

EAST RENFREWSHIRE COUNCILLOCAL REVIEW BODY5 November 2014Report by Deputy Chief ExecutiveREVIEW OF CASE - REVIEW/2014/05ERECTION OF ONE AND A HALF STOREY DETACHED DWELLINGHOUSE IN PLACE OF EXISTING BARN AT NORTH KIRKTONMOOR FARM, NORTH KIRKTONMOOR, KIRKTONMOOR ROAD, EAGLESHAM**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:- 2014/0040/TP).
- Applicant: Mr William Sawers.
- Proposal: Erection of one and a half storey detached dwellinghouse in place of existing barn.
- Location: North Kirktonmoor Farm, North Kirktonmoor, Kirktonmoor Road, Eaglesham.
- Council Area/Ward: Busby, Clarkston and Eaglesham (Ward 6).

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 (Planning, Property and Regeneration).

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 his application. A copy of the applicant’s Notice of Review and Statement of Reasons is attached as Appendix 4.

9. The applicant is entitled to state a preference for the procedure (or combination of procedures) to be followed by the Local Review Body in the determination of the review and has indicated that his stated preferences are further written statements, and/or a site visit.

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.

INFORMATION AVAILABLE TO ALLOW REVIEW OF APPLICATION

11. 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.

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

- (a) Application for planning permission – Appendix 1 (Pages 7-16);
- (b) Report of Handling by the planning officer under the Scheme of Delegation - Appendix 2 (Pages 17-26);
- (d) Decision notice and reasons for refusal - Appendix 3 (Pages 27-30); and
- (e) A copy of the applicant's Notice of Review and Statement of Reasons - Appendix 4 (Pages 31-72).

13. 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 5 (Pages 73-96):-

- (a) Ownership plan;
- (b) Refused - Location Plan;
- (c) Existing Site Plan;
- (d) Refused – Proposed Site Plan;
- (e) Existing Ground Floor Plan;
- (f) Refused – Ground and First Floor Plan as Proposed;
- (g) Elevations as Existing;
- (h) Refused – Elevations as Proposed;
- (i) Refused – Elevation of Stockproof Fence and Retaining Wall.
- (j) Refused – Proposed Roof Plan; and
- (k) Artist's Impression.

14. 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.

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

RECOMMENDATIONS

16. 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:

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:- October 2014

KEY WORDS:

A report presenting information to allow the Local Review Body to review the decision taken by the appointed officer to refuse the application for planning permission in terms of the scheme of delegation.

Key Words:- Local Review Body, Notice of Review, Statement, Reasons.

**APPLICATION
FOR
PLANNING PERMISSION**

BLANK PAGE



2 Spiersbridge Way Thornliebank Glasgow G46 8NG

Tel: 0141 577 3001

Fax: 0141 577 8411

Email: planningapplications@eastrenfrewshire.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 000080757-001

The online ref number 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: *

We strongly recommend that you refer to the help text before you complete this section.

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

Description of Proposal

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

Proposed erection of new 1 1/2 storey swelling house to replace existing barn adjacent to the farmstead at North Kirktonmoor farm, North Kirktonmoor road, Eaglesham. The house will be the same size and massing as the barn, but a new structure as the existing portal frame is unsuitable for conversion purposes.

Is this a temporary permission? * Yes No

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

Have the works already been started 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: UNUM Partnership ltd

Ref. Number:

First Name: * Mark

Last Name: * Ritchie

Telephone Number: * 0141 353 2745

Extension Number:

Mobile Number:

Fax Number:

Email Address: * mark.ritchie@unum-partnership.co.uk

You must enter a Building Name or Number, or both:*

Building Name:

Building Number: 11

Address 1 (Street): * Lynedoch Street

Address 2:

Town/City: * Glasgow

Country: * UK

Postcode: * G3 6EF

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title: Mr

Other Title:

First Name: William

Last Name: Sawers

Company/Organisation: * North Kirktonmoor farm

Telephone Number:

Extension Number:

Mobile Number:

Fax Number:

Email Address:

You must enter a Building Name or Number, or both:*

Building Name: North Kirktonmoor farm

Building Number:

Address 1 (Street): * North Kirktonmoor road

Address 2:

Town/City: * Eaglesham

Country: * UK

Postcode: * G76 0QB

Site Address Details

Planning Authority:

East Renfrewshire Council

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

Address 1:

NORTH KIRKTONMOOR
FARM

Address 5:

Address 2:

NORTH KIRKTONMOOR

Town/City/Settlement:

GLASGOW

Address 3:

KIRKTONMOOR ROAD

Post Code:

G76 0QB

Address 4:

EAGLESHAM

Please identify/describe the location of the site or sites.

Northing

651683

Easting

255535

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

1600.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

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

Former storage shed used for storage of agricultural machinery

Access and Parking

Are you proposing a new or 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 changes to public paths, public rights of way or affecting any public rights of access? *

Yes No

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

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

0

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

2

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, cycle 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

What private arrangements are you proposing? *

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

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

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

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: * (Max 500 characters)

North Kirktonmoor farm has an existing septic tank. The proposal is that the drains from the new dwelling will connect into the existing septic tank.

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)

Hardstanding provided to side of property for siting of refuse bins and recycling bins. Final size in accordance with council guidelines.

Residential Units Including Conversion

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

Yes No

How many units do you propose in total? *

1

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

All Types of Non Housing Development - Proposed New Floorspace

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

Yes No

Schedule 3 Development

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

Yes No Don't Know

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

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

Planning Service Employee/Elected Member Interest

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

Yes No

Certificates and Notices

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

One Certificate must be completed and submitted along with this 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.

These People are:

Name:

Address:

Date of Service of Notice: *

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

Signed: Mark Ritchie

On behalf of: North Kirktonmoor farm

Date: 22/01/2014

Please tick here to certify this Certificate. *

Checklist - Application for Planning Permission

Town and County 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 developments (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 County 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)

Labour requirement report

Provide copies of the following documents if applicable:

- A copy of an Environmental Statement. * Yes N/A
- A Design Statement or Design and Access Statement. * Yes N/A
- A Flood Risk Assessment. * Yes N/A
- A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * Yes N/A
- Drainage/SUDS layout. * Yes N/A
- A Transport Assessment or Travel Plan. * Yes N/A
- Contaminated Land Assessment. * Yes N/A
- Habitat Survey. * Yes N/A
- A Processing Agreement * Yes N/A

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

Declare - For Application to Planning Authority

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

Declaration Name: Mark Ritchie
 Declaration Date: 22/01/2014
 Submission Date: 22/01/2014

Payment Details

Cheque: Northcare Scotland Ltd - Lindsayfield account, 008780

Created: 22/01/2014 15:58

REPORT OF HANDLING

BLANK PAGE

REPORT OF HANDLING

Reference: 2014/0040/TP

Date Registered: 30th January 2014

Application Type: Full Planning Permission

This application is a Local Development

Ward: 6 -Busby Clarkston Eaglesham

Co-ordinates: 255535/:651683

Applicant/Agent:

Applicant:
Mr William Sawers
North Kirktonmoor Farm
North Kirktonmoor
Kirktonmoor Road
Eaglesham
East Renfrewshire
G76 0QB

Agent:
UNUM Partnership Ltd
Mark Ritchie
11 Lynedoch Street
Glasgow
G3 6EF

Proposal: Erection of one and a half storey detached dwellinghouse in place of existing barn

Location: North Kirktonmoor Farm
North Kirktonmoor
Kirktonmoor Road
Eaglesham
East Renfrewshire
G76 0QB

CONSULTATIONS/COMMENTS:

East Renfrewshire Development Contributions Officer:.

No objections

East Renfrewshire Environmental Health:

No objections subject to conditions.

PUBLICITY: None.

SITE NOTICES: None.

SITE HISTORY:

2007/0634/TP	Proposed redevelopment of existing single storey bungalow to form family house over 2 floors including 2 storey extension to rear and change of use from agricultural land to garden ground	PRPA	12.11.2007
2013/0303/TP	Erection of one and a half storey detached dwellinghouse in place of existing barn	WIT	29.08.2013
2013/0588/PN	Erection of two polytunnels (prior notification)	GRA	15.11.2013
2014/0041/PN	Demolition of agricultural shed (prior approval)	WIT	12.03.2014

REPRESENTATIONS: No representations have been received.

DEVELOPMENT PLAN & GOVERNMENT GUIDANCE: See Appendix 1

SUPPORTING REPORTS:

Design statement: states that the proposal is to form a contemporary 1 ½ storey family dwelling house within the footprint of the existing barn structure. The existing structure itself is unsuitable for conversion due to the condition of the steel portal, presence of asbestos, cracking of ground slab etc. The dwelling is to become the family home of the son of the land owners. The son is employed within the family business. The proposed elevational treatment of the new house uses a more contemporary proportion and layout of the windows, including large opening glazed doors at ground floor level, a stone plinth and slate grey cladding above.

Locational Justification statement: describes the proposal in the context of the East Renfrewshire adopted Local Plan and Scottish Planning Policy in order to justify the location of the proposed dwelling. It recognises that the site is zoned for agricultural use and is in green belt and located approximately ¾ mile SW of Eaglesham, accessed from North Kirktonmoor Road. Furthermore, it states that the proposal replaces/rehabilitate an existing storage barn structure located on the farm. It concludes that there is no other location in close proximity to the farm that could provide an alternative site. The proposal is that the new build house emulates the layout and form of the existing structure.

Labour Assessment Report,(SAC REPORT): Outlines the nature of activities on the adjacent buildings and wider landholding including number and type of animals and operations undertaken. It also indicates future proposals for the site. It indicates that the farm is approx. 72 hectares in total, with approx. 200 sheep and 18 horses. It concludes that based upon the current and proposed operations that the proposal supports 2.2 Labour units.

