application has not been determined within the 2 month time period for a decision.

Requests for review must be made on the Notice of Review form which is available to download from the Council's website at www.eastrenfrewshire.gov.uk or alternatively call the Planning general enquiry lines on 0141 577 3895 or 3878 to request one. 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

Appendix C

Correspondence Mr Howden 01.08.17, 04.01.17 & 07.02.17

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From: Howden, Ralph
To: [keith.Vernon](#)
Subject: Local Plan
Date: 01 August 2016 09:15:33

<http://www.eastrenfrewshire.gov.uk/chtthandler.ashx?id=838&p=0>

Thanks

Ralph Howden
Planning Officer
East Renfrewshire Council
Tel: 0141 577 3694

East Renfrewshire: Your Council, Your Future
www.eastrenfrewshire.gov.uk

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Please be advised that East Renfrewshire Council's incoming and outgoing e-mail is subject to regular monitoring
This footnote also confirms that this e-mail message has been swept for the presence of computer viruses.

From: Howden, Ralph
To: keith.Vernon
Subject: RE: 2015/0135
Date: 04 January 2017 13:25:02
Attachments: [image002.png](#)
[image003.png](#)
[image005.png](#)

Keith,

Received

Thanks

Ralph Howden
Planning Officer
East Renfrewshire Council
Tel: 0141 577 3694

East Renfrewshire: Your Council, Your Future
www.eastrenfrewshire.gov.uk

From: keith Vernon [mailto:keith@tlcenvironmental.uk]
Sent: 04 January 2017 13:06
To: Howden, Ralph
Cc: Andrew McCandlish; Planning
Subject: 2015/0135

Hello Ralph

Thank you for the call earlier.

At the time of the previous application, it fell within the transition to the new local development plan. The Policy and guidance names have changed and no longer bare reference in the new plan . Can you confirm what the equivalent new Policies and guidance's are in respect of the decision of 14 May 2015. Namely:

Policy E2 and DM3, DM1 and Policies D1 and D3

Understanding the exact content of the above planning guidance translated into current Policy and Guidance will assist us in our final proposals for the PAC process.

Kind Regards

Keith Vernon *DHE DMS MLA Cert Arb F Arbor A FCIHort CHort CEnv CMLI*

TLC Environmental

Chartered Landscape Architects | Environmentalists | Horticulturists | Arboricultural Consultants

From: Howden, Ralph
To: [keith.Vernon](#)
Cc: ["Andrew.McCandlish"](#)
Subject: RE: 2015/0135
Date: 09 February 2017 17:10:17
Attachments: [image001.png](#)
[image002.png](#)
[image004.png](#)
[image005.png](#)
[image007.png](#)

Keith,

There appear to be no sizes on the drawings however the proposed building would appear of similar if not the same size as the refused shed.

Your submission makes reference to other farm holdings operated by your client however does not detail where they are and their scale and type and scale of agricultural use. It also makes no reference as to why a shed/sheds cannot be sited on these sites.

Your report does not appear to state the nature and scale of the agricultural use proposed for this site.

The drawings do not appear to indicate an internal layout showing those areas which will be devoted to farm animals.

Is the farm machinery to be used as part of a contacting business.

The plans indicate use of the materials used for the site compound. I am advised that the site compound was to be removed in entirety from the site. Is the compound still and if so what plans are on hand to remove it?

I am of the opinion that the introduction of screening along the side of the road will not have sufficient impact on our considerations to suggest that planning permission should now be granted.

Thanks

Ralph Howden
Planning Officer
East Renfrewshire Council
Tel: 0141 577 3694

East Renfrewshire: Your Council, Your Future
www.eastrenfrewshire.gov.uk

From: keith.Vernon [mailto:keith@tlcenvironmental.uk]
Sent: 07 February 2017 08:54
To: Howden, Ralph
Cc: Andrew.McCandlish

1 and 2.

<http://www.eastrenfrewshire.gov.uk/local-development-plan>

An additional consideration would be

Supplementary Planning Guidance –Rural Development Guidance.
<http://www.eastrenfrewshire.gov.uk/CHttpHandler.ashx?id=14081&p=0>

Please note that this advice is given without prejudice and is non-binding. It should not be assumed that every issue that might arise in the consideration of any application has been addressed within this email.

Thanks

Ralph Howden
Planning Officer
East Renfrewshire Council
Tel: 0141 577 3694

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www.eastrenfrewshire.gov.uk

From: keith Vernon [<mailto:keith@tlcenvironmental.uk>]
Sent: 04 January 2017 13:06
To: Howden, Ralph
Cc: Andrew McCandlish; Planning
Subject: 2015/0135

Hello Ralph

Thank you for the call earlier.

At the time of the previous application, it fell within the transition to the new local development plan. The Policy and guidance names have changed and no longer bare reference in the new plan . Can you confirm what the equivalent new Policies and guidance's are in respect of the decision of 14 May 2015. Namely:

Policy E2 and DM3, DM1 and Policies D1 and D3

Understanding the exact content of the above planning guidance translated into current Policy and Guidance will assist us in our final proposals for the PAC process.

PROPOSED ERRECTION OF AGRICULTURAL SHED

FLOAK BRIDGE NEWTON MEARNS

for

ANDREW McCANDLISH



Prepared by



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06 FEBRUARY 2017



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Andrew McCandlish	Andrew McCandlish	1 electronic



ERRECTION OF AGRICULTURAL SHED

Planning Report

TLC Environmental

Chartered Landscape Architects | Environmentalists | Planning Consultants

The author: The author is a Chartered Landscape Architect and Chartered Environmentalist who has been developing and managing ISO14001:2015 Management Systems for the past 10 years. He has extensive experience of working with and alongside local authority Planning Development Departments, preparing a range of large scale landscape projects, often on constructed on contaminated greenfield sites. Work of this nature requires a working knowledge of relevant Waste and Environmental legislation, geotechnical investigation requirements and planning legislation in order to make informed decisions regarding waste management of offsite materials and remediation. In addition, the author is also involved in developing Landscape Management schemes, BS5837:2012 Tree Surveys and OHSAS 18001:2007 Occupational Health and Safety Management Systems.

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1 Executive Summary

This report has been prepared to support a forthcoming planning application for the erection of an Agricultural shed for the sole purpose of Agricultural and farming activities, in accordance with the PAC process.¹

Following the decision notice made in the previous planning² application for this project to refuse permission based largely on a failure to comply with East Renfrewshire Council Planning Policy and the valid comments made by the Authorities Roads Department.

The revised application shall take into account each of the relevant policies pertaining to this application and breakdown each component element to demonstrate compliance of the application.

¹ Scottish Planning Series Circular 4 Development Management Procedure 2009

² 2015/0135/TP 14 May 2015

2 Main Report

2.1 Introduction

The brief of this report is to support the re application of permission to erect an agricultural shed at an area of land as shown in figure 1 (NS 50308 50612³). This report is intended to meet the requirements of East Renfrewshire Councils Local Development Plan⁴ and all applicable supplementary guidance,⁵ namely Policies - D1: Detailed Guidance for all Development; D3 Green Belt and Countryside around Towns; Strategic Policies 1: Development Strategy & 2: Assessment of Development Proposals, along with Supplementary Planning Guidance on Rural Development as advised in a Planning email.⁶



Figure 1. Junction with A77 Floak Bridge

Figure 2 below shows the exact boundary of the site.

2.2 Green Belt

Scottish Planning Policy 21 Green Belts⁷ describes appropriate uses in this planning designation in section 22 and 23, as follows:

22. A strong presumption against inappropriate development in the green belt is an established part of green belt policy. Development plans will define the uses that are appropriate in individual green belts.

³ <http://gridreferencefinder.com/>

⁴ <http://www.eastrenfrewshire.gov.uk/CHttpHandler.ashx?id=14792&p=0>

⁵ <http://www.eastrenfrewshire.gov.uk/SPG>

⁶ Ralph Howden East Renfrewshire Council Planning Department 5 January 2017.

⁷ SPP 21 <http://www.gov.scot/Resource/Doc/112688/0027363.pdf>

These may include:

Agricultural uses, including the re-use of historic agricultural buildings in keeping with their surroundings;

Woodland and forestry, including community woodlands;

Horticulture, including market gardening (but not retailing unconnected with or out-of-scale with this purpose); and

Recreational uses that are compatible with an agricultural or natural setting.

23. New development in the green belt must be of suitable scale and form for the location. Many uses will only be appropriate when the intensity is low and any built elements are ancillary to the main use, small-scale and of high quality design. The reuse of buildings of architectural or historic merit should be viewed positively. Designing Places and the related Planning Advice Note series are particularly relevant. Public transport and access by walking and cycling will be required for uses that will attract a significant number of visitors.

With a strong presumption to avoid developments in Green Belt areas, there are as described above the defined uses which may be permitted. The report builds an argument to support a new application for planning to erect an Agricultural Shed for the purposes of Agricultural use for livestock, food storage and storage of agricultural implements and equipment.

The proposed application will demonstrate the proposal to erect an Agricultural Shed for Agricultural and Farming use is in accordance with the guidance above on development on Green Belt.

3 Site Analysis

3.1 Identity

The East Renfrewshire Green Belt Landscape Character Assessment⁸ describes the area where the proposed development site lies as a landscape type that occurs in one location within East Renfrewshire, to the south of Newton Mearns following the route of the Earn Water flowing from the more elevated upland moorland northeast. Boundaries to this landscape type are less well defined and relate to the visual horizons of the relatively broad river valley.

Key Characteristics

- small valley with gentle slope to north, rising more steeply to the south;
- valley enclosed by smooth rounded undulating hillside rising to around 200m AOD;
- land cover is improved grazing and rough grazing the rough character of which imparts a rugged wild quality and typically upland valley character;
- minor roads on edge of area, and important for recreation;
- site is surrounded by predominantly rural landscape;
- field boundaries comprise some stone walls and some fences with some treelines;
- views within the site are to some extent restricted by the topography, providing some enclosure within the valley landscape, with distant views to the urban area;
- the wooded hill crest to the north provides a boundary between the area and adjacent urban fringe;
- some farms and also residential houses particularly adjacent to western edge of landscape character area;
- rich area of marsh stretching along the Earn Water (Brown et al 1991).

The assessment describes the area as:

Landscape Sensitivity Medium Strength of Typical Character Medium to High - gently sloping upland valley

Condition/Intactness Low to Medium –there is some degradation of the field boundaries and tree lines in the landscape.

⁸ East Renfrewshire Landscape Character Assessment. LUC 2005

Aesthetic character Medium –open upland landscape, although distant views restricted by the landscape.

Visual Sensitivity Low General Visibility Low to Medium – there is little screening tree cover within the landscape, and the visibility of the landscape character area is limited by the gently sloping surrounding landform.

Population Low – there are a small number of farms and residential properties in the valley

Mitigation Potential Low to medium – the field boundaries and tree lines could be restored, but this is a largely upland valley landscape character, which development could intrude upon.

Landscape Value against Green Belt Objectives - Weak to Moderate

Robustness of Boundaries n/a Contribution to Settlement Setting Weak – landscape character set at low elevation along river valley

Provision of Containment Weak - landscape character set at low elevation along river valley
Clarity of Separation Weak to Moderate – provision of broad valley to constrain development south

Contribution to Green Corridors Moderate to Strong – contribution to undeveloped corridor running north past Newton Mearns.

In terms of landscape value and aesthetic contribution the proposed development site offers little as described above. Albeit small in comparison to the overall area, the proposed development will offer some visual landscape relief through shaping of mounds and native planting.

With the close proximity of the Earn Water, The Water Environment (Controlled Activities) (Scotland) Regulations 2005⁹ require all surface water from new development to be treated by a sustainable drainage system (SUDS) before it is discharged into the water environment. There may be a requirement to install a Sustainable Urban Drainage System (SUDs). The aim of SUDS is to mimic natural drainage, encourage infiltration and attenuate both hydraulic and pollutant impacts to minimal adverse impacts on people and the environment. The application shall investigate such requirements.

All design requirements shall be carried out in accordance with SPP 7.¹⁰

⁹ <http://www.gov.scot/Resource/Doc/1057/0011787.pdf>

¹⁰ Scottish Planning Policy 7 <http://www.gov.scot/Resource/Doc/47210/0026394.pdf>

The SUDs proposals have been informed through a desk top study of the SEPA Flood Risk Maps. The proposed development is situated on the upper edge of the flood risk area¹¹, Figure 2 shows the proposed development site circled in red.

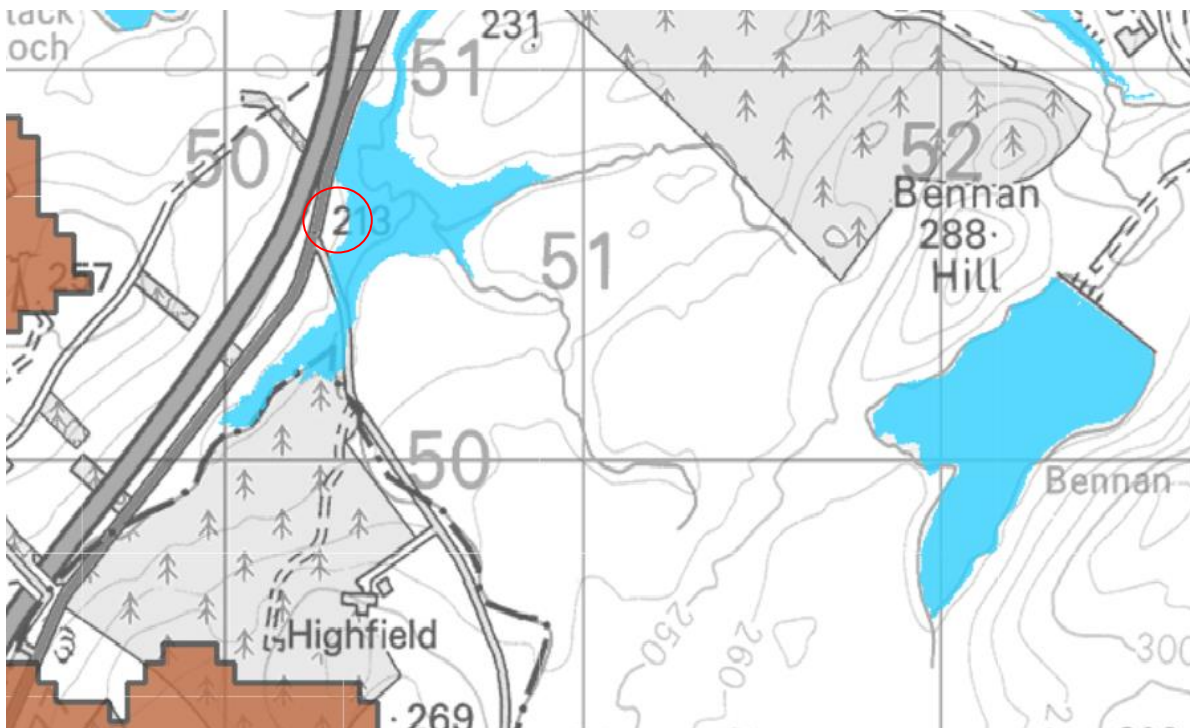


Figure 2 Flood Map.

The proposed development shall take cognisance of the following policies

7.6. Policy E4: Flooding

7.6.1. 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. A flood risk assessment taking account of climate change will be required for any development within the Scottish Environment Protection Agency functional flood plain.

The proposed development lies in an area on the outwith and on the edge of the flood plain.

7.6.2. Development that will reduce the likely incidences of flooding or vulnerability to flooding will be supported subject to compliance with other policies of the Plan.

The proposed development shall implement measures to mitigate any adverse effects.

7.6.3. There will be a presumption against development within functional flood plains. The functional flood plain equates to the 'medium to high risk' category. Water attenuation

¹¹ <http://map.sepa.org.uk/floodmap/map.htm>

areas are designed to reduce the incidence of flooding in other locations and there will be a presumption against development within these areas. The Council will resist development within areas that are at risk of flooding, in accordance with the risk framework contained in Scottish Planning Policy.

The proposed development is out with the Flood plane and risk area.

7.6.4. Infrastructure developments may be permitted in areas of flood risk in the circumstances, and subject to the requirements, set out in the flood risk framework in Scottish Planning Policy.

Not applicable to this application.

7.8. Policy E5: Surface Water Drainage and Water Quality

7.8.1. Sustainable urban drainage systems will require to be incorporated into all new development, with the exception of smaller scale proposals (such as applications for single houses, householder or shop frontage alterations). It should also form a major part of all master planning exercises. This will moderate surface water run-off from the site and mitigate any impacts on water quality.

Not applicable to this application.

7.8.2. There will be a general presumption against the culverting of watercourses as part of new development. Culverts may be acceptable as part of a grant aided flood prevention scheme or where they are necessary to carry water under a road or railway. Advice on culverts can be accessed on the Scottish Environment Protection Agency website www.sepa.org.uk

Not applicable to this application.

7.8.3. The Council will encourage the adoption of an ecological approach to surface water management through habitat creation or enhancement by, for example, forming wetlands or ponds and opening up culverted watercourses. Invasive non-native species should not be introduced and their removal is encouraged. New planting must be with native species.

There may be a requirement for a detention pond as part of the SUDs system to attenuate and treat any runoff detrimental to the quality of the water within the flood plane and the Earn Water itself.

The physical area of any development covered by impermeable surfaces, should be kept to a minimum to assist with flood risk management.

All surface runoff will be treated as and if required.

4 Proposed Mitigation Measures

4.1 Planning Policy

The Proposed development site is designated within the Local Development Plan¹² as Green Belt and a Local Biodiversity Area. The following is an assessment on the proposed development in accordance with each element of the various Policy, with justification for planning permission in Blue text.

3.12. Strategic Policy 1: Development Strategy

3.12.1. 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.

The proposed development for the erection of an Agricultural shed is both in keeping with the character of the countryside in this area, along with bringing economic benefits through potential employment and sustained agricultural practices servicing the applicants adjacent stock fields.

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

Not applicable to the application.

3.15. Strategic Policy 2: Assessment of Development Proposals

3.15.1. Proposals for new development, other than smaller scale proposals (such as applications for single houses, householder or shop frontage alterations), 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;

The proposed site is owned by the applicant and currently houses the yard complex for Scottish Waters pipeline project. The site is raised off the flood plain and is ideal to house livestock and animal food. The current site usage suggests it is a preferred

¹²Local Development Plan - <http://www.eastrenfrewshire.gov.uk/CHttpHandler.ashx?id=14792&p=0>

and an available location in line with sequential analysis, where both considerations to visual impacts to urban environments and nuisance were most likely considered, along with proximity to the works. The proposed site is within the radius of the applicant's other farmed areas.

2. Provision of a mix of house types, sizes and tenures to meet housing needs and accord with the Council's Local Housing Strategy and the Glasgow and Clyde Valley Strategic Housing Need and Demand Assessment;

Not applicable to the application.

3. Resulting positive community and economic benefits;

The development will increase the applicant's business interests, creating sustainable options for his business. This support a local economy as well as potential employment opportunities.

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;

The landscape character of the area is based upon the open and upland characteristics. It not highly visible to large numbers of people, although there is potential to strengthen some of the landscape features.¹³ Chapter 3 above describes the area being a low impact area in terms of landscape character.

5. The impact on existing and planned infrastructure;

Low impact.

6. The impact upon existing community, leisure and educational facilities;

Low impact.

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;

The previous application 2015/0135 posed issues for the A77 Trunk road, these previous issues have been mitigated for this application based on ERC Roads Department comments.

8. The impact on the built and natural environment, including the green belt and green network taking into account the need for an Environmental Impact

¹³ East Renfrewshire Landscape Character Assessment Report. LUC 2005

Assessment and the requirement for proposals to provide a defensible green belt boundary and links to the green network;

Not applicable to this application.

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;

Measure will be implanted in accordance with SPP7¹⁴ to protect water quality and prevent pollution via a SUDs system.

10. The potential for remedial or compensatory environmental measures including temporary greening;

The proposed development includes a shelterbelt edge to assist in mitigation any screening issues and to encourage additional habitat.

11. The contribution to energy reduction and sustainable development.

The structure construction will comply with BS5502¹⁵

12. The impact on health and wellbeing;

Low to no impact.

13. The cumulative impact of the development;

Minimal cumulative impact from the development.

14. The impact of proposals on other proposals or designations (including the Town and Neighbourhood Centres in Schedule 14) set out in the Local Development Plan;

Not applicable to this application.

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

See below.

¹⁴ Scottish Planning Policy 7 <http://www.gov.scot/Resource/Doc/47210/0026394.pdf>

¹⁵ BS 5502-20:1990 Buildings and structures for agriculture. Code of practice for general design considerations

5.2. Policy D1: Detailed Guidance for all Development

5.2.1. 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;

Based on Strategic Policy 2.4 above the landscape character will be protected and mitigated to ensure the developments sits well in the landscape creating no detrimental effects.

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;

The proposed development and in particular the agricultural shed shall be situated as per 1 above, with shelterbelt planting on the boundary of the A77 Trunk Road set 5m back as per section 92(1) of the Roads (Scotland) Act 1984.¹⁶

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;

Not applicable to this application.

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;

Based on Strategic Policy 2.4 above the landscape character will be protected and mitigated to ensure the developments sits well in the landscape creating no detrimental effects.

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;

¹⁶ Roads (Scotland) Act 1984. HM Stationary Office 1984

The proposed development shall take conscience tree planting as per D1:2 above, along with implementing the treatment of potential pollution impacts from spillages and mitigation of drainage related issues.

6. Development should create safe and secure environments that reduce the scope for anti-social behaviour and fear of crime;

Not applicable to this application.

7. Developments must be designed to meet disability needs and include provision for disabled access within public areas;

Not applicable to this application.

8. The Council will not accept 'backland' development, that is, development without a road frontage;

Not applicable to this application.

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';

Not applicable to this application.

10. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the development;

Lighting will form part of the proposal for security and for functional purposes, these shall be in accordance the Scottish Building Standards – Technical Handbook Non Domestic¹⁷

11. Developments should include provision for the recycling, storage, collection and composting of waste materials;

Not applicable to this application.

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;

All construction arisings can be retained on site and used within associated landscape infrastructure.

¹⁷<http://www.gov.scot/Topics/Built-Environment/Building/Buildingstandards/techbooks/techhandbooks/th2016nondom>

13. Where applicable, new development should take into account the legacy of former mining activity;

There are no such activities recorded in the epoch maps.¹⁸

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;

Not applicable to this application.

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.

Not applicable to this application.

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.

Not applicable to this application.

5.6. 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.

Based on Strategic Policy 2.4 above the landscape character will be protected and mitigated to ensure the developments sits well in the landscape creating no detrimental effects.

5.6.2. 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.

¹⁸ <http://maps.nls.uk/view/82866666>

Development must be sympathetic in scale and design to the rural location and landscape.

The proposed development will be sympathetic in terms of materials and colours used to mitigate any visual intrusion. The proposed landscape treatment could facilitate mounds that blend in with the surrounding drumlins. There is no visual sensitivity within the proposed development area.¹⁹

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

2.7. Other Non-Residential Development Proposals, including Economic Development Activities

2.7.1. Other development proposals, not considered above that support rural diversification or maintain or enhance the rural economy will be considered favourably where it is clearly demonstrated that:

1. Justification has been provided for its countryside location;

The proposed development site is currently being used as a site compound, storage and fuelling facilities for the installation of the new water main from the Gorbals to Corsehouse. This area lies in an area that has no visual aesthetic concerns, occupying a section of land resting out with the floodplain. The site poses an opportunity for the applicant to locate an agricultural shed to service the livestock and farming needs of nearby fields. The development will be less intrusive than the current albeit temporary land use.