ASSESSMENT:

The site is an area of land located within North Kirktonmoor Farm, to the west of Kirkton Moor Road, Eaglesham. Information submitted by the applicant indicates that the farm extends to some 72 hectares with the majority of the land used for sheep grazing and horse livery.

The farm includes various buildings including the original farmhouse steading, located to the west of the proposed dwelling; Rose Cottage, located to the north and a machinery storage shed. The proposed house is to be located on the site of an existing shed and will require to be demolished. North Kirktonmoor cottage is also situated within the farm; however, the applicant has stated that this is not within their ownership.

Planning permission is sought for a 1 ½ storey detached dwellinghouse located immediately adjacent to the main farm house and yard. The dwelling has a footprint measuring approx. 14 by 12 metres and approx. 6.3 metres in height.

The proposal is required to be assessed against the East Renfrewshire Local Plan and in particular Policies E2, DM1 and DM3. Policy E2 presumes against development in the Green Belt except in certain circumstances as detailed in Policy DM3. DM1 amongst others requires proposals to be in keeping with the size, scale of the locality and respect local architecture, building form and design. It also requires that proposals do not result in a significant impact on the character and amenity of the area. Policy DM3 states that new houses in the Greenbelt must be for a person employed full time in agriculture (or other appropriate rural use) and that there is a site specific locational need for a dwelling. It also requires a viable business to have been established for a minimum period of three years which can support a full time worker and consequently the need for a new permanent dwellinghouse.

The Scottish Agricultural College (SAC) report submitted by the applicant states that the labour requirement for the combined farm enterprise is 2.20 labour units and therefore a new house for a full time employee is justified. It also states that the house is for the son.

As previously stated there are two houses already on the farm. These are occupied by people employed in the farm enterprise. The SAC report justifies 2.2 labour units. Consequently, this leaves only 0.2 labour units as a justification for any new house. The SAC report also indicates that the majority of the labour justification, some 65%, is based upon the horse livery operations which equates to approx. 1.4 labour requirements. The individual who runs the livery business resides in Rose Cottage.

It should be noted that the proposal is for a house for an agricultural worker and that the use of the land for horse livery operations is not considered an agricultural use under planning legislation and therefore not taken into account in justifying a house for an agricultural worker.

Accordingly on the basis of the above only 35% of the labour unit justification submitted relates to agricultural operations, equal to some 0.8 labour requirements.

Furthermore, the SAC report also includes polytunnels within the justification, which at the time of the report had not been erected. The Local Plan requires businesses to be established for a minimum of three year and consequently, the justification set against the polytunnels should be precluded from the justification in assessing this application.

The polytunnels could potentially equate to approx. 11% of the total labour hours identified within the SAC report.

The Council requested clarification on the role of the son in running the farm as the SAC report identifies that the farm also currently employees 3 part time farm workers (it is understood that the 3 employees live off site) who are overseen by the son. The applicant's agent clarified that the son undertakes various roles including managerial, planning, finance, buying and supplies, and monitoring. They also state that some practical activities such as operating machinery, feeding livestock, and '24 hours on-call' duties during lambing are undertaken. No details have been given regarding the number of hours or labour units that are involved in the practical agricultural activities undertaken by the son.

Given the above and the information within the SAC report, it is considered that the role of the son appears predominantly to be as a land manager as oppose to someone who is 'hands on' and needs to be located on the farm on a daily basis. Consequently, it is considered that it has not been demonstrated that there is a specific locational need for an additional dwellinghouse at the farm stead.

The applicant was asked if consideration had been given to living in Eaglesham which is immediately adjacent to the farm and less than one mile from the farm steading building. They responded stating that no consideration was given to living in Eaglesham as it was remote from the farm and the farm manager ideally should reside on the farm, given the current nature of health and safety legislation. The East Renfrewshire Local Plan requires other suitable properties are considered first before any planning application for a new housing is acceptable and it is considered given what appears to be a limited 'hands on' role of the son that this would be more appropriate than a new house.

Consequently it is considered that it has not been demonstrated that there is sufficient agricultural demand on site to support the application for a new house on the farm stead and accordingly, given the above, there is no justification in terms of Policies E2 and DM3 of the Local Plan for the proposed dwellinghouse.

In addition to the principle issue outlined above the proposed house utilises an extensive low pitched roof design with extended wallheads and large box dormers to the front and rear elevations. Each dormer extends to some 11.7 metres in width, developing the majority of the roof plane. Given the above it is considered that the proposed house is not in keeping or sympathetic with the local architecture and rural setting contrary to the requirements of the East Renfrewshire Local Plan, policies DM1 and DM2.

The proposed Local Development Plan (LDP) has similar policy requirements as the adopted Local Plan. Consequently, it is considered that the proposal raises no significant issues in relation to the LDP that has not already been discussed above.

Therefore taking into account the Development Plan and other material considerations, it is recommended that the application be refused.

RECOMMENDATION: Refused

PLANNING OBLIGATIONS: None.

REASON(S):

The proposal is contrary to the East Renfrewshire Local Plan (2011) Policies E2 and DM3 as it has not be demonstrated that the dwellinghouse is needed for someone employed in full time agricultural (or other appropriate rural use) and consequently it would result in incongruous and sporadic development within the Greenbelt, to the detriment of the rural character of the area.

The proposal is contrary to the East Renfrewshire Local Plan (2011) Policies DM1 and DM3 as it would, due to its design, result in a development not in keeping with local architecture or sympathetic to the rural character of the area, to the detriment of the Greenbelt.

ADDED VALUE: None

BACKGROUND PAPERS:

Further information on background papers can be obtained from Mr John Drugan on 0141 577 3034.

Ref. No.: 2014/0040/TP
(JODR)

DATE: 11th June 2014

DIRECTOR OF ENVIRONMENT

Reference: 2014/0040/TP - Appendix 1

DEVELOPMENT PLAN:

Strategic Development Plan

Structure Plan Policies - None

East Renfrewshire Local Plan (Adopted 14th February 2011)

Policy DM1-Detailed Guidance for all Development

Where the principle of development is deemed to be acceptable in terms of the other Policies contained within this Local Plan, proposals for development will require to conform to the appropriate criteria below:

1. Not result in a significant loss of character or amenity to the surrounding area.
2. Be of a size, scale and density in keeping with the buildings in the locality and respect local architecture, building form, design, and materials.
3. Not constitute backland development without a road frontage.
4. Not impact adversely on the landscape character, involve a significant loss of trees or other Important landscape, greenspace or biodiversity features (see Policies E3 - "Protection of Natural Features", E6 - "Biodiversity" L1 - "Protection of Important Urban Greenspace", and L2- "Safeguarding the Local Greenspace Resource".
5. Ensure that landscaping is an integral element in layout design, taking account of existing physical features (e.g. trees, hedgerows, walls, etc.). Where appropriate, tree planting should augment the amenity and appearance of the site.
6. Ensure that the standards for 'Open Space' are satisfied see Policy L4 - "Open Space Provision in New Developments" and Appendix 1).
7. Meet the parking and access requirements of the Council and provide Appropriate mitigation to minimise the impact of new development (see Policies T3 - "New Transport Infrastructure" and T5 -"Other Traffic Management and Calming Measures).
8. Not prejudice the amenity of neighbouring properties by unreasonably restricting sunlight or privacy.
9. Seek to create safe and secure environments and reduce the scope for anti-social behaviour and fear of crime.
10. Be designed to meet disability needs and include provision for disabled access within public areas.
11. Minimise the extent of light pollution caused by street and communal lighting and any flood lighting forming part of, or associated with, development.
12. Be designed to include provision for the recycling, storage, Collection and composting of waste materials.
13. Be designed to retain on-site, for use as part of the development, as much as possible of all waste material arising from construction of the development.
14. Be designed where applicable to take into account the legacy of former mining activity.

Policy DM3-Green Belt and Countryside Around Towns (CAT)

The Council will give sympathetic consideration to development proposals related to agriculture, forestry, outdoor recreation, renewable energy and other uses appropriate to the rural area providing the functions of the Green Belt can be maintained and the viability of important agricultural land and

units is not prejudiced.

23

The following criteria will be strictly adhered to for development proposals within the Green Belt and CAT.

New Dwellinghouses

A new dwellinghouse will only be permitted in the Green Belt and CAT where it can be clearly demonstrated that:

1. There is a specific need for the dwelling to be sited at that location in the countryside and no other suitable property or site is available, including opportunities to convert or rehabilitate redundant rural buildings.
2. It is required for a person engaged locally in full-time employment in agriculture or other appropriate rural use and this is controlled through an occupancy restriction that may be subject to a Section 75 Agreement.
3. A viable business has been established at that location for a period of 3 years which can support a worker and the need for a new dwellinghouse..
4. The new dwelling is situated adjacent to any existing farmstead or other building grouping.
5. The new dwelling is sympathetic in scale and design to its rural location and fits into the landscape.

Conversion of Existing Buildings

Proposals to convert or rehabilitate existing redundant rural buildings for residential use will be considered favourably where it is clearly demonstrated that:

1. The building is surplus to requirements for agriculture or other rural uses.
2. The building is traditional and in a vernacular style.
3. The building is structurally sound, with the exterior walls intact, and is capable of modern use without substantial rebuilding or extension.
4. The alterations maintain the character of the building and any extension does not dominate the original building.

Outdoor Leisure Facilities

Proposals for new or extended outdoor leisure facilities will be considered favourably where it is clearly demonstrated that:

1. The emphasis is on outdoor pursuits and there are no suitable sites within the urban area.
2. Any ancillary buildings or other works, such as access and lighting, are absolutely required to serve the outdoor pursuit and do not significantly prejudice rural character and the environment.
3. Satisfactory environmental mitigation measures, including landscaping, are incorporated into the proposal.

New or Replacement Buildings

Where appropriate, other development proposals not mentioned above and including change of use, alterations and extensions to existing buildings, demolition, new or replacement buildings and proposals that support rural diversification or maintain or enhance the rural economy will be considered favourably where it is clearly demonstrated that:

1. The existing building is incapable of physical repair and re-use through the submission and verification of a thorough structural condition report.
2. There would be a resultant economic, environmental or community benefit from the proposal.
3. No suitable alternative site within the urban area exists.
4. The design, siting and scale of any buildings and associated works, including access, are sympathetic to rural amenity.
5. 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.
6. Satisfactory environmental mitigation measures, including landscaping, are incorporated into the proposal.
7. The new building or development is sympathetic in scale and design to its rural location and fits into the landscape.

All Developments

Where acceptable in principle, development proposals also require to meet the general local Planning principles set out in Policies DM1 - "Detailed Guidance for all Development" and DM2 - "Alterations to and Redevelopment of Existing Dwellinghouses". Other proposals may be acceptable where in

Policy E3

Protection of Natural Features

The Council seeks to protect and where appropriate enhance East Renfrewshire's natural heritage and landscape features, including wildlife habitats within urban greenspaces.

There will be a strong presumption against development where it would compromise the overall integrity of Sites of Special Scientific Interest (SSSIs), Sites of Importance for Nature Conservation (SINCs), Tree Preservation Orders (TPOs) and ancient and long established woodland sites. The locations of SSSIs, SINCs, TPOs are identified on the Proposals Map.

In addition, the Council will encourage woodland management and tree retention and will support planting schemes which contribute to the creation of new native woodlands and to the landscape value and amenity of the area.

a) SSSIs

Development that affects a Site of Special Scientific Interest will only be permitted where an appraisal has demonstrated:

- * the objectives of the designated area and the overall integrity of the area would not be compromised;
- or
- * any significant adverse effects on the qualities for which the area has been designated of national importance are clearly outweighed by social or economic benefits of national importance.

b) Protected Species

Planning permission will not be granted unless the Council is satisfied that the proposed development will either not impact adversely on any protected species on the site or that the terms of The Conservation (Natural Habitats) Regulations 1994 are likely to be satisfied.

c) SINCs

The Council will seek to protect and where possible enhance SINCs. Development that would have an adverse effect on the objectives of a SINC designation or on the overall integrity of the area of any SINC will not be permitted unless it can be shown that the adverse effect would be outweighed by social, economic or other benefits arising from the development.

d) TPOs

The Council will seek to protect trees that are subject to tree preservation orders. Where permission is granted for the removal of trees, replacement planting will be expected.

e) The Council will encourage woodland management and tree retention and will support planting schemes which contribute to the creation of new native woodlands and to the landscape value and amenity of the area.

Proposed Local Development Plan

The Proposed Local Development Plan (LDP) has been sent for Examination to the Scottish Government. The LDP outlines the Council's most up to date statement of planning policy.

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;

25

5. Developments should incorporate green infrastructure including access, water management, 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 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. As much as 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, particularly walking and cycle opportunities including cycle parking and provision of facilities such as showers/lockers, 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.

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 Proposed 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.

GOVERNMENT GUIDANCE: None

Finalised 11/06/2014.IM.

BLANK PAGE

**DECISION NOTICE
AND
REASONS FOR REFUSAL**

BLANK PAGE

**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. **2014/0040/TP**

Applicant

Mr William Sawers
North Kirktonmoor Farm
North Kirktonmoor
Kirktonmoor Road
Eaglesham
G76 0QB

Agent:

UNUM Partnership Ltd
Mark Ritchie
11 Lynedoch Street
Glasgow
G3 6EF

With reference to your application which was registered on 30th January 2014 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

Erection of one and a half storey detached dwellinghouse in place of existing barn

at: North Kirktonmoor Farm North Kirktonmoor Kirktonmoor Road Eaglesham 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 the East Renfrewshire Local Plan (2011) Policies E2 and DM3 as it has not be demonstrated that the dwellinghouse is needed for someone employed in full time agricultural (or other appropriate rural use) and consequently it would result in incongruous and sporadic development within the Greenbelt, to the detriment of the rural character of the area.
2. The proposal is contrary to the East Renfrewshire Local Plan (2011) Policies DM1 and DM3 as it would, due to its design, result in a development not in keeping with local architecture or sympathetic to the rural character of the area, to the detriment of the Greenbelt.

Dated 11th June 2014



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	021-GA-100		
Plans Proposed	021-GA-201		
Plans Proposed	021-GA-300		
Plans Proposed	021-EL-500		
Plans Proposed	021-DT-700		
Plans Proposed	021-GA-30R		

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

**NOTICE OF REVIEW
AND
STATEMENT OF REASONS**

BLANK PAGE

RECEIVED

04 SEP 2014

Notice of Review



NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006

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

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

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

Use **BLOCK CAPITALS** if completing in manuscript

Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

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

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

Yes No

Planning authority

Planning authority's application reference number

Site address

Description of proposed
development

Date of application

Date of decision (if any)

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

Nature of application

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

Reasons for seeking review

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

Review procedure

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

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures. However, please note that the Local Review Body is not bound to accede to your request(s) and will decide what procedure will be used to determine your review.

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

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

Statement of reasons for Review incorporates the submissions which are necessary to explain why the Report of Handling erred and to explain some of the material previously submitted which appears to have been misunderstood in the Report of Handling.

Site inspection

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

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

Notice of Review

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

If the barn alone is to be inspected, this may be unaccompanied. If the farming operation is to be inspected, this will require to be accompanied. Please contact the applicant if that applies.

Statement

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

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

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

Statement of Reasons for review including written submissions annexed

Notice of Review

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

Yes No

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

N/A

List of documents and evidence

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

See Accompanying Inventory - Unum Partnership
All documents accompany this application, as previously submitted

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

Checklist

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


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

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

Declaration

I the ~~applicant~~/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed



Date

3.9.2014

Data Protection Act 1998

East Renfrewshire Council is the Data Controller for the purposes of the Data Protection Act 1998. Please note that the information provided with this application will appear in the public register of applications and will also be published on the Council's website. Personal details such as signatures, personal phone numbers and personal email addresses will not be published on-line. If you wish any further personal information to be excluded from publication, please request this in writing and the Council will consider your request.

Your completed notice of review should now be returned to: East Renfrewshire Council, Head of Environment (Planning, Property and Regeneration), 2 Spiersbridge Way, Spiersbridge Business Park, Thornliebank, East Renfrewshire G46 8NG. Alternatively, you can e-mail your notice of review to planning@eastrenfrewshire.gov.uk

BLANK PAGE

Statement of Reasons for seeking a review

General

1. It is submitted that the proposed development complies with Policy DM1 and with Policy E2 and DM3 for the reasons set out in the application and the supporting documentation. The application ought therefore to have been approve and granted.

Policy E2 and DM3

2. It is submitted that the Council Officer has interpreted Policy DM3 too narrowly and thus has misconstrued the policy.

Policy DM3 provides:

“The Council will give sympathetic consideration to development proposals relating to agriculture, forestry, outdoor recreation, renewable energy and other uses appropriate to the rural area providing functions of the Green Belt can be maintained and the viability of the important agricultural land and units is not prejudiced.

...

2. It is required for a person engaged locally in full-time employment in agriculture or other appropriate rural use and this is controlled through an occupancy restriction that maybe subject to a Section 75 Agreement.

3. A viable business has been established at that location for a period of three years which can support a worker and the need for a new dwellinghouse;

...”

3. Policy DM3 has to be construed in the context of the main policy which refers to “agriculture, forestry, outdoor recreation, renewable energy and other uses appropriate to the rural area”. The policy is therefore not just concerned with agriculture except to the extent that that the viability of agricultural land must not be prejudiced by the other activities to which the policy relates.
4. The Report of Handing errs in discounting the horse livery operation, because that is part of the business and comes under either “outdoor recreation” or “other uses appropriate to the rural area”. Policy DM3 refers to a house required for a person engaged locally in full-time employment in agriculture or other appropriate rural use and that must include the uses set out in the opening paragraph of the policy. The Policy does not divide up a business into component parts, where each part comes within the Policy. The application

relates to a person engaged in the farm business which includes agriculture and the horse livery business both of which activities come within the policy. While the livery business is mainly run by one individual, never-the-less the son's role on the farm will include work as appropriate with the livery and also in the overall management of the business including the both the farming and the livery business albeit his main work will be with the new polytunnel business.

5. Further the Report of Handling errs in excluding the polytunnels from the justification for the house. All that Policy DM3.3 requires is that a viable business should have been established at that location for a period of three years which can support a worker and a need for the dwellinghouse. The business does not have to be exclusively agricultural but can, as here, include other activities that fall within the Policy. The Policy is not concerned with the fact that the applicant may change the components of the business to meet market demand. The applicant has demonstrated that there is an established viable agricultural and horse livery business on site. The relevance of the polytunnel proposal is that it demonstrates that for the future the business can support the full time worker and that there is a continuing and future need for the dwellinghouse, because the polytunnel proposals will be taken forward as part of the agricultural business. The words "can support" and "need" in the Policy indicates a future requirement to support the worker and for the need for the dwellinghouse. The SAC Report [paragraph 2.1] refers to fact that the increase in farming business arising from the polytunnel enterprise will need a fulltime operator (the son) to live on site and [paragraph 4.2] that two people on the holding are required at all times to check on the livestock.

6. Further the Report of Handling errs in that it relies on "the number of hours or labour units that are involved in the practical agricultural activities undertaken by the son", where the time spent on "managerial, planning, finance, buying and supplies, and monitoring" appears to be discounted. Managerial time etc spent on running a business is part of full-time employment in an agriculture or other appropriate rural use business. To be effective such managerial functions required to be carried out on site, because part of the managerial function is to manage and supervise others working in the business, including supervising health and safety requirements. The policy does not relate just to a manual farm worker, which is the erroneous approach taken in the Report of Handling.