2. Any existing building is not capable of physical repair and re-use through the submission and verification of a thorough structural condition report;

Not applicable to this application.

3. There would be a resultant economic, environmental or community benefit from the proposal;

The proposed development will help to sustain a local business, as well as associated local trading activities.

4. The level of traffic and any other disturbances resulting from the development, such as noise and light, do not prejudice rural character and the environment;

The proposed development supports only agricultural and farming needs.

¹⁹ Visual sensitivity - <http://www.eastrenfrewshire.gov.uk/CHttpHandler.ashx?id=14081&p=0>

5. The requirement for new development is supported by a business plan that demonstrates longer term viability;

The applicant has a defined Business Plan for the development of his Agricultural Business, which will be enhanced through a positive outcome in this application.

6. The design criteria set out in this guidance has been taken into account.

The design criteria will be taken into account. See drawing 069(P) 200_01/ 02/

2.7.2. This concludes the section that deals with the policy requirements that are to be considered for new development in the countryside.

The following section will offer more detailed guidance on design requirements for development (See Chapter 5 Proposed Development_.

5. Proposed Development

The applicant is the owner of the site from the A77 to the edge of the Earn Water, this covers an area of 6Ha. The proposed development within this area occupies an area of 0.5Ha.

The proposed development consists of utilising the rockfilled/ terram surfaced area to situate and erect an Agricultural shed, create road access 28m from the boundary of the A77 and carry out landscape works and implement drainage and pollution control measures. Drawing 060(P) 100_01 shows the location plan, whilst drawings 060(P)200_02 & 03 show the extent of the proposed development.

Using the following Rural Development Guidance to test the validity of this planning application, we wish to consider the following. As before support for the application is shown in blue text:

2.7.3. To conclude, the Council will strive to protect the rural area of East Renfrewshire from inappropriate or insensitive development. Where new development is acceptable in principle, the Council encourages designers to consider the local character of the development site and to determine the most appropriate design solution to that particular site.

The agricultural shed shall be designed in accordance with BS5502, using colours and treatments as required through the planning process, in conjunction with subtle native landscape planting to assist in the visual mitigation and introducing additional habitat and visual impact.

A modern and contemporary approach will be acceptable in many circumstances, as will an interpretation on the vernacular.

Interpretations to the vernacular will be explored as part of the planning process as required.

The aim is high quality design, respectful of the setting and utilising energy efficient and sustainable materials.

The agricultural shed shall be designed in accordance with BS5502, where sustainable approaches and use of materials are recommended.

Good design in the built environment must, by definition, involve an approach which responds to issues of climate change and other sustainable development concerns.



These include seizing opportunities to protect and enhance local biodiversity and where possible maximising access opportunities to allow residents and visitors to use and enjoy the countryside of East Renfrewshire.

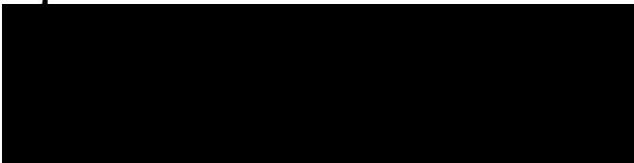


6. Recommendations

The above report demonstrates planning compliance with all known relevant Supplementary Guidance and associated planning policies.

We would ask that this pre-planning application be judged on its merits and form the basis of a discussion toward the submission of a full application.

Principle Landscape Architect

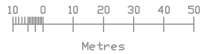
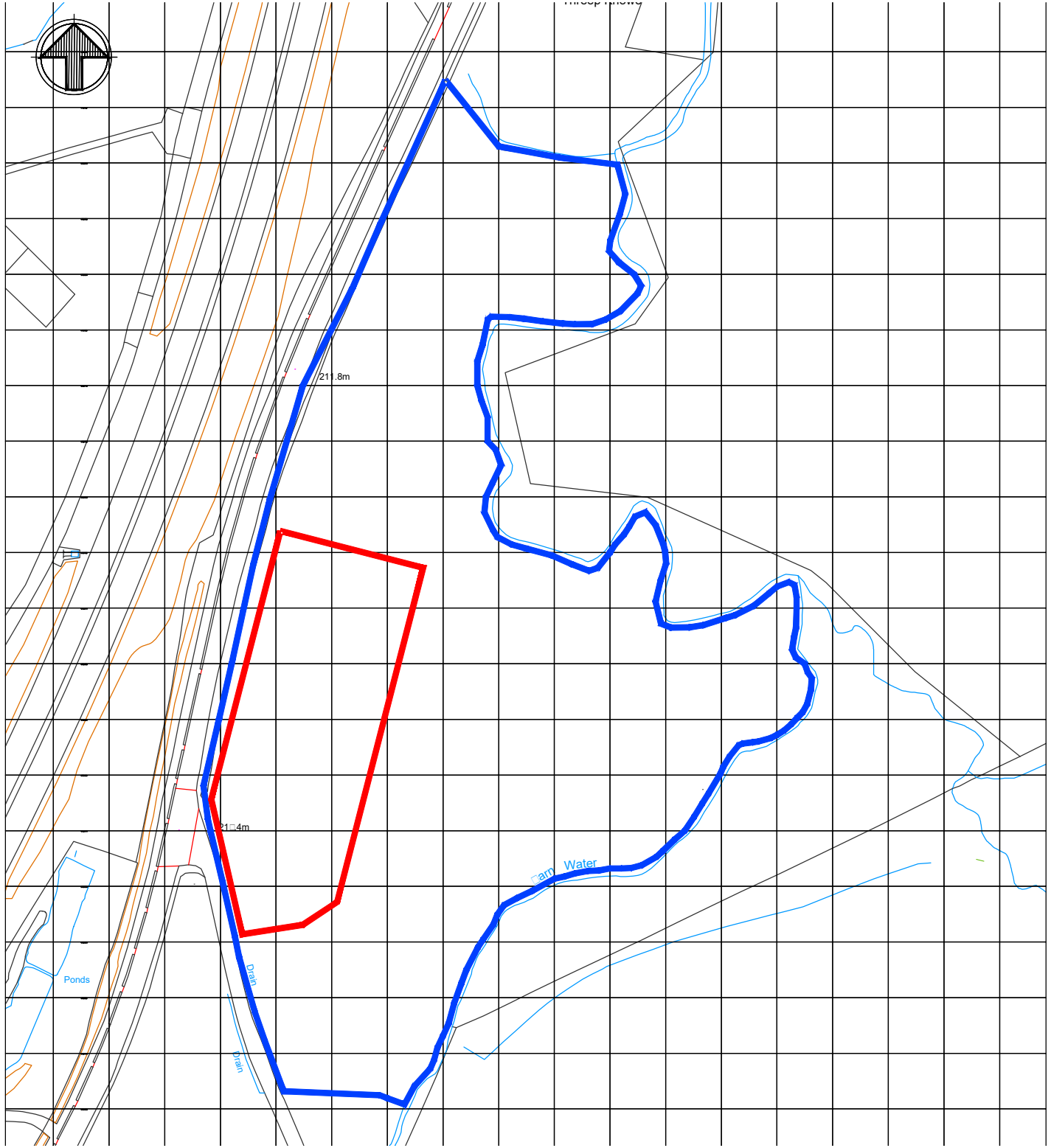


Keith Vernon *MLA DHE Cert Arb FCIHort M Arbor A CHort CEnv CMLI*



Appendix A

Location Plan 060 (P) 100_01



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Project Title:
**PROPOSED ERECTION OF AN AGRICULTURAL SHED AT
 SITE 500M NORTH OF HIGH FIELD NEWTON MEARNS FOR
 ANDREW MCCANDLISH**

Drawing Title:
**LOCATION PLAN
 OS 12 MONTH LICENCE No 100022432
 TLC ENVIRONMENTAL OS LICENCE No 100057899**

Scale: 1:2500@A4 Drawn by: KV Date: 04/01/2017 Checked by: AMCC

PLANNING

Drawing No:
060(P)100_01

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Chartered Landscape Architects Environmentalists Planning Consultants



Appendix B

Proposed Development 060 (P) 200_01



- Detention pond to capture rainwater prior to filtration to swale
- Oil interceptor
- Swale to intercept runoff
- Grassland to assist in capturing particulate pollution
- Yard area built from existing site compound material
- Proposed Agricultural shed location
- Existing site compound bund planted up to screen proposed Agricultural Shed
- Site entrance planting to mitigate any visual issues
- Existing site compound access widened

Notes:

DO NOT SCALE DIMENSIONS FROM THIS DRAWING ALL DIMENSIONS TO BE VERIFIED ON SITE.

PRE-PLANNING

rev.	date	details	drawn	chkd



Chartered Landscape Architects Chartered Environmentalists Arboricultural Consultants

TLC Environmental
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 E: info@tlcenvironmental.uk

Project Title:
PROPOSED YARD & SHED DEVELOPMENT AT FLOAK BRIDGE
 ANDREW MCCANDLISH FOR

Drawing Title:
PROPOSED SITE LAYOUT

Scale: 1:500@A1 Drawn by: KV Date: 05/12/2016 Checked by: AMCC

Drawing No:
060 (P) 200_02

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PLAN

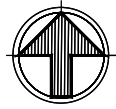
SECTION A-A SCALE 1:200



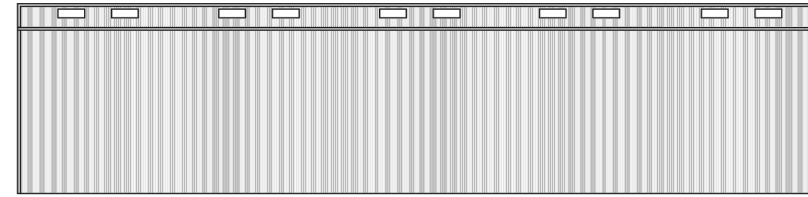


Appendix C

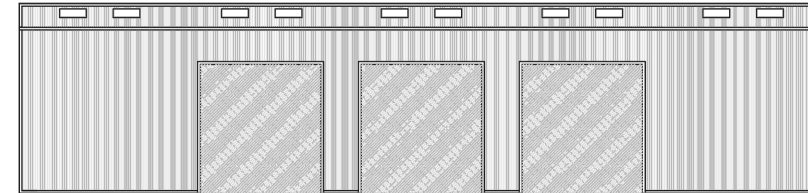
Proposed Development 060(P) 200_03



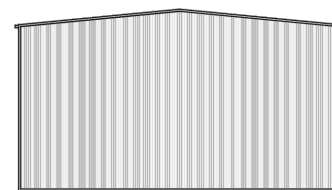
West Elevation



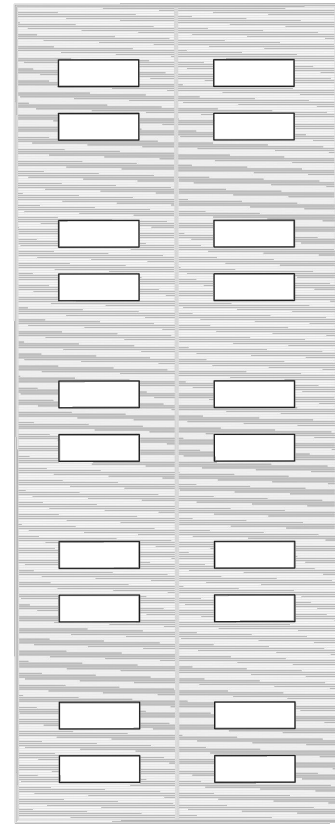
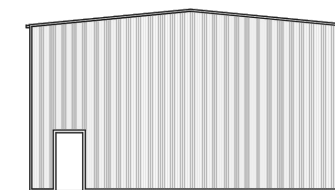
East Elevation



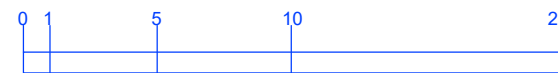
North Elevation



South Elevation



Plan



Notes:

DO NOT SCALE DIMENSIONS FROM THIS DRAWING ALL DIMENSIONS TO BE VERIFIED ON SITE.