7. The applicant's son will be employed full time on the farm and in the business. He will be involved in the management and administration of the whole agricultural, polytunnel and livery business; he will be working hands on with the polytunnel production of flowers and vegetables, with the delivery of flowers and vegetables; he will be working with the livestock and with the livery business as appropriate, in particular being available at night for night checks on the livestock and livery horses. He requires to work full time on the farm in order to supervise the others working on the farm, in particular in

relation to health and safety requirements. Effective management and supervision can only be carried out by a person living full time on the holding. While the unit does employ part time employees, thus providing employment in the locality, this does not detract from the need to have a fulltime person employed hands on and in the management of the holding on the holding to cover the expanding business. Reference is made to the SAC Consulting Report and in particular paragraphs –

2.1 Business Overview - Reference to polytunnels and that this will “necessitate the employment of one full-time person who will need to live on site”;

3 Labour Requirements

4.2 Farm Labour and Available Housing - Reference to the advice from the HSE executive and the requirement for constant supervisions;

4.3 Animal Welfare and Management – Reference to the need to assess livestock health at all times, the requirement for night checks and that horses require constant supervision and the need to two qualified person on hand at any time;

4.4 Security and Safety – Reference to the potential for safety and security problems arising from the nearness to Eaglesham.

The Official considering this application ought to have taken the foregoing properly into account.

8. For the reasons given above the Report of Handling errs in concluding that it has not been demonstrated that there is sufficient agricultural demand on site to support the application for a house on the farmstead.
9. Having regard to the above reasons, and to the Locational Justification Statement [Document 021-002] at paragraph 3.6, the proposal complies with Policy E2 and DM3.

Policy DM1

10. Further the Report of Handling misunderstands the design of the house, which has been designed to meet the architectural requirements of DM1. Reference is made to the Design and Access Statement [Document 021-001] and the Locational Justification Statement [Document 021-002] at paragraph 3.5. The Report of Handling fails to give adequate Reasons as to why the proposed design does not comply with Policies DM1 and DM2 (sic). The applicant contends that Policy DM2 does not apply as it refers to extensions only. The reliance on this policy is therefore an error.

Conclusion

11. It is submitted that had Policy DM3 been properly understood and applied, that having regard to the application and to the supporting documentation that the application ought to have been approved and granted by the Council.

Labour Requirement Report

Prepared for: Margaret & William Sawers

Prepared by: SAC Consulting

Contact: Andrew Leggate
Farm & Rural Business Services
John F Niven Building
Auchincruive
Ayr KA6 5HW

Date: December 2013



SAC Consulting is a division of SRUC

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

Prepared for:

Margaret & William Sawers
North Kirktonmoor
Eaglesham
Glasgow
G76 0QB

Tel: 07515 948271

Farm Code: 90/721/0034
Grid Ref: NS 557517

Prepared by:

SAC Consulting

Contact:

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

Tel: 01292 525263
Mob: 07720 700280
Email: Andrew.leggate@sac.co.uk
Fax: 01292 525146

FBAASS accreditation No: LEGGA22

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

Contents

Page No.

1.	Introduction	1
2.	Margaret & William Sawers	2
3.	Labour Requirement	3
4.	Additional Comments	3
5.	Conclusion	5

BLANK PAGE

1. Introduction

This is a family farming business consisting of two partners: Margaret and William Sawers.

North Kirktonmoor extends to 72 ha approximately (178 acres). The main enterprises are cross ewes (for breeding) and horse livery. A horticultural enterprise is being established in early 2014 to produce flowers, fruit and vegetables for use in care homes in the greater Glasgow area. These will be grown in 2 polytunnels.

The business is managed by Margaret (mother) and William Sawers (son) with day to day farming operations carried out by 3 part-time employees. With the increase in farming activities, including the construction of the polytunnels, the business needs to employ a full-time operator to live on site.

A site visit was made to North Kirktonmoor on 16 December 2013 to see the farming systems and potential location for a new dwelling house. In addition, the business policy was discussed, as well as factors that would support the proposed dwelling house.

The assessment of the business is presented in this report to justify the requirement of a dwelling house at North Kirktonmoor and has been prepared on the basis of information provided during the consultation with Margaret and William Sawers.

SAC Consulting accept no liability in the event of the planning application being turned down. In the event of planning permission being granted, SAC Consulting accept no liability for any planning conditions which East Renfrewshire Council may impose on the dwelling house.

2. Margaret and William Sawers

2.1 Business Overview

Margaret and William Sawers are based at North Kirktonmoor, near Eaglesham. This area is considered as Less Favoured (LFA) by the Scottish Government. The land is classified as 4₁ according to The James Hutton Institute (formerly MLURI) Agricultural Land Classification System. Land of this category often has a slight degree of risk associated with agricultural production in relation to interactions between climate, soil and land management. Nevertheless, the land farmed is capable of producing average to high yields of grass and arable crops such as cereals.

The farm extends to 72 ha (178acres) and is all in grass. The main enterprises are breeding ewes and horse livery. The land is used for grazing and hay or haylage production.

2 polytunnels are being erected early in 2014 to produce flowers, fruit and vegetables to supply care homes in Glasgow.

This will be labour intensive and will necessitate the employment of one full-time person who will need to live on site.

2.2 Summary of Land

<u>Category of Land</u>	<u>ha</u>
Grassland	67.00
Hay/Haylage	5.00

Protected Crops (polytunnel)

230 m² – fruit, vegetables and flowers

2.3 Summary of Livestock

<u>Stock</u>	<u>No.</u>
Ewes	100
Other Sheep	100
Horses (livery)	18

3. Labour Requirement

Using SGRPID's "Standard Labour Data for Agricultural and Horticultural Activities", sourced from the UK Farm Classification Working Party (February 2004), the hours required for the agricultural business of Margaret and William Sawers are as follows:

Crops	Area (ha)	Hours/Annum	Total
Grassland	67	4	268
Hay/Haylage	5	12	60
Protected Crops (polytunnel)	230 m ²	2.0/m ²	460
<i>Sub total</i>			788

Livestock	No.	Hours/Annum	Total
Ewes	100	4.2	420
Other Sheep	100	2.6	260
Horse Livery	18	150	2,700
<i>Sub total</i>			3,380

Total Hours	=	4,168
SGRPID's Standard Man Year	=	1,900
Calculated Labour Requirement	=	<u>2.20</u>

4. Additional Comments

4.1 The Site

The site preferred for the dwelling house is located near to the existing farm steading at North Kirktonmoor. This is important to maximise management practices for the farming business.

It is on a brownfield site. The house will also allow wide and easy observation of all the livestock on the farm.

North Kirktonmoor Farm is just off the B764. The farm sits on a narrow country near to the urban area of Eaglesham.

The choice of site will impose no disturbance to farming practices at North Kirktonmoor or indeed to any other rural practices outwith the farm.

4.2 Farm Labour and Available Housing

At the time of visiting, there were 3 part-time employees on the farm. These workers managed the day to day running of the farm, overseen by William Sawers.

Currently the family live in the farm house at North Kirktonmoor. There is no other accommodation on the farm.

It is advised by the Health and Safety Executive that farmers and their employees resist from loan working. The farm enterprises require constant supervision by suitably qualified individuals at all times. It is advised that there are 2 people on hand at all times to check all livestock.

It is vital that there is accommodation on-site for a full-time employee.

4.3 Animal Welfare and Management

The livestock require feeding and watering twice per day and bedded daily. Time must be taken to assess the health of the livestock at all times. Animal illness and production losses contradict welfare standards, as well as having a significant economic impact on the farm business.

The sheep require regular checks, particularly at lambing. This includes regular night checks. Late night checks are essential as this is the time when sheep behaviour is least affected by other external factors and a true indication can be made on health and lambing timescales. Having more than one qualified person living on-site will ensure that there are no compromises in animal care or in human safety.

The horses are very valuable animals and require constant observation and supervision.

Locating a dwelling house at North Kirktonmoor would ensure that there is at least 2 qualified people on-hand to control any animal welfare issues at any time that is required. This is vital for animal welfare.

4.4 Security and Safety

North Kirktonmoor Farm is located on the outskirts of Eaglesham. The farm is off the main road and not all the farmland can be seen from the farm house or from the steading. With the increasing awareness by the public of their access rights under the Land Reform (Scotland) Act 2003, and due to the proximity to the urban population, there is potential of safety and security problems on the farm from people not fully understanding their responsibilities in the countryside.

The most notable problems have been the incidents with countryside visitors walking dogs through fields where there are cattle and sheep. This is dangerous for both the people and the livestock, and any incidents arising could result in death or injury of either the animals or people or both.

Similarly, there is the risk of injury to the public by entering fields where there are grazing livestock, and members of the public leaving gates open, which may allow stock to stray, putting others at risk. This is especially important due to the proximity of the farmland to Eaglesham and the busy road network around this area.

Other issues have occurred with people accessing land that has a growing crop in it. Cereals look very much like grass at early growth stages and also silage cannot easily be distinguished from grazing grass until it is later on in the season. Damage to the crops from countryside visitors with limited agricultural knowledge can result in

lower yields especially if the activities involve motorised vehicles which damage young plants.

Another major concern with people coming into contact with animals is Zoonoses. Zoonotic diseases are those which are transmissible from animals to humans, including salmonella and E. coli. This issue is of high importance and the government intervenes to control these diseases in order to protect public health.

There have been no incidents of vandalism – deliberate and accidental – and theft at North Kirktonmoor but this is an aspect of rural living which is a worry for Margaret and William both from a personal and business point of view. Having another dwelling and qualified person on the unit will help to improve security and reduce the risk of loss of high value inputs and equipment, as well as damage to infrastructure.

A dwelling house at the proposed site will help to minimise any security and safety problems.