PRE-PLANNING

rev.	date	details	drwn	chkd



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Project Title:
 PROPOSED YARD & SHED DEVELOPMENT AT FLOAK BRIDGE FOR ANDREW MCCANDLISH

Drawing Title:
 AGRICULTURAL SHED DIMENSIONS

Scale: AS SHOWN Drawn by: KV Date: 05/12/2016 Checked by: AMCC

Drawing No:
 060 (P) 200_03

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AGRICULTURAL SHED SIZE

Appendix D

Correspondence Mr Howden 06.05.17

Ralph.

In answer to the question your posed as part of the Pre Application Process.

1. There appear to be no sizes on the drawings however the proposed building would appear of similar if not the same size as the refused shed.

The size of the building we can vary a bit height we can reduce to 4.4 meters at eve as one of the balers and two tractors are 4.2 meters high as for area we asked for 100' x 40' enclosed and 40' x 40' roof only the 40 x 40 was for storage of winter feed and shelter for the sheep in winter / summer. the enclosed area was for wintering of the cattle and cover of balers and tractors the building is made up of 20' x 40' bays in that light we could decrease the building by 20' in length.

The original application presented a shed size 7m in height and 30m in length – the new proposal will be 4.4m in height and 23m in length.

2. Your submission makes reference to other farm holdings operated by your client however does not detail where they are and their scale and type and scale of agricultural use. It also makes no reference as to why a shed/sheds cannot be sited on these sites.

Other farm holdings used as part of the Client business are all rented and cannot be built on. The use of these site vary from year to year, where the Client usually take some grass for summer grazing at the following sites: J Dunn Burnside Farm Lang bank, G Kerr Camsiskin Farm Craigie, A Chambers South Drumbooy Farm Fenwick and S Rennie Ralston Hill Farm Kilmarnock. This is always dependant on how many cattle and sheep are currently stocked. The cattle are wintered at J Simpson Balgornie Farm Whitburn and sheep at S Rennie Ralston Hill Farm Kilmarnock. Cattle and sheep numbers vary cattle can range from 2 to 30 in a busy year sheep can vary from about 19 to 30.

3. Your report does not appear to state the nature and scale of the agricultural use proposed for this site.

The agricultural contracting business specialises in large square baling I operate two balers one 3'x 3' and one 4' x 4' each does about 1500 bales per year. Everything the business carries out is a bit of a speciality, operating two widespread Track Marshall crawlers and two Steiger tractors with heavy disc harrows for hill reinstatement and reseeding a small acreage of ploughing and a limited amount of combining harvesting.

4. The drawings do not appear to indicate an internal layout showing those areas which will be devoted to farm animals.

Answer to question 1 covers this question.

5. Is the farm machinery to be used as part of a contracting business.

Answer to question 2 answers this question

6. The plans indicate use of the materials used for the site compound. I am advised that the site compound was to be removed in entirety from the site. Is the compound still and if so what plans are on hand to remove it?

The sub-base materials used for the site compound would make an excellent surface to the proposed development, particularly as type one make up would have been part of the proposals.

7. I am of the opinion that the introduction of screening along the side of the road will not have sufficient impact on our considerations to suggest that planning permission should now be granted.

The height reduction of the shed to 4.4m will dramatically lessen the requirements for planting, though planting would still enhance the site and this part of landscape in general.

Appendix E

Correspondence Mr Dugan 10.11.17 & 21.11.17

From: Drugan, John
To: [Keith Vernon](#)
Subject: planning application 2017/0584/TP - Erection of agricultural shed, Site 280km NNW Of Floak Bridge, Highfield Road, Eastwood, East Renfrewshire.
Date: 10 November 2017 12:48:00

Dear Mr Vernon,

I refer to the above planning application and apologise for the delay in writing to you. I note from your supporting statement that your client utilises other farms, namely J Dunn Burnside Farm, Lang bank; G Kerr Camsiskin Farm Craigie; A Chambers South Drumboy Farm Fenwick and S Rennie Ralston Hill Farm Kilmarnock, as well as away wintering at J Simpson Balgornie Farm Whitburn and S Rennie Ralston Hill Farm Kilmarnock. However, I would be grateful if you could provide the size of each area of land, clarify if your client owns the land(s) or if a tenant please state the type of tenancy and the length of the tenancy (including start dates). I would also be grateful if you could provide the farm registration number(s) and IACS references. Please also clarify the maximum number of sheep and cattle on the site and for how many months they occupy the land. Furthermore, I would be grateful if you could clarify if there are more vehicles than the 4 vehicles (2xcrawlers and 2x tractors) mentioned in supporting statement likely to use the site. If so, how many and type of vehicle(s). Also please clarify the frequency (per day/week) of all vehicles movements to and fro the site.

Can you also clarify the notation on drawing ref:060 (P) 200_02A as it is not clear the extend of the proposed access widening.

I would be grateful if you could submit the above information no later than 20th November 2017.

The above is the informal view of the case officer and does not prejudice the determination of any application submitted to the Planning Authority. Furthermore, you should not assume that every issue, which might impact on the proposal, has been assessed at present.

Yours sincerely,

John Drugan
Senior Planning Officer
Environment (Planning, Economic Development and City Deal)
Tel. 0141 577 3175

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Planning questions lodged in respect of planning application 2017/0584/TP - Erection of agricultural shed, Site 280km NNW Of Floak Bridge, Highfield Road, Eastwood, East Renfrewshire.

1. I refer to the above planning application and apologise for the delay in writing to you. I note from your supporting statement that your client utilises other farms, namely: J Dunn Burnside Farm, Lang bank; G Kerr Camsiskin Farm Craigie; A Chambers South Drumboy Farm Fenwick and S Rennie Ralston Hill Farm Kilmarnock, as well as away wintering at J Simpson Balgornie Farm Whitburn and S Rennie Ralston Hill Farm Kilmarnock.

I would be grateful if you could provide the size of each area of land, clarify if your client owns the land(s) or if a tenant please state the type of tenancy and the length of the tenancy (including start dates). I would also be grateful if you could provide the farm registration number(s) and IACS references. Please also clarify the maximum number of sheep and cattle on the site and for how many months they occupy the land.

Please see table below (2016/2017).

Farm Name	Place	Farmer Name	Tenancy/ Owned *	IACS No **	Holding No	Area (Ha)	Sheep Nos	Cattle Nos	Annual Occupancy (Months)
Burnside Farm	Langbank	J Dunn	Deceased	N/A	N/A		0	0	0
Camsiskin Farm	Craigie	G Kerr	*	Withheld	69/177/0030	***	0	4	12
South Drumboy Farm	Fenwick	A Chambers	*	Withheld	69/205/0140	***	36	0	6
Hill Farm	S Rennie	Kilmarnock	*	Withheld	69/206/0024	***	0	0	0
Balgornie Farm	J Simpson	Whitburn	Ill health	N/A	N/A		0	0	0
Pitmedow Farm	J Turnbull	Dunning	*	Withheld	89/651/0019	***	25	0	4
Highfield Road Farm	A McCandlish	Floak Bridge	Owned	N/A	TBA	6.5	0	0	0

* As for the leases there are none. My Client's grazing and wintering is done based on headage times weeks. Outsourcing grazing away from Highfield Road farm, is due to Scottish Water still working on reinstating the pipe line and the rest of the ground is either inaccessible or not fenced off. This has rendered the property unfit to hold stock at moment. Scottish Water have assured my Client that he will be able to regain entry come the spring to the majority of the holding. Highfield Road farm will be returned to my Client. The facility will hopefully be returned to stock holding 12 months of the year.

**All Farmers reluctant to share IACS numbers due to confidentiality.

*** Grazing areas are at the discretion of each Farmer as the stock either run with his own or with other grazers.

The Client owns land at Highfield Road and it has not been grazed since earlier summer 2016 since Scottish water took control of the property part of it has not been fenced off and the other side of pipe track is inaccessible with either tractors or stock. The Client decreased stock numbers due to good trade and a poor summer with limited fodder supplies and increased prices.

2. Furthermore, I would be grateful if you could clarify if there are more vehicles than the 4 vehicles (2xcrawlers and 2x tractors) mentioned in supporting statement likely to use the site. If so, how many and type of vehicle(s). Also please clarify the frequency (per day/week) of all vehicles movements to and from the site.

There is a tractor for each baler, supporting their movements at silage time. They would leave in the morning and return at night this is normally a three to five week season depending on weather. The straw baler normally would leave at beginning of season and not return till all straw baling is finished. The Steiger tractors would normally go to their jobs and not return till the job was finished sometimes a few weeks sometimes a lot longer at moment, one has been on the same job for two and a half years. The two crawlers are the same as the two Steigers, they operate on the same type of jobs, As for other traffic, when there is stock on the property, there will be stock checks twice daily and when cattle are calving or the sheep lambing there would be more visits and during the winter months twice daily feeding as well as any welfare that has to be dealt with.

3. Can you also clarify the notation on drawing ref:060 (P) 200_02A as it is not clear the extend of the proposed access widening.

The start of the in shot is 50m from the main road down the kerb line the entrance is 20m wide at the kerb line and from there to gate is 30m, more than ample for any of my tractors and implements to stop off road to allow for operator to open gates and gates open away from the road (see images below).



4. I would be grateful if you could submit the above information no later than 20th November 2017.

Additionally, the Client employs 4 staff who act as stockmen, machine operators and farm hands (Details can be provided if required). The planning application for the erection of an Agricultural shed is to support my Clients agricultural business only. This will ensure my Client can manage his business sustainably and within the confines of a facility that he owns, reducing transport costs and increasing

availability of time to concentrate on the business. The business currently provides agricultural employment and the erection of the agricultural shed meets the requirements of Green Belt policy. A favourable decision will have the potential to grow the business through increasing stock numbers and creating additional part time and full-time employment.

On behalf of my Client we hope the above information satisfies all the requirements you need to make an informed planning decision. If you require additional information, we will be happy to provide it.

The above is the informal view of the case officer and does not prejudice the determination of any application submitted to the Planning Authority. Furthermore, you should not assume that every issue, which might impact on the proposal, has been assessed at present.

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Appendix F

Correspondence Mr Dugan 19.12.17 & 10.01.18

From: Drugan, John
To: keith.Vernon
Subject: RE: planning application 2017/0584/TP - Erection of agricultural shed, Site 280km NNW Of Floak Bridge, Highfield Road, Eastwood, East Renfrewshire.
Date: 19 December 2017 11:30:12
Attachments: [image001.png](#)

Hi Keith,

If you want to submit a revised drawing, then please do so as soon as possible through the eplanning portal system.

Regards,

John Drugan
Senior Planning Officer
Environment (Planning, Economic Development and City Deal)
Tel. 0141 577 3175

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From: keith Vernon [mailto:keith@tlcenvironmental.uk]
Sent: 19 December 2017 11:03
To: Drugan, John
Subject: RE: planning application 2017/0584/TP - Erection of agricultural shed, Site 280km NNW Of Floak Bridge, Highfield Road, Eastwood, East Renfrewshire.

Hi John

We had some concerns about ensuring the planning application and drawings reflected any concerns, especially those connected with vehicle visibility. If this was the case can we amend the drawings?

Kind Regards

Keith Vernon *MLA DHE CertArb FCIHort MArborA CHort CEnv CMLI*

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From: Drugan, John [<mailto:John.Drugan@eastrenfrewshire.gov.uk>]

Sent: 19 December 2017 09:57

To: keith Vernon <keith@tlccenvironmental.uk>

Subject: RE: planning application 2017/0584/TP - Erection of agricultural shed, Site 280km NNW Of Floak Bridge, Highfield Road, Eastwood, East Renfrewshire.

Hi Keith,

They are available to view in this office. You need to make an appointment, so if you wish to come in please let me know when and I will see if someone is available to show you the info you request. You should note that your client was in the office last week to look at the same info.

Regards,

John Drugan
Senior Planning Officer
Environment (Planning, Economic Development and City Deal)
Tel. 0141 577 3175

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PROTECT+ Additional protective action required DPA sensitive

From: keith Vernon [<mailto:keith@tlccenvironmental.uk>]

Sent: 19 December 2017 05:44

To: Drugan, John

Cc: Andrew McCandlish

Subject: RE: planning application 2017/0584/TP - Erection of agricultural shed, Site 280km NNW Of Floak Bridge, Highfield Road, Eastwood, East Renfrewshire.

Information security classification

No marking No special handling practices

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PROTECT+ Additional protective action required DPA sensitive

From: keith Vernon [<mailto:keith@tlcenvironmental.uk>]

Sent: 20 November 2017 16:36

To: Drugan, John

Subject: RE: planning application 2017/0584/TP - Erection of agricultural shed, Site 280km NNW Of Floak Bridge, Highfield Road, Eastwood, East Renfrewshire.

Good Afternoon John

Still waiting on some information. I have the bulk of it. I will send complete information in the morning.

Apologies for the inconvenience.

Kind Regards

Keith Vernon *MLA DHE CertArb FCIHort MArborA CHort CEnv CMLI*

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From: Drugan, John [<mailto:John.Drugan@eastrenfrewshire.gov.uk>]

Sent: 10 November 2017 12:48

To: keith Vernon <keith@tlcenvironmental.uk>

Subject: planning application 2017/0584/TP - Erection of agricultural shed, Site 280km NNW Of Floak Bridge, Highfield Road, Eastwood, East Renfrewshire.

Dear Mr Vernon,

I refer to the above planning application and apologise for the delay in writing to you. I note from your supporting statement that your client utilises other farms, namely J Dunn Burnside Farm, Lang bank; G Kerr Camsiskin Farm Craigie; A Chambers South Drumboy Farm Fenwick and S Rennie Ralston Hill Farm Kilmarnock, as well as away wintering at J Simpson Balgornie Farm Whitburn and S Rennie Ralston Hill Farm Kilmarnock. However, I would be grateful if you could provide the size of each area of land, clarify if your client owns the land(s) or if a tenant please state the type of tenancy and the length of the tenancy (including start dates). I would also be grateful if you could provide the farm registration number(s) and IACS references. Please also clarify the maximum number of sheep and cattle on the site and for how many months they occupy the land. Furthermore, I would be grateful if you could clarify if there are more vehicles than the 4 vehicles (2xcrawlers and 2x tractors) mentioned in supporting statement likely to use the site. If so, how many and type of vehicle(s). Also please clarify the frequency (per day/week) of all vehicles movements to and fro the site.

Can you also clarify the notation on drawing ref:060 (P) 200_02A as it is not clear the extend of the proposed access widening.

I would be grateful if you could submit the above information no later than 20th November 2017.

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Yours sincerely,

John Drugan
Senior Planning Officer
Environment (Planning, Economic Development and City Deal)
Tel. 0141 577 3175

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From: [Keith Vernon](#)
To: "Drugan, John"
Cc: "Andrew McCandlish"
Subject: RE: planning application 2017/0584/TP - Erection of agricultural shed, Site 280km NNW Of Floak Bridge, Highfield Road, Eastwood, East Renfrewshire.
Date: 10 January 2018 12:06:00
Attachments: [060_Planning_01_10-01-2018.pdf](#)
[image008.png](#)
[060 \(P\)100_05.pdf](#)
[image003.png](#)

Good Afternoon John

Thank you for allowing us to submit supplementary information direct.

Please see attached our response to the objections and the visibility splay drawing 060(P)100_05 at the entrance to the proposed site.

Thank you again for all your help.

Kindest Regards

Keith Vernon *MLA DHE CertArb FCIHort MArborA CHort CEnv CMLI*

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From: Drugan, John [mailto:John.Drugan@eastrenfrewshire.gov.uk]
Sent: 20 December 2017 12:13
To: keith Vernon <keith@tlcentvironmental.uk>
Subject: RE: planning application 2017/0584/TP - Erection of agricultural shed, Site 280km NNW Of Floak Bridge, Highfield Road, Eastwood, East Renfrewshire.

Hi Keith,

We have received the revised info, unfortunately you created a new application but we will sort that out at this end. The application will still be known as 2017/0584/TP. Also there is no fee required, so don't pay the £78.

Regards,

John Drugan
Senior Planning Officer
Environment (Planning, Economic Development and City Deal)
Tel. 0141 577 3175

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From: keith Vernon [<mailto:keith@tlcenvironmental.uk>]

Sent: 19 December 2017 15:28

To: Drugan, John

Subject: RE: planning application 2017/0584/TP - Erection of agricultural shed, Site 280km NNW Of Floak Bridge, Highfield Road, Eastwood, East Renfrewshire.

Hi John

How do I submit the additional drawings? I cant see an option.

Kind Regards

Keith Vernon *MLA DHE CertArb FCIHort MArborA CHort CEnv CMLI*

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From: Drugan, John [<mailto:John.Drugan@eastrenfrewshire.gov.uk>]
Sent: 19 December 2017 11:30
To: keith Vernon <keith@tlccenvironmental.uk>
Subject: RE: planning application 2017/0584/TP - Erection of agricultural shed, Site 280km NNW Of Floak Bridge, Highfield Road, Eastwood, East Renfrewshire.

Hi Keith,

If you want to submit a revised drawing, then please do so as soon as possible through the eplanning portal system.

Regards,

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From: keith Vernon [<mailto:keith@tlccenvironmental.uk>]
Sent: 19 December 2017 11:03
To: Drugan, John
Subject: RE: planning application 2017/0584/TP - Erection of agricultural shed, Site 280km NNW Of Floak Bridge, Highfield Road, Eastwood, East Renfrewshire.

Hi John

We had some concerns about ensuring the planning application and drawings reflected any concerns, especially those connected with vehicle visibility. If this was the case can we amend the drawings?

Kind Regards

Keith Vernon *MLA DHE CertArb FCIHort MArborA CHort CEnv CMLI*

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From: Drugan, John [<mailto:John.Drugan@eastrenfrewshire.gov.uk>]

Sent: 19 December 2017 09:57

To: keith Vernon <keith@tlccenvironmental.uk>

Subject: RE: planning application 2017/0584/TP - Erection of agricultural shed, Site 280km NNW Of Floak Bridge, Highfield Road, Eastwood, East Renfrewshire.

Hi Keith,

They are available to view in this office. You need to make an appointment, so if you wish to come in please let me know when and I will see if someone is available to show you the info you request. You should note that your client was in the office last week to look at the same info.

Regards,

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From: keith Vernon [<mailto:keith@tlcenvironmental.uk>]

Sent: 19 December 2017 05:44

To: Drugan, John

Cc: Andrew McCandlish

Subject: RE: planning application 2017/0584/TP - Erection of agricultural shed, Site 280km NNW Of Floak Bridge, Highfield Road, Eastwood, East Renfrewshire.

Good Morning John

I believe the planning process is in advanced stages regarding the above.

Would it be possible to get sight of the filed objections and comments regarding the application with a view to mitigating any adverse negative impacts on our application.

Look forward to your response.

Kind Regards

Keith Vernon *MLA DHE CertArb FCIHort MARborA CHort CEnv CMLI*

TLC Environmental Limited

Chartered Landscape Architects & Arboricultural Planning Consultants

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From: Drugan, John [<mailto:John.Drugan@eastrenfrewshire.gov.uk>]

Sent: 20 November 2017 16:37

To: keith Vernon <keith@tlcenvironmental.uk>

Subject: RE: planning application 2017/0584/TP - Erection of agricultural shed, Site 280km NNW Of Floak Bridge, Highfield Road, Eastwood, East Renfrewshire.

No problems.

John Drugan
Senior Planning Officer
Environment (Planning, Economic Development and City Deal)
Tel. 0141 577 3175

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Information security classification

No marking No special handling practices

PROTECT Protective action required

PROTECT+ Additional protective action required DPA sensitive

From: keith Vernon [<mailto:keith@tlcenvironmental.uk>]

Sent: 20 November 2017 16:36

To: Drugan, John

Subject: RE: planning application 2017/0584/TP - Erection of agricultural shed, Site 280km NNW Of Floak Bridge, Highfield Road, Eastwood, East Renfrewshire.

Good Afternoon John

Still waiting on some information. I have the bulk of it. I will send complete information in the morning.

Apologies for the inconvenience.

Kind Regards

Keith Vernon *MLA DHE CertArb FCIHort MArborA CHort CEnv CMLI*

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From: Drugan, John [<mailto:John.Drugan@eastrenfrewshire.gov.uk>]

Sent: 10 November 2017 12:48

To: keith Vernon <keith@tlcenvironmental.uk>

Subject: planning application 2017/0584/TP - Erection of agricultural shed, Site 280km NNW Of Floak Bridge, Highfield Road, Eastwood, East Renfrewshire.

Dear Mr Vernon,

I refer to the above planning application and apologise for the delay in writing to you. I note from your supporting statement that your client utilises other farms, namely J Dunn Burnside Farm, Lang bank; G Kerr Camsiskin Farm Craigie; A Chambers South Drumbooy Farm Fenwick and S Rennie Ralston Hill Farm Kilmarnock, as well as away wintering at J Simpson Balgornie Farm Whitburn and S Rennie Ralston Hill Farm Kilmarnock. However, I would be grateful if you could provide the size of each area of land, clarify if your client owns the land(s) or if a tenant please state the type of tenancy and the length of the tenancy (including start dates). I would also be grateful if you could provide the farm registration number(s) and IACS references. Please also clarify the maximum number of sheep and cattle on the site and for how many months they occupy the land. Furthermore, I would be grateful if you could clarify if there are more vehicles than the 4 vehicles (2xcrawlers and 2x tractors) mentioned in supporting statement likely to use the site. If so, how many and type of vehicle(s). Also please clarify the frequency (per day/week) of all vehicles movements to and fro the site.

Can you also clarify the notation on drawing ref:060 (P) 200_02A as it is not clear the extend of the proposed access widening.

I would be grateful if you could submit the above information no later than 20th November 2017.

The above is the informal view of the case officer and does not prejudice the determination of any application submitted to the Planning Authority. Furthermore, you should not assume that every issue, which might impact on the proposal, has been assessed at present.

Yours sincerely,

John Drugan
Senior Planning Officer
Environment (Planning, Economic Development and City Deal)
Tel. 0141 577 3175

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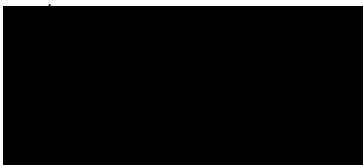