5. Conclusion

- The estimated annual labour requirement for the farming operations of Margaret and William Sawers is 2.20 labour units. This type of unit and the agricultural activities carried out therefore justifies the construction of a new house for a full-time employee.
- It is considered highly desirable for welfare and security that there are at least two suitably qualified personnel residing onsite.
- The location of the proposed dwelling house at North Kirktonmoor Farm is desirable as this is based on the farming enterprises. The proposal does not pose any harmful threats or have a significant visual disturbance to the environment and surrounding landscape.
- There are no existing buildings on the farm units that can be utilised for living quarters.
- Support from the local authority through the development of a dwelling house will encourage the farming future at North Kirktonmoor, as well as encouraging wider rural business and economic development through the house construction and long-term maintenance, as well as continuing farming operations.

BLANK PAGE



DESIGN AND ACCESS STATEMENT

Proposed new dwelling house to replace existing barn

North Kirktonmoor Farm, Eaglesham

Document reference: 021-001-A

May 2013 (Rev A 21.01.14)



BLANK PAGE

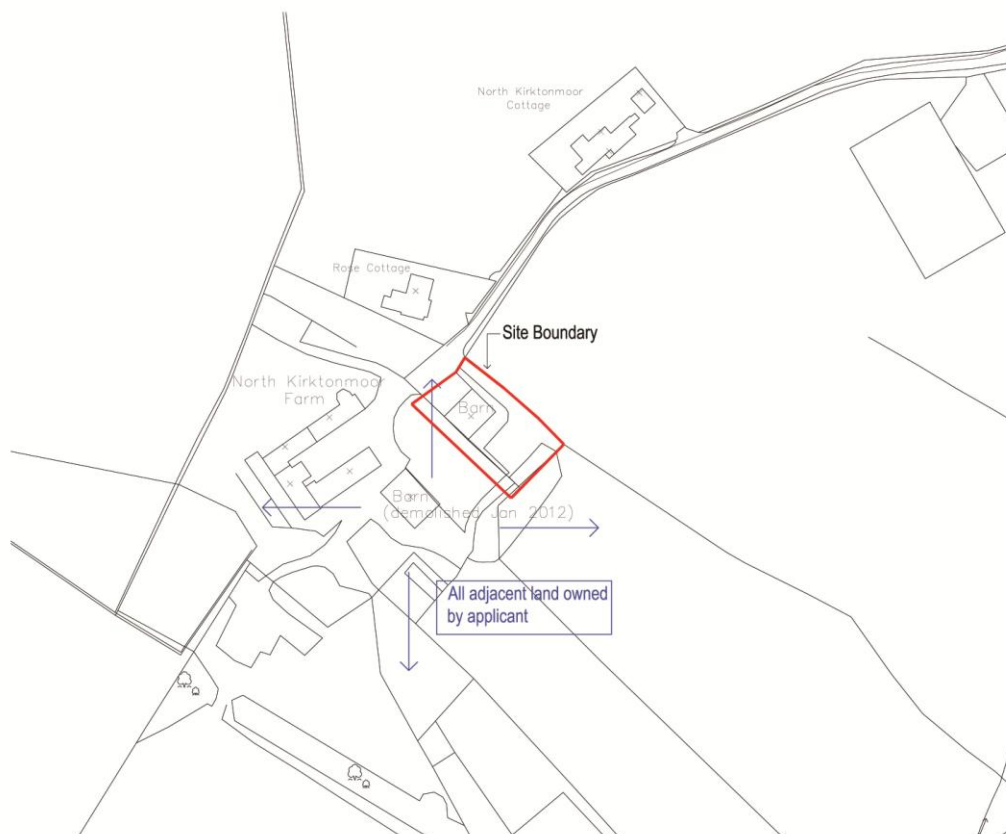
1.0 Introduction and Background

This application is for detailed planning permission to build a 1 ½ storey family dwelling to replace an existing machinery storage shed located adjacent to the farm yard at North Kirktonmoor farm, North Kirktonmoor road, Eaglesham.

The footprint of the existing barn measures approximately 14.5m x 12.2m (177sqm). This structure, approximately 30-years old, is a steel portal frame clad in profiled aluminium wall panels and with a reinforced concrete skirt and a profiled asbestos sheet roof. It has been used previously for machinery storage and internal accommodation includes a toilet and small kitchen area for staff as well as an open plan storage area.

The structure measures approximately 3.8m to the eaves and 6.2m to the ridge, depending on where measured from, and the existing floor slab, at approximately 95.5m AOD is, located between 150 and 600mm above the surrounding ground which slopes gently from SW to NE.

2.0 Site Location Plan



3.0 Design Proposals and Brief

The proposal is to form a contemporary 1 ½ storey family dwelling house within both the footprint and the general massing of the existing structure. The existing structure itself is unsuitable for conversion due to the condition of the steel portal, presence of asbestos, cracking of ground slab etc.

The design starting point was the existing footprint, with ground floor laid out to provide a large formal living room and guest bedroom (4) with the main part of the ground floor accommodation consisting of a large open plan living, dining and family room space incorporating a large folding / sliding glazed door affording views from the dwelling North towards Glasgow and the Campsie hills beyond.

The proposal includes a new upper floor including three further bedrooms with ensuite's, family bathroom and a study.

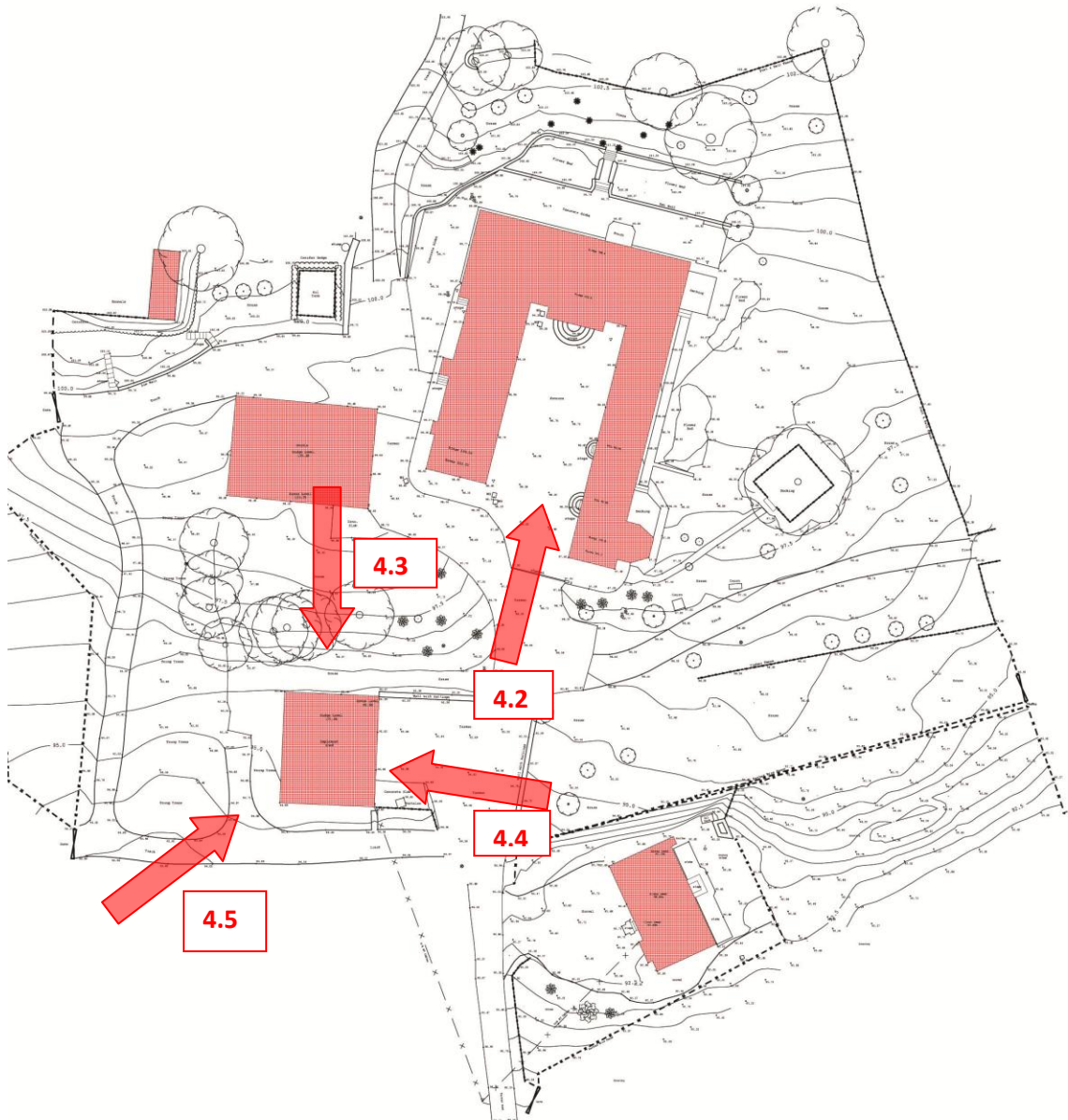
In order to create the space for the upper floor accommodation, the proposal is to maintain the existing roof profile (including eave and ridge heights), but introduce a large central dormer roof feature to each side of the house. The idea is to give the appearance of this being a conversion of the original barn structure, although this would in reality be a new build. Therefore the pitched profile of the roof and end gables are replicated with the dormer features being secondary to the main mass of the roof.

The application does not include for a change of use from agriculture to garden ground. Should planning consent be granted, the dwelling is to become the family home of the son of the land owners, whom reside at North Kirktonmoor farm. The son is employed within the family business.

The proposed elevational treatment of the new house uses a more contemporary proportion and layout of the windows, including large opening glazed doors at ground floor level, a stone plinth and slate grey cladding above.

4.0 Existing Images of the barn

4.1 Location plan





4.2 Image of North Kirktonmoor farm house viewed from North East



4.3 Existing barn viewed from South West



4.4 Front of existing barn viewed from North West



4.5 Side and rear of existing barn viewed from North East

5.0 Sketch proposal



WEST (FRONT) ELEVATION



SOUTH ELEVATION (LOOKING TOWARDS FARM)



VIEW OF REAR AND SIDE ELEVATION(S)

6.0 Design Life Standards and Sustainability

The minimum design life standards for the works are to be as follows:

- Building Structure 60 years.
- Roofing and Roof Cladding systems 30 years.
- External Walls and Wall Cladding systems 60 years.
- Windows/External Doors 30 years.
- Building Services and other elements 25 years.

The dwelling will be designed and constructed to meet or exceed the requirements of the current edition of the Technical Standards in Scotland.

7.0 Externals

Although a change of use is not being applied for as the farm will remain as an agricultural holding and is in the ownership of the same family, a house plot is defined by the application boundary. This plot is to define a garden for the dwelling house proposed herein.

Within the curtilage of the site, we have defined a garden amenity space, area for refuse storage and parking for 2 no cars. These are indicated on the proposed site plan.

8.0 Accessibility

Should this application for planning permission be successful, then the new house will be designed and constructed in accordance with the requirements of the current Technical Standards, and the house will therefore satisfy the requirements for future needs as defined in the Standards.

BLANK PAGE



LOCATIONAL JUSTIFICATION STATEMENT

Proposed new dwelling house to replace existing barn

North Kirktonmoor Farm, Eaglesham

Document reference: 021-002

May 2013 (Rev A 22.01.14)



BLANK PAGE

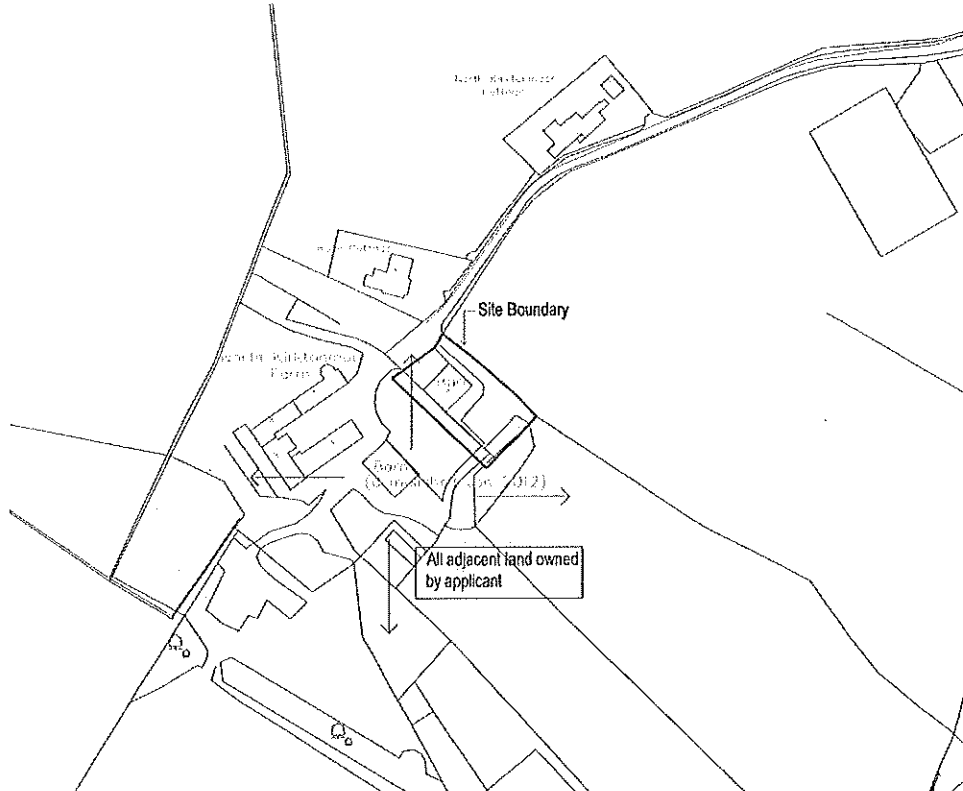
1.0 Introduction and Background

This application is for detailed planning permission to build a 1 ½ storey family dwelling to replace / rejuvenate an existing machinery storage shed located adjacent to the farm stead at North Kirktonmoor farm, North Kirktonmoor road, Eaglesham.

The footprint of the existing barn structure measures approximately 14.5m x 12.2m (177sqm). This structure, approximately 30-years old, is a steel portal frame clad in profiled aluminium wall panels and with a reinforced concrete skirt and a profiled asbestos sheet roof. It has been used previously for machinery storage and internal accommodation includes a toilet and small kitchen area for staff as well as an open plan storage area.

The structure measures approximately 3.8m to the eaves and 6.2m to the ridge, depending on where measured from, and the existing floor slab, at approximately 95.5m AOD, is located between 150 and 600mm above the surrounding ground which slopes gently from SW to NE.

2.0 Site Location Plan



3.0 Locational justification.

This statement has been prepared to describe the proposal in the context of the East Renfrewshire adopted Local Plan and Scottish Planning Policy in order to justify the location of the proposed dwelling.

The site is zoned for agricultural use and is in green belt, located approximately ¾ mile SW of Eaglesham and accessed from North Kirktonmoor road.

The current East Renfrewshire local plan was adopted in February 2011. The relevant policies of the Local plan are set out below.

Policy Strat 2 "Assessment of development proposals"

Policy E2 "Greenbelt and countryside around towns"

Policy E5 "Archaeological remains"

Policy L4 "Open space provision in new developments"

Policy DM1 "Detailed guidance for all development"

Policy DM3 "Green belt and Countryside around towns"

3.1 Policy Strat 2:

This requires that development proposals are set against a number of criteria. This policy is not relevant for single houses, but the impact of the proposal is outlined where appropriate for consideration:

3.1.1 A proven need for the development.

North Kirktonmoor farm is in the ownership of the Sawers family, who live in the main farm house / stead. This application is for a dwelling house for their eldest son. The new grown up family are close and have a desire to live in close proximity to each other; and the son now requires his own home. Included in the application is a labour justification report written by SAC Consulting. This report justifies the need for the development in terms of housing for labour employed on the farm.

3.1.2 The consideration of alternative locations, forms and layout of development.

North Kirktonmoor farm is located within designated greenbelt. However, while the proposal is for a new build, this is to replace an existing storage barn structure located on the farm. Consequently, in our opinion there is no other location in close proximity to the farm that could provide an alternative site. The proposal is that the new build house emulates the layout and form of the existing structure.

3.1.3 Community and economic benefits

Not applicable

3.1.4 The impact on communities, individual properties and existing land uses.

The proposed dwelling will have impact only on two other dwellings. These are the North Kirktonmoor farm house / stead, with the closest part of the courtyard "U" located approximately 30m to the Southwest of the existing barn structure.

Located approximately 30m to the Northwest is another dwelling house, North Kirktonmoor cottage. This dwelling is inhabited by the elder sibling of the proposed inhabitant of the application dwelling.

Both these adjacent properties are unaffected by the impact of the proposed dwelling as the barn structure is already there. Both dwellings are located sufficiently far from each other so that privacy is maintained and is not an issue.

3.1.5 The impact on existing and planned infrastructure

Not applicable on a development of this scale.

Should planning permission be obtained, early dialogue will occur with the statutory undertakers to establish how suitable electrical, gas and telecom connections can be made.

It is proposed to connect the new dwelling into the farm's existing septic tank system, which has capacity. Surface water will be taken into an infiltration drain system buried within the "garden" of the new dwelling.

3.1.6 The transport impact of the development

North Kirktonmoor farm is accessed by way of a private road, maintained by the farm owners. The private access is taken from North Kirktonmoor road, approximately 350m to the North of the new dwelling.

The new dwelling house will be occupied by the son of the owners of the farm, who currently resides at the farm stead. Accordingly there will be no "additional" car or other vehicle movements anticipated by this development.

3.1.7 The impact on the built and natural environment including the greenbelt

The application site is within an existing working farm, and located in the green belt.

The proposed dwelling house is for the son of the owners of the farm. The son is employed within the family business. Refer policy DM3 narrative.

3.1.8 The impact on air, soil and water quality

Not applicable to a development of this scale.

3.1.9 The potential for remedial or compensatory environmental measures

Not applicable to a development of this scale.

3.1.10 The contribution to energy reduction and sustainable development

The development will satisfy, or exceed, the requirements of the building regulations, which are increasingly stringent in terms of energy consumption.

3.1.11 The impact on health and well being

Not applicable to a development of this scale.

3.1.12 The suitability of the proposal when assessed against any approved supplemental planning guidance.

Refer elsewhere in this document.

3.2 Policy E2:

“There will be a strong presumption against inappropriate development including changes of use in the greenbelt and countryside around towns”

The green belt policy aims to prevent settlement coalescence, urban sprawl and protect landscape quality.

The narrative associated with the policy E2 confirms that non conforming proposals will only be considered favourably in exceptional or mitigating circumstances. Please refer to the narrative under policy DM3.

3.3 Policy E5:

The local plan proposal maps indicates an existing cairn (E5.3) located on North Kirktonmoor farm. Albeit located within the ownership of the farm, this archaeological site is located some distance from the proposed dwelling house and there is no impact on this.

3.4 Policy L4:

This policy requires that open space provision is maintained for all new development. For a single dwelling of this scale it requires a minimum of 100sqm of garden space, 9m back garden depth, 6m front garden depth and a minimum of 2m from any side boundary.