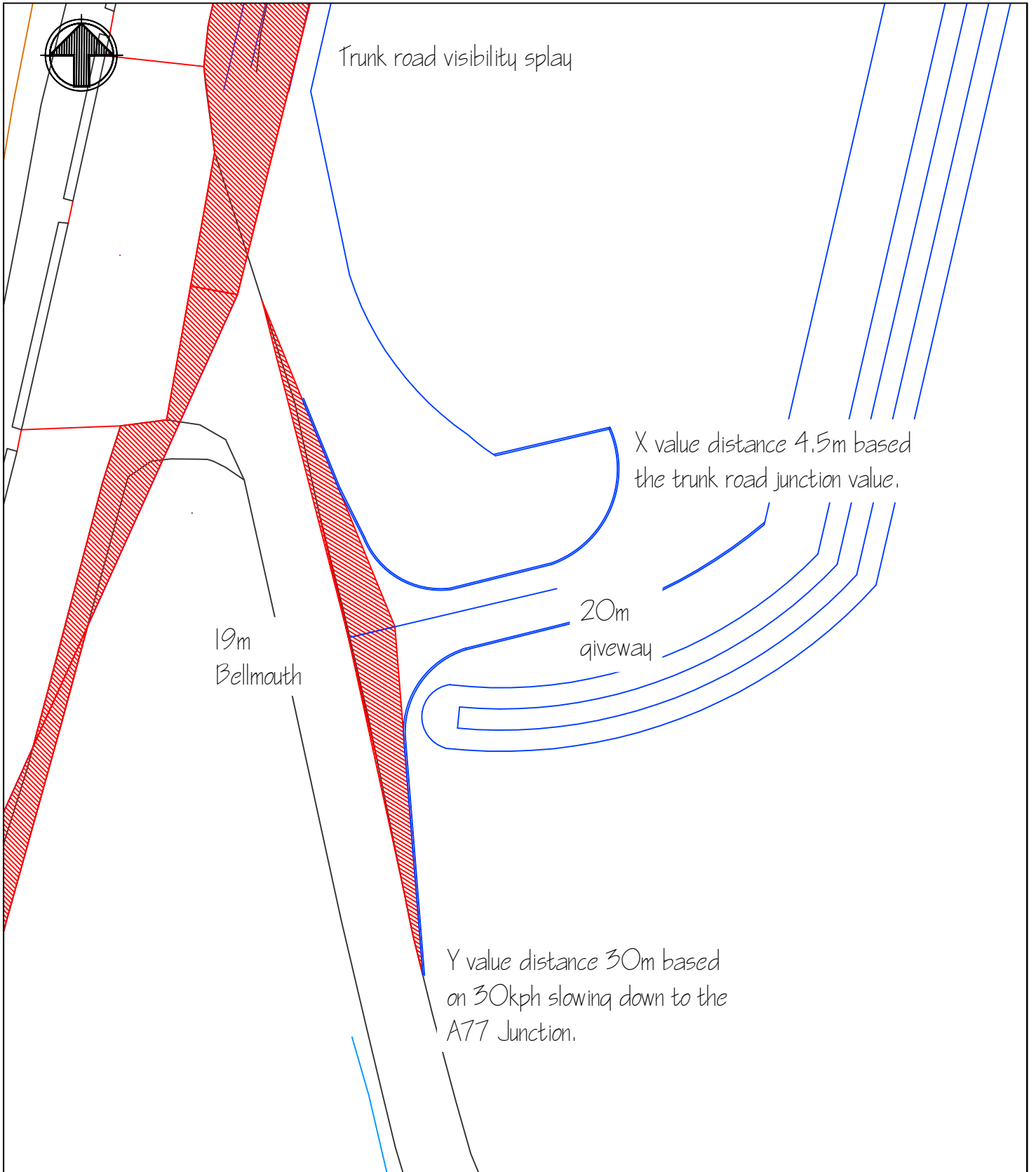
Planning Ref:	2017/0584/TP
Client:	Andrew McCandlish
Application:	Site 280km NNW Of Floak Bridge, Highfield Road
Job No:	060
Date:	10 January 2018

Title:	Response to recent objections
--------	-------------------------------

Meeting		Minute		File Note	X	Instruction		Phone call	
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Item		Action
	Response to recent objections.	
1.	The ground has been farmed continuously for more than 40 years according to the previous owner and has been more intensively since I took ownership until Scottish water came in and made any stocking impossible.	
2.	There will be no large amounts fuel or oil held on site as the Clients contracting work is all on a fuel supplied basis there may be a couple of 25 litre cans of oil for topping up engines they would be stored on a bunded base in accordance with the Water Environment (Controlled Activities) (Scotland) Regulations 2011. Any fuel needed for work undertaken will be brought to site in a bunded fuel bowser and taken away again following refuelling.	
3.	We do not believe the agricultural shed will be taking away from the general area, especially as one of the objectors has allegedly opened a quarry approximately 600-700 yards to the west of the Floak Bridge site.	
4.	This objection has been addressed.	
5.	An objection from a cyclist raised concerns about the line of site which we have already covered, however, the cyclist shouldn't be there anyway as the purpose built cycling path is on the other side of the A77.	
6.	All works shall be carried out in accordance with Water Environment (Controlled Activities) (Scotland) Regulations 2011 and maintained throughout the life of the development.	

Signed  Date 10 January 2018



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Project Title:
 PROPOSED ERRECTION OF AN AGRICULTURAL SHED AT
 SITE 500M NORTH OF HIGH FIELD NEWTON MEARNS FOR
 ANDREW MCCANDLISH

Drawing Title:
 SITE ENNTRANCE VISIBILITY SPLAY
 OS 12 MONTH LICENCE No 100022432
 TLC ENVIRONMENTAL OS LICENCE No 100057899

Scale: 1:500@A4 Drawn by: KV Date: 10/01/2018 Checked by: AMcC

PLANNING

Drawing No:

060(P)100_05

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Appendix G

Correspondence Mr Dugan 13.02.18 & 13.02.18

Additional points to be covered

1 Since Mr McCandlish has owned the property there has been animals grazing every year in some of the summer months, where works involved topping and harrowing to encourage new growth. The fields had a dressing of lime, prior to Scottish water taking over the site. The previous owner grazed this land every year before that.

2 Street view it only gives you a glimpse of any given view once every four to ten years as depends on how often they visit and after a bit of research they street view was last on august 2016 when Scottish water are in and before that was July 2011 didn't research any further back than that as a glimpse every five year does not tell you much

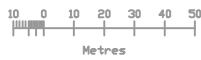
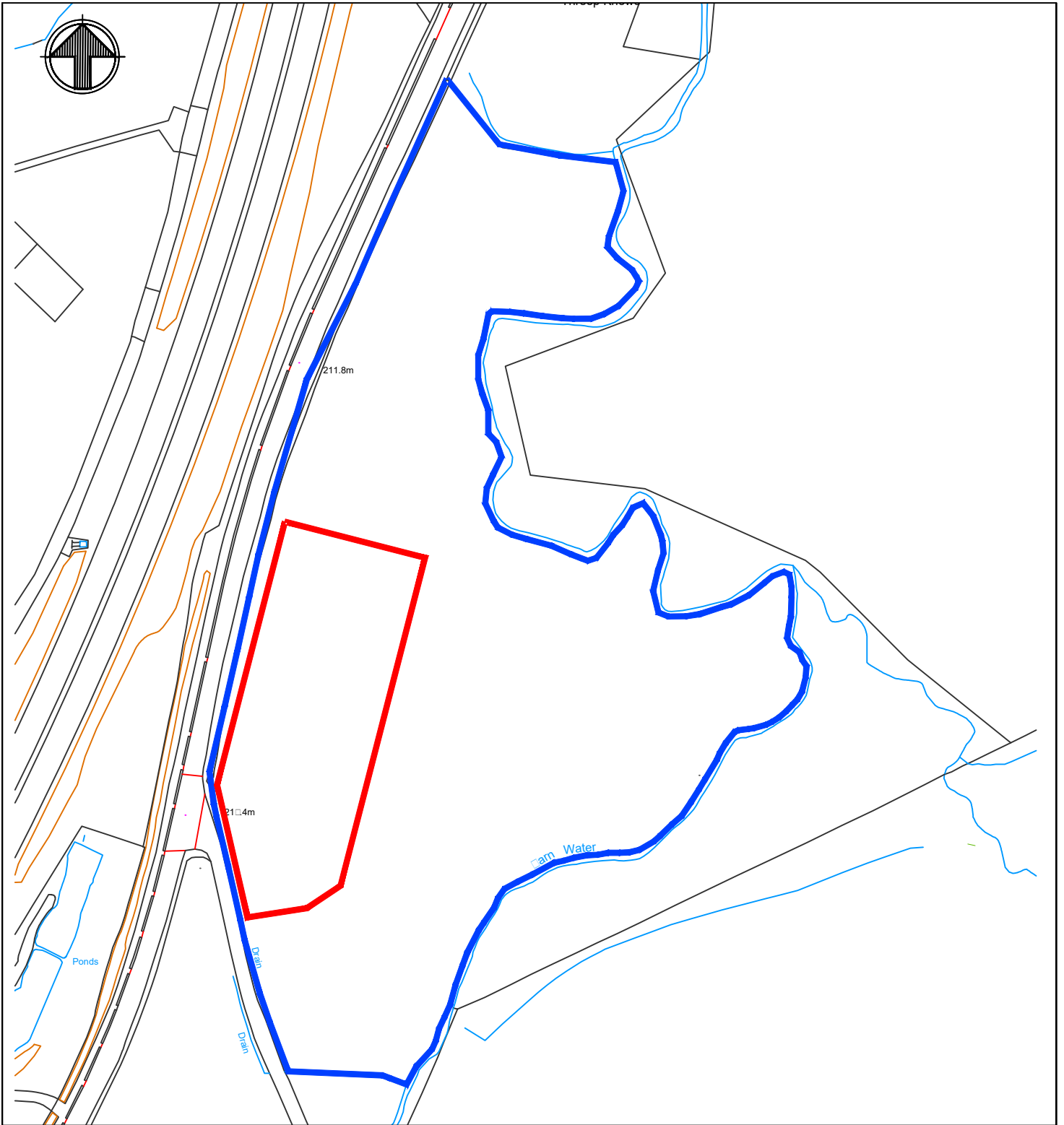
3 The agricultural business is viable on the Highfield Road site, where there is an option on a further two pieces of ground in the locality to expand extending to a further 72 acres. The viability of high field as a standalone is to small but it fits in with our other agricultural work and that as a whole makes it all together viable and after I get established there it will be expanded in acreage

4 The agricultural vehicles are to be used on site as well as elsewhere, across the Agricultural business. The livestock will all be housed at the Highfield Road property, cattle during winter months and any ewes for lambing.

5 We are unsure about acreages for the holdings mentioned but will endeavour to find out and let you know.

PLANS/PHOTOGRAPHS/DRAWINGS

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Project Title:
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Drawing Title:
 LOCATION PLAN
 OS 12 MONTH LICENCE No 100022432
 TLC ENVIRONMENTAL OS LICENCE No 100057899

Scale: 1:2500@A4
 Drawn by: KV
 Date: 24/08/2017
 Checked by: AMcC

PLANNING

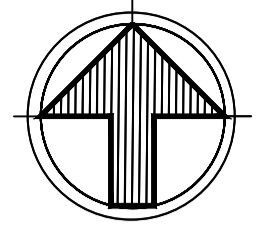
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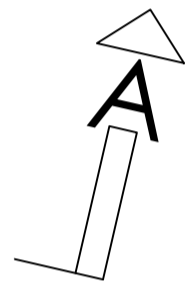


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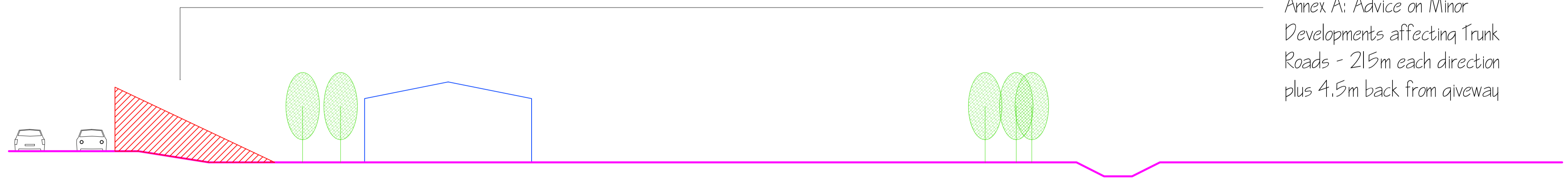
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- Detention pond to capture rainwater prior to filtration to swale
- Oil interceptor
- Swale to intercept runoff
- Grassland to assist in capturing particulate pollution
- Yard area built from existing site compound material
- Proposed Agricultural shed location
- Screen planting as required
- Existing site compound bund to be removed to accommodate a 215m each way splay 4.5m for a 60mph road
- Site entrance planting to mitigate any visual issues
- Existing site compound access widened



PLAN



Visibility splay zone PAN 66
Annex A: Advice on Minor Developments affecting Trunk Roads - 215m each direction plus 4.5m back from giveaway

SECTION A-A SCALE 1:200

Notes:

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PLANNING

rev.	date	details	drwn	chkd
B	19.12.17	Amendments to incorporate 'stability splay'	KV	AMcC
A	24.08.17	Reassessment of proposals following PAC Planning discussions	KV	AMcC



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Project Title: PROPOSED YARD & SHED DEVELOPMENT AT FLOAK BRIDGE ANDREW MCCANDLISH

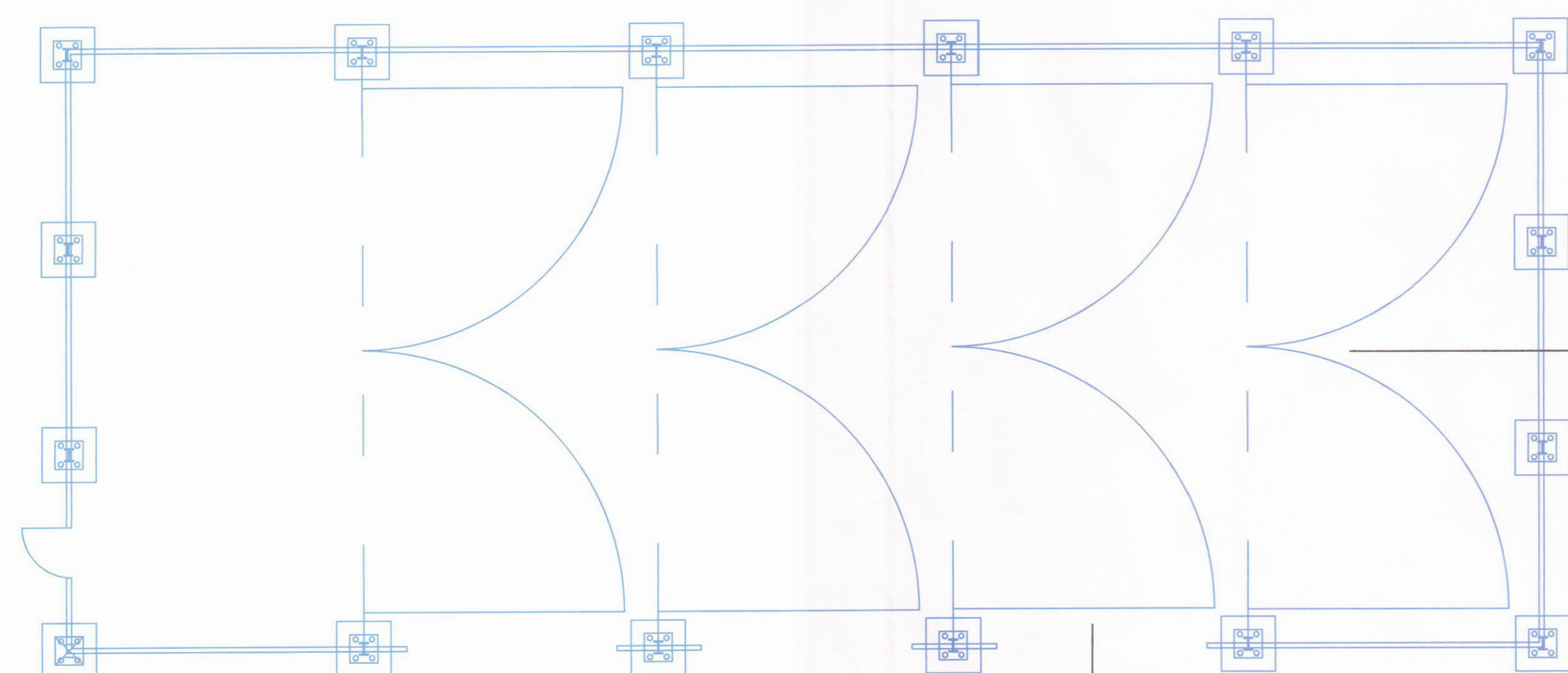
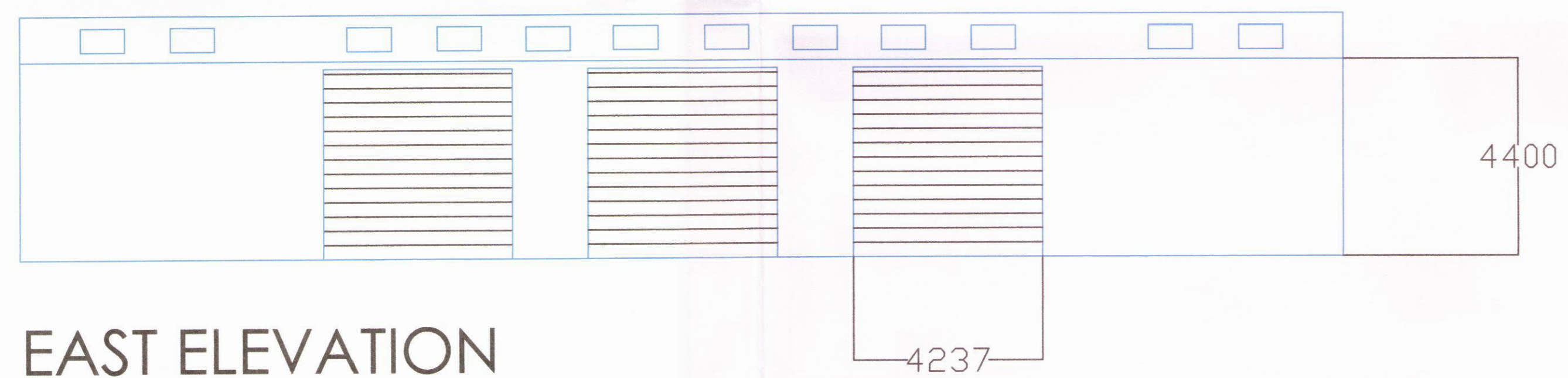
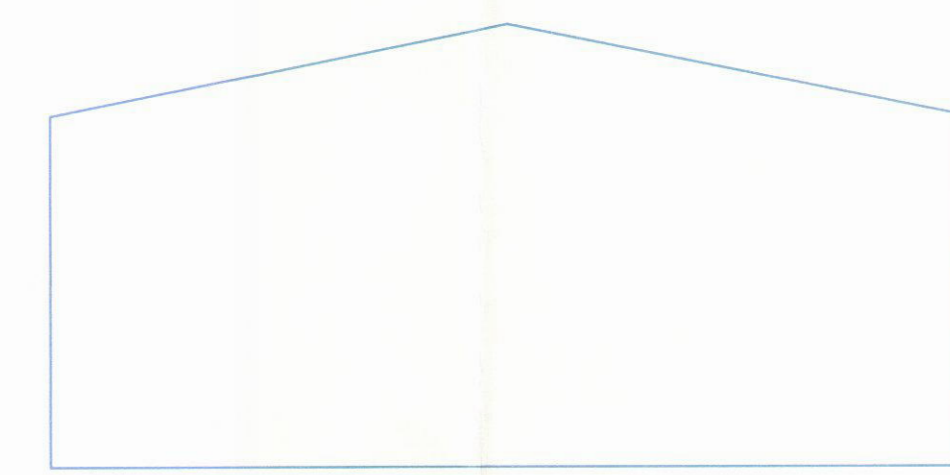
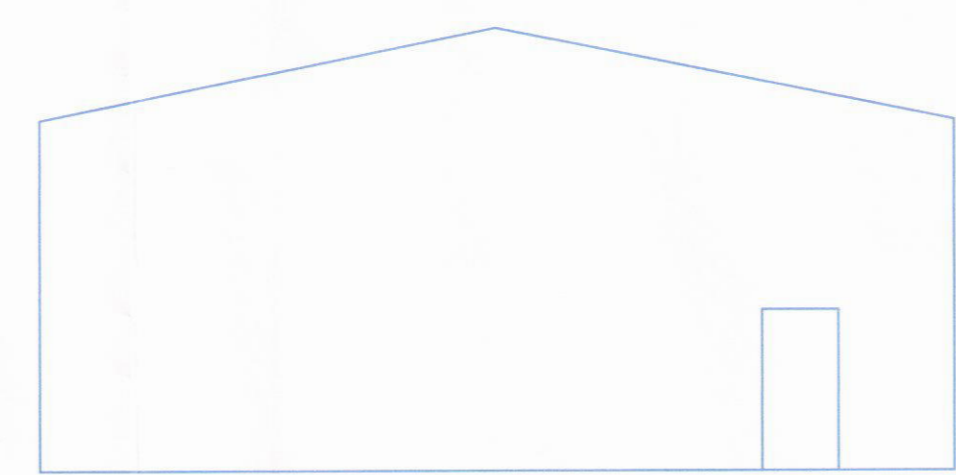
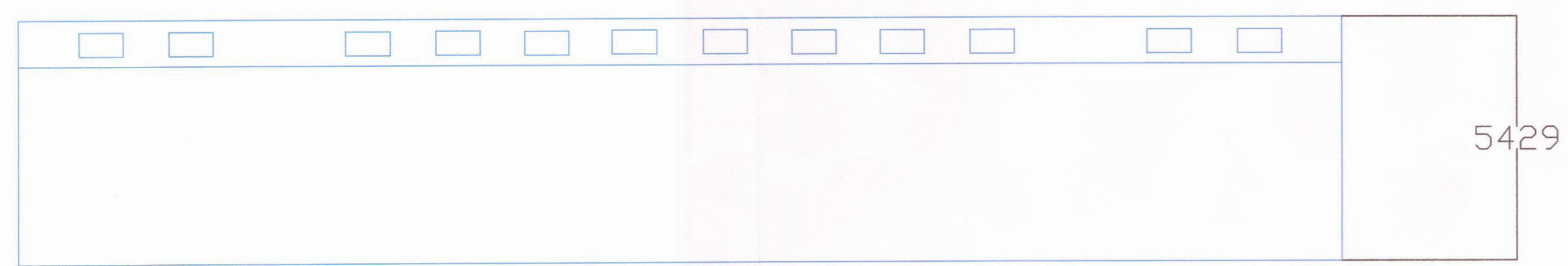
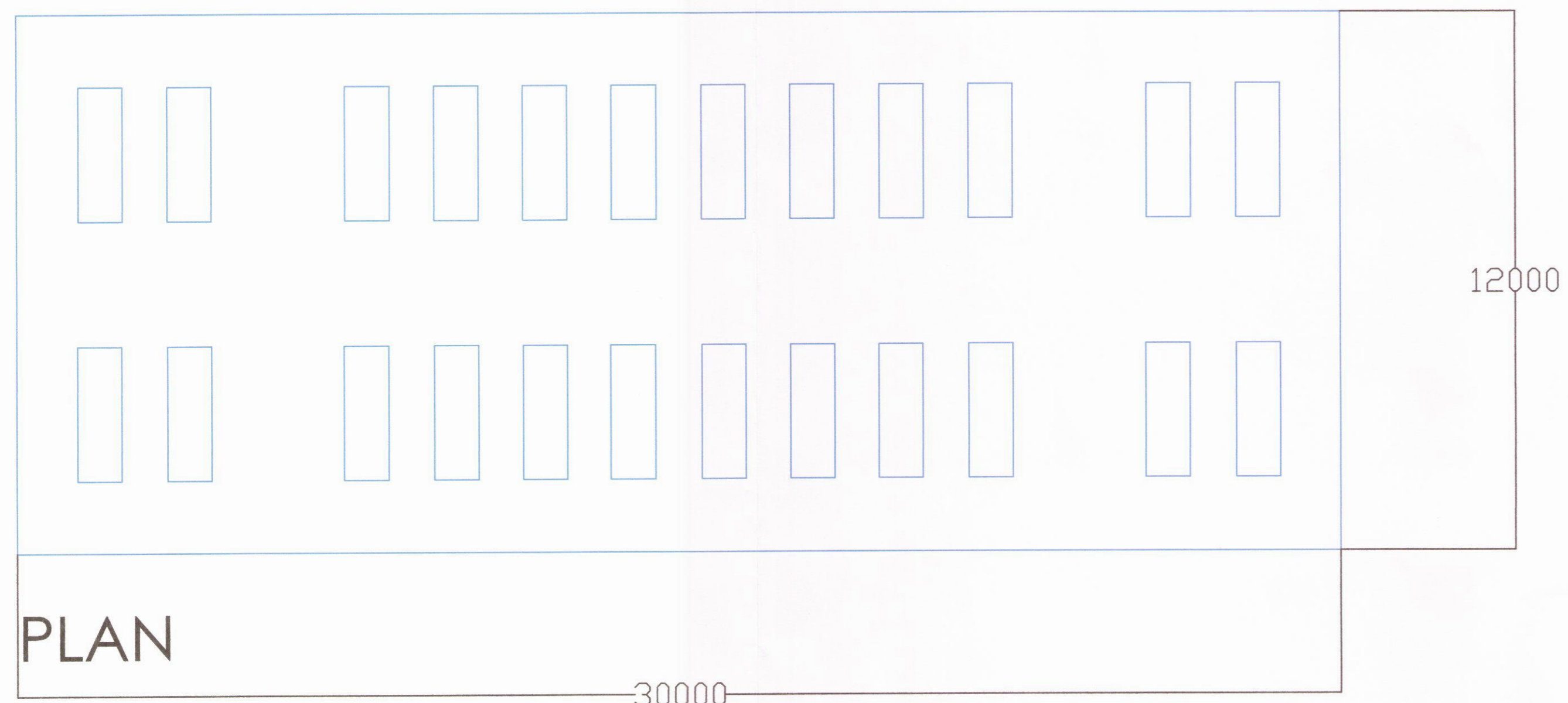
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Drawing No: 060 (P) 100_02B