The application drawings indicate the following:

- 1100 sqm of open space provision around the existing barns structure
- Rear garden depth of approximately 26m
- Front garden depth of approximately 8.5m
- Minimum distance to side boundary approximately 5.0m

3.5 Policy DM1:

3.5.1 Not result in a significant loss of character or amenity to the surrounding area.

This application seeks to redevelop an existing barn used for storage of agricultural machinery. The barn has not been used for several years and is of no architectural value (being of metal profiled siding and asbestos roof).

3.5.2 Be of a size, scale and density in keeping with the buildings in the locality and respect local architecture, form, design and materials.

This application will replace the existing barn structure with a new build construction of the same footprint size and emulating the "mass" of the existing barn structure. The dwelling will have a largely pitched roof, reconstituted stone walls and an architectural aesthetic designed to largely emulate the aesthetic already seen in the existing adjacent farm house.

3.5.3 Not constitute "backlands" development

Not applicable and therefore compliant.

3.5.4 Not impact adversely on the landscape character

As the barn structure is existing, its redevelopment into a dwelling house will not impact on the landscape character of the farm or the green belt land in which it sits. Indeed, through erection of new stock proof fencing and creation of a garden space replacing the existing front and rear hardstanding, it is argued that the landscape character of the site will actually be enhanced.

3.5.5 Ensure that landscaping is an integral element in layout design

A large "garden" for the dwelling is identified on the proposed site plan. Landscaping will be an integral part of the design, but will be appropriate for the exposed location.

No existing trees are affected by the proposal. The site boundary identified on the application drawings is an existing fence line which will be retained, although a new stock proof fence will be erected.

3.5.6 Ensure that the standards for open space are satisfied

See response under policy L4.

3.5.7 Meet the parking and access requirements

A hardstanding for 2 no cars is identified on the application drawings. The dwelling will be accessed by way of the existing private road that connects North Kirktonmoor farm to North Kirktonmoor road.

3.5.8 Not prejudice the amenity of neighbouring properties

The proposed dwelling will have impact only on two other dwellings. These are the North Kirktonmoor farm house, with the closet part of the courtyard "U" located approximately 30m to the Southwest of the existing barn structure.

Located approximately 30m to the Northwest is another dwelling house, North Kirktonmoor cottage. This dwelling is inhabited by the elder sibling of the proposed inhabitant of the application dwelling.

Both these adjacent properties are unaffected by the impact of the proposed dwelling as the barn structure is already there. Both dwellings are located sufficiently far from each other so that privacy is not an issue.

3.5.9 Seek to create safe and secure environments

The principals of "secure by design" will be applied when considering the detailed specification of external windows and doors and their locking mechanisms. The property will be fitted with a maintained security alarm.

3.5.10 Be designed to meet disability needs

The dwelling will be designed to satisfy the requirements of section 3 and 4 of the SBSA technical handbook (domestic).

3.5.11 Minimise the extent of light pollution

Not applicable to this application

3.5.12 Be designed to include the provision for recycling, storage, collection and composting of waste materials.

The site plan accompanying the application indicates a hard standing for waste and recycling storage in accordance with the council requirements.

3.5.13 Be designed to retain on site as much as possible all waste materials arising from the construction of the development.

Should detailed planning permission be obtained, the contractor will seek to minimise the amount of waste generated from the construction of the new dwelling.

3.5.14 Be designed, where applicable, to take into account the legacy of former mining activity.

Not applicable to this application

3.6 Policy DM3

This policy confirms that new dwelling houses will only be permitted when they satisfy the following criteria:

3.6.1 There is a specific need for the dwelling to be sited at that location in the countryside and no other suitable property or site is available, including opportunities to convert or rehabilitate redundant rural buildings.

North Kirktonmoor farm is in the ownership of the Sawers family, who live in the main farm house. This application is for a dwelling house for their eldest son. The family are close and have a desire to live in close proximity to each other; however the son now requires his own property.

Included in the application is a labour justification report written by SAC Consulting. This report justifies the need for the development in terms of housing for labour employed on the farm.

While the proposal is for a new build, this is to replace / rehabilitate an existing storage barn structure located on the farm. Consequently, in our opinion there is no other location in close proximity to the farm that could provide an alternative site. The proposal is that the new build house emulates the layout and form of the existing structure.

3.6.2 It is required for a person engages locally in full time employment in agriculture or other appropriate rural use.

The proposed resident of the dwelling, Mr. Sawers, is a full time employee within the family business. The family own and operate North Kirktonmoor farm.

3.6.3 A viable business has been established at that location for a period of 3 years which can support a worker and the need for a new dwelling house.

See response to 3.6.2.

3.6.4 The new dwelling is situated adjacent to any existing farmstead or other building grouping.

The existing barn structure is located adjacent to the existing farmstead.

3.6.5 The new dwelling is sympathetic in scale and design to its rural location and fits into the landscape.

The proposed dwelling replaces but emulates the existing barn structure in form and mass., thereby making it sympathetic in scale. The existing roof profile is maintained, with large projecting dormers added to create a new upper floor. The palette of materials chosen reflect the materials used in the adjacent farmstead.

4.0 Scottish Planning Policy

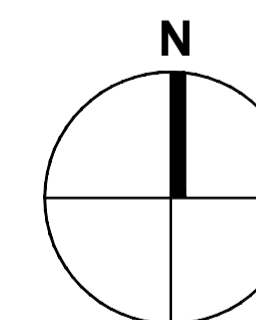
4.1 SPP paragraph 97 allows for small scale development on agricultural land when it is necessary to meet an established need.

4.2 SPP paragraph 163 allows for small scale development on green belt land when it is necessary to meet an established need.

BLANK PAGE

PLANS/PHOTOGRAPHS/DRAWINGS

BLANK PAGE



11 Leavelock Street Glasgow G1 4EP
t: 0141 333 2745 e: TBC

PLANNING				
Client				
Mr & Mrs Sawers				
Project Title				
Proposed new dwelling on site of demolished barn. North Kirktonmoor Farm, Eaglesham				
Drawing Title				
Ownership plan				
Date	Scale	Drawn	Checked	AI
May 14	1:2500	MJR	MJR	
Drawing No.				Rev
021-GA-102				-

BLANK PAGE

Please do not scale from this drawing. If in doubt, ask. This drawing is the property of UNUM Partnership Ltd. and must not be reproduced, copied or disclosed in any form, other than for the purpose of this project.