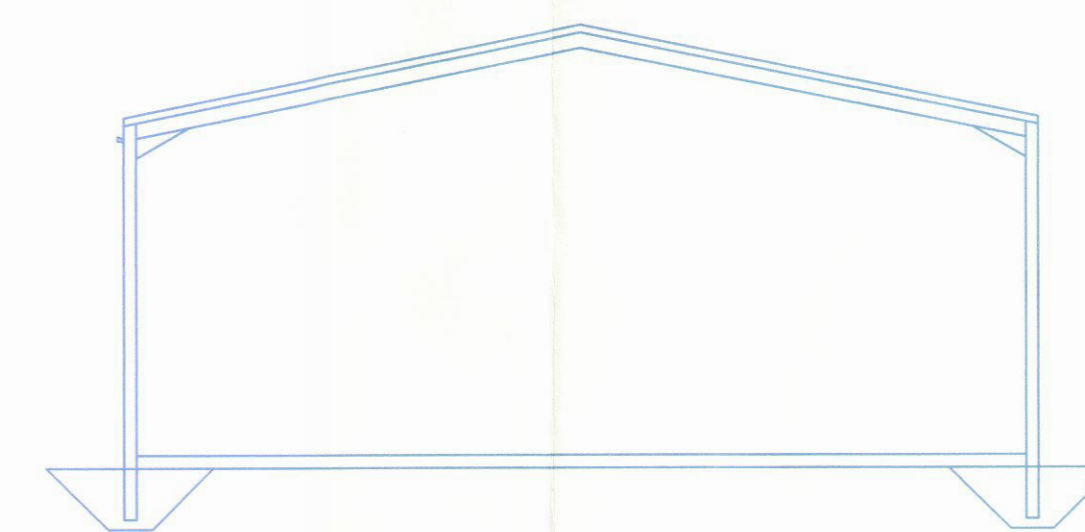
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Internal bay area/ install to suit

Entrance doorway



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PLANNING

rev.	date	details	drawn	chkd
A	24.08.17	Reassessment of proposals following PAC Planning discussions	KV	AMcC



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Project Title:
 PROPOSED YARD & SHED DEVELOPMENT AT FLOAK BRIDGE FOR ANDREW MCCANDLISH

Drawing Title:
 AGRICULTURAL SHED DIMENSIONS

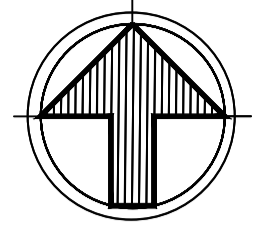
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AMENDED PLANS RECEIVED
 Date: 8 SEP 2017

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PLAN 1:500

PLAN 1:500

PLAN: 1:1000

Notes:

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Visibility splay. PAN 66 - 215m each direction for a 60mph Trunk Road. 4.5m set back from the road



PLANNING

A	24.08.17	Reassessment of proposals following PAC Planning discussions	KV	AMCC
rev.	date	details	drwn	chkd



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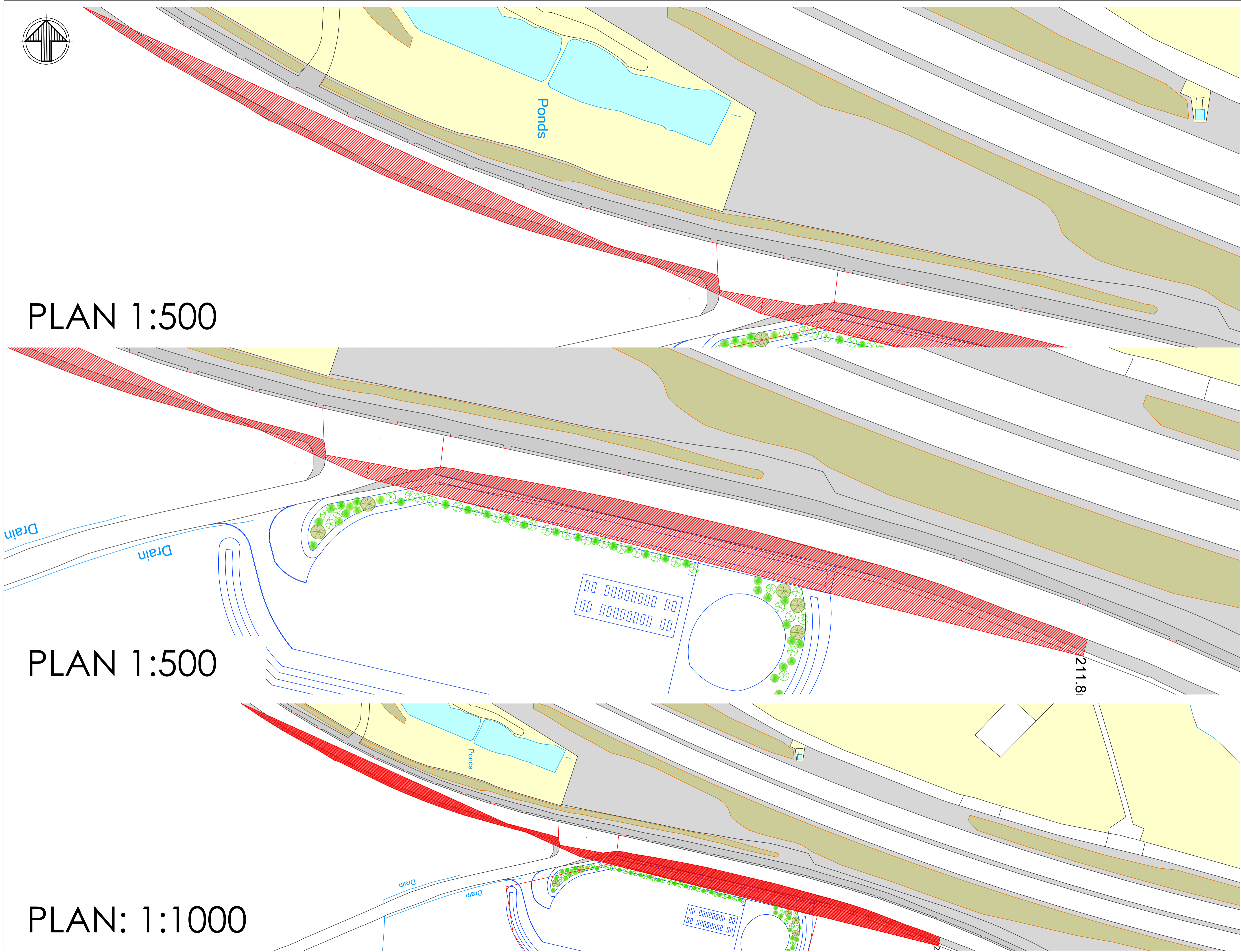
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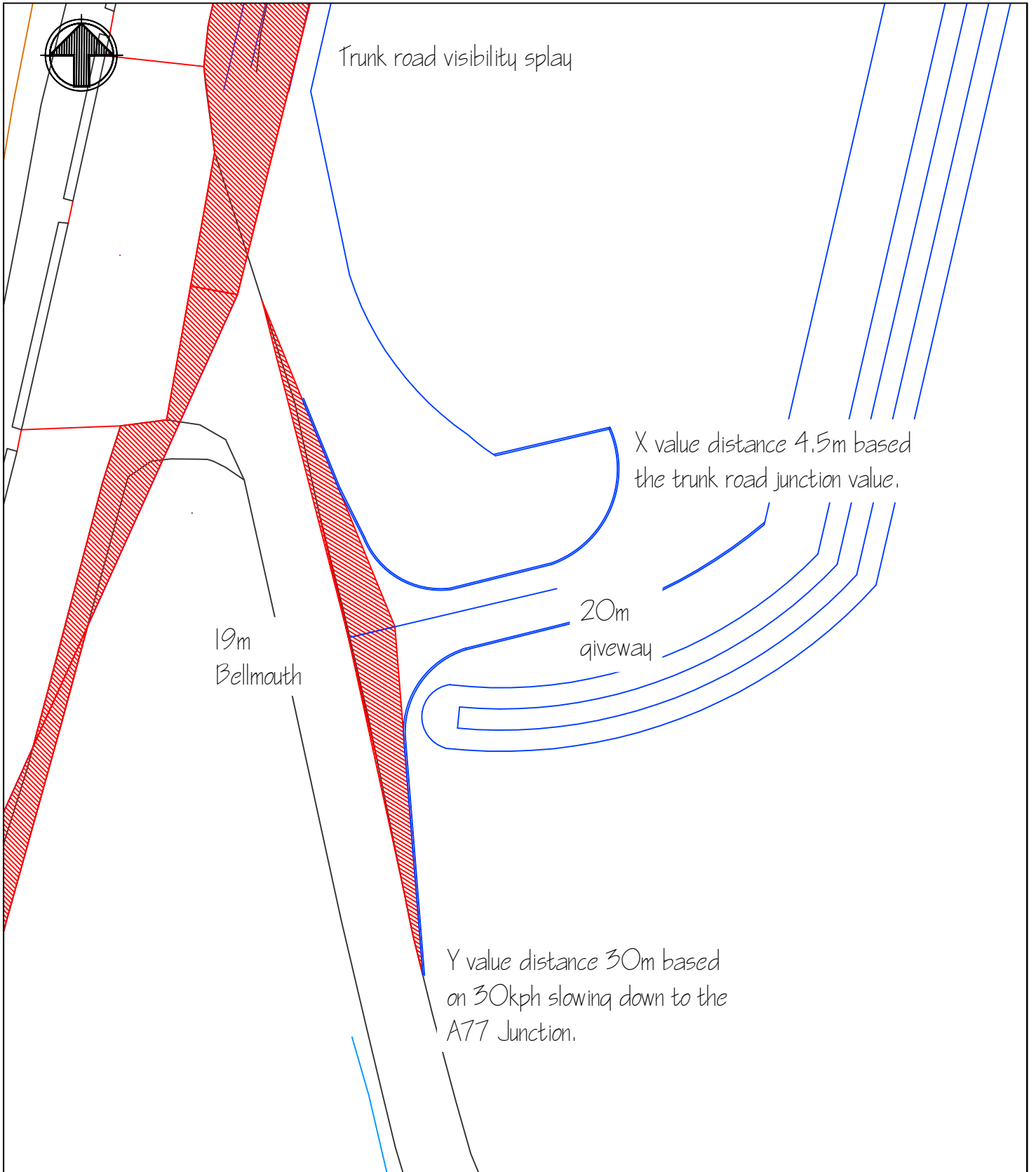
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 TLC ENVIRONMENTAL OS LICENCE No 100057899

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