Revision	Date	By

**Town and Country Planning
(Scotland) Act 1997**

REFUSED

Director of Environment
East Renfrewshire Council

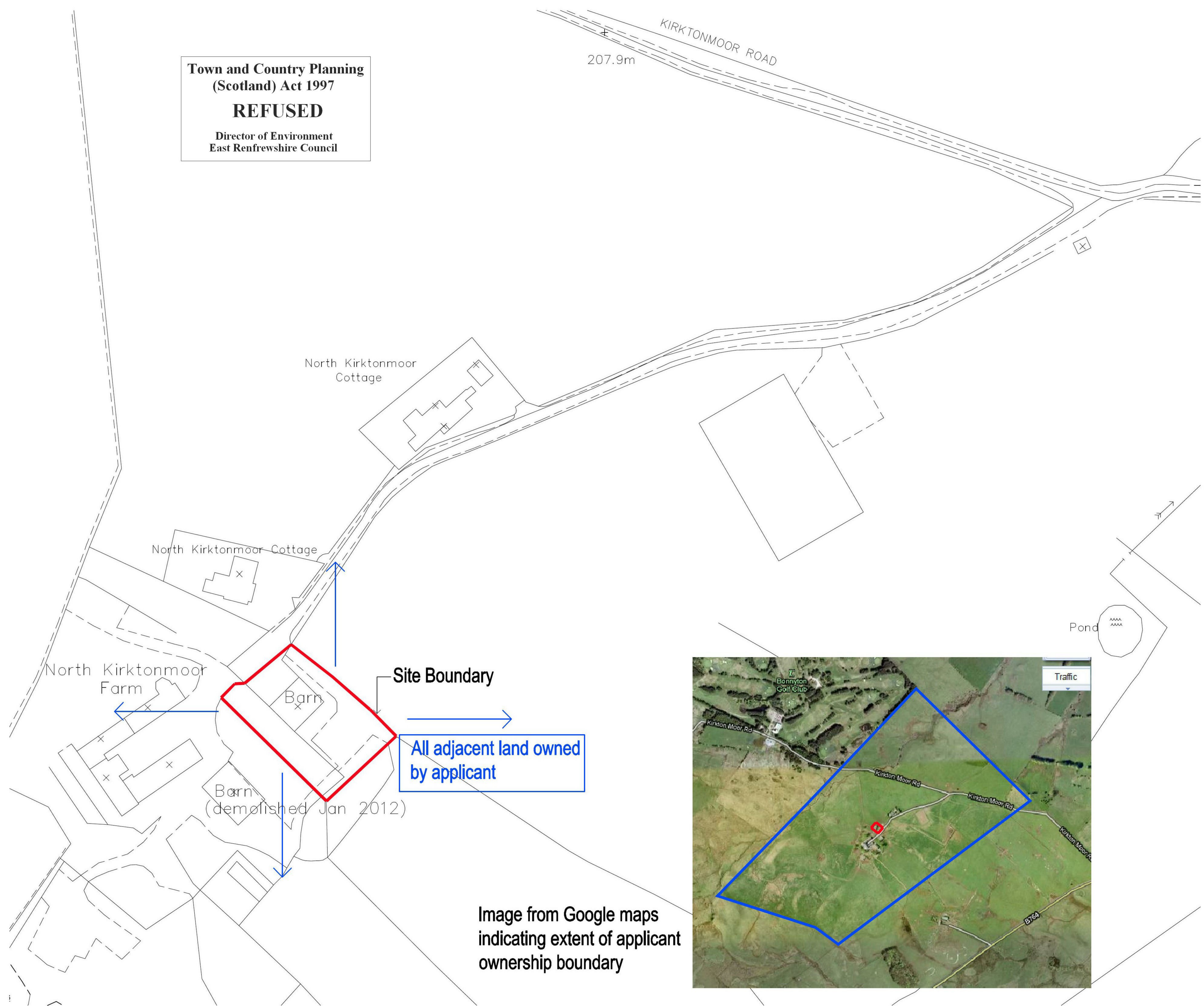
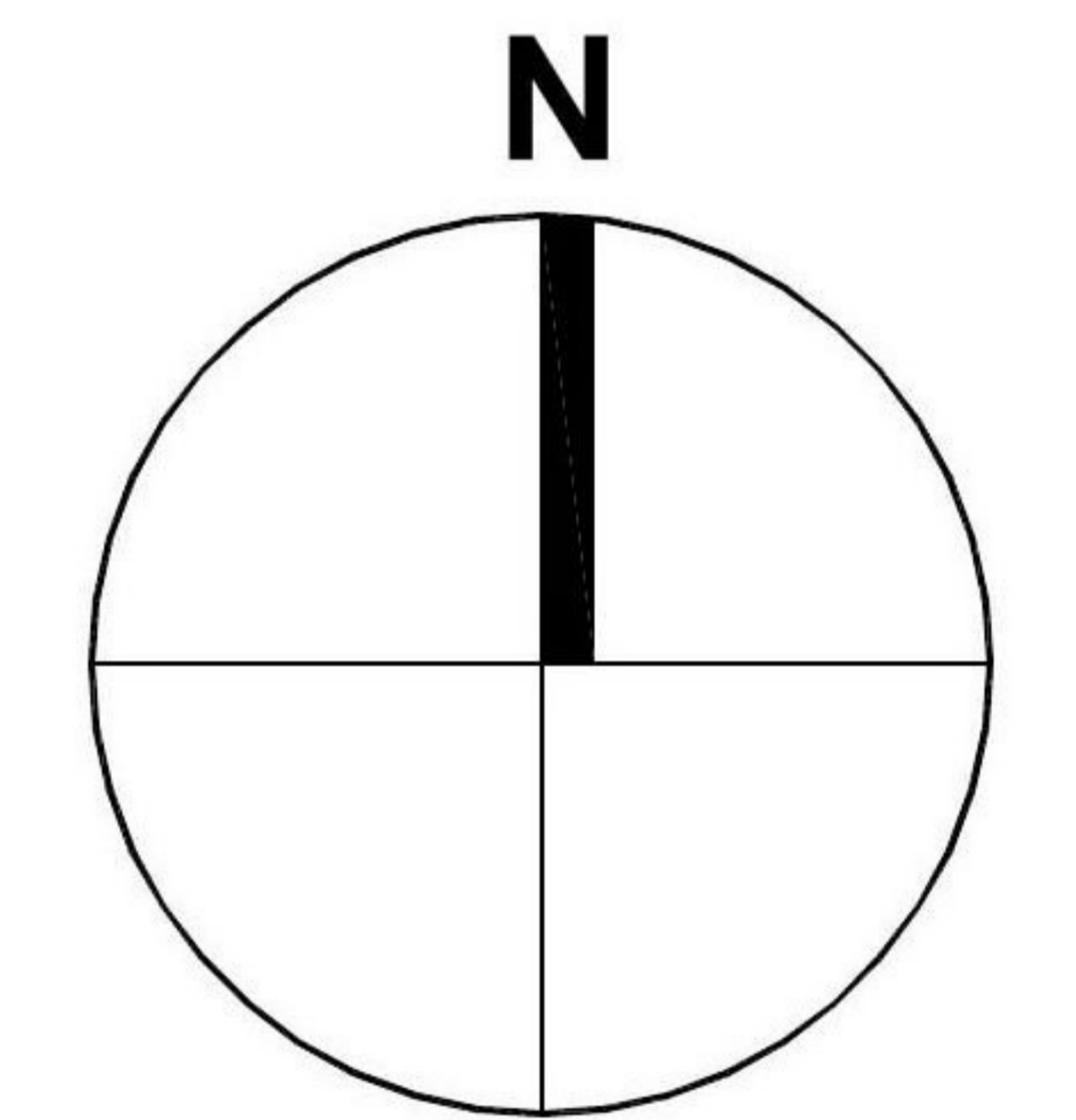


Image from Google maps indicating extent of applicant ownership boundary



11 Lynedoch Street Glasgow, G3 6EF t. 0141 353 2745 e. TBC

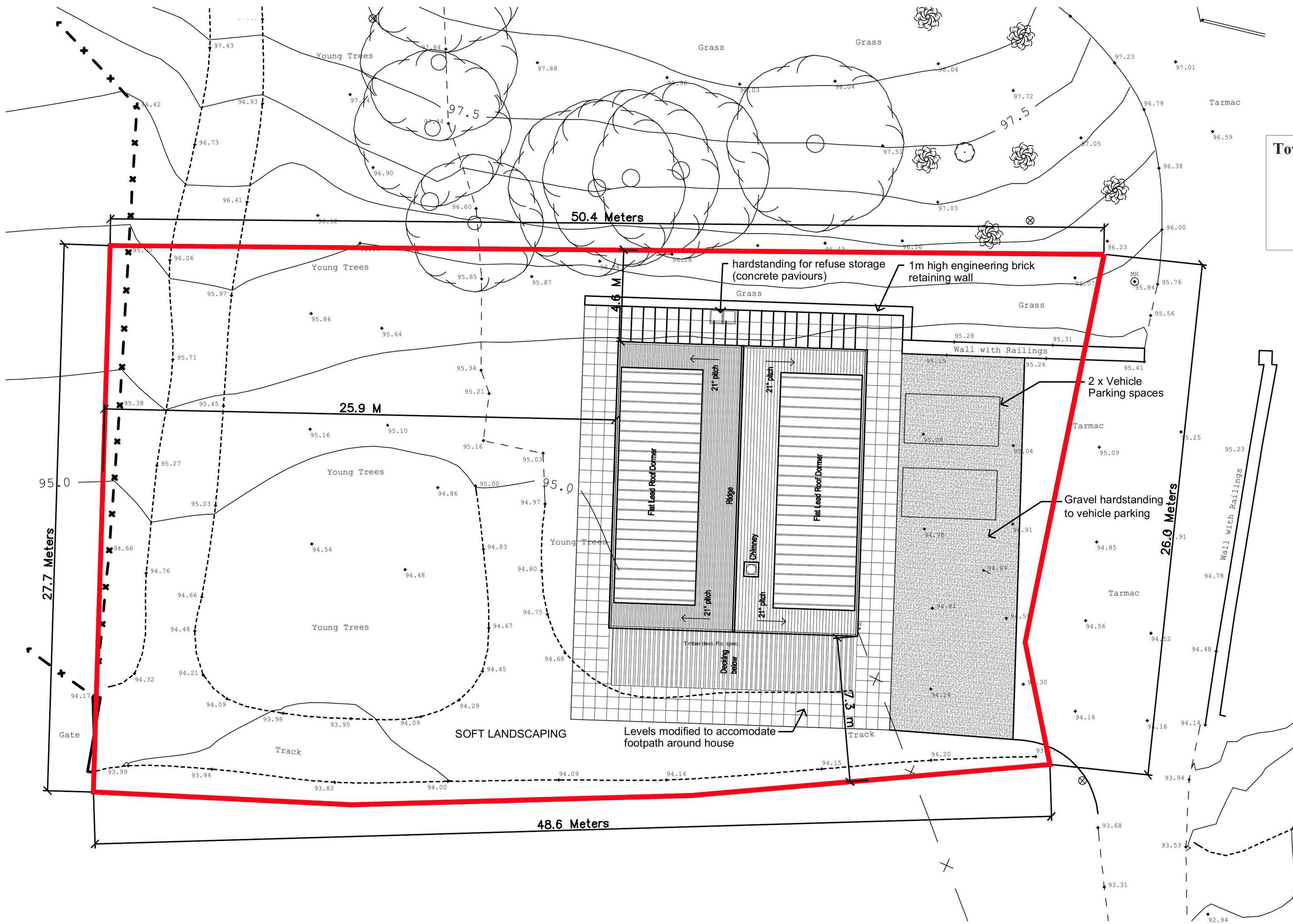
PLANNING				
Client				
Mr & Mrs Sawers				
Project Title				
Proposed new dwelling on site of demolished barn. North Kirktonmoor Farm, Eaglesham				
Drawing Title				
Location Plan				
Date	Scale	Drawn	Checked	A3
Nov 2012	1:1250	MJR	MJR	
Drawing No.				Rev
021-GA-100				-

BLANK PAGE

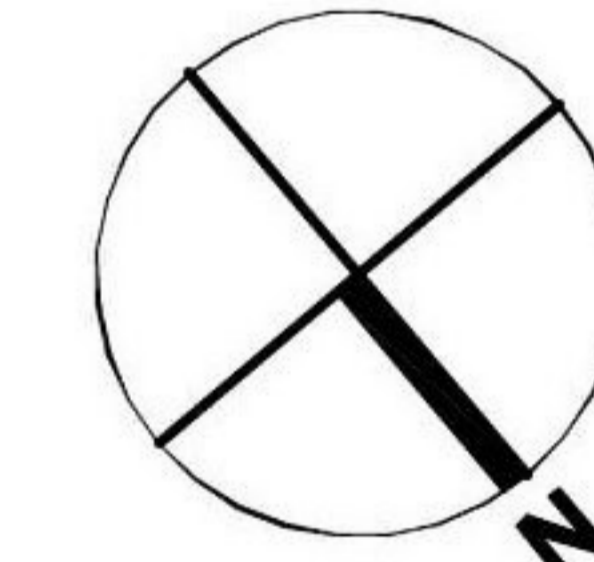
BLANK PAGE

Please do not scale from this drawing. If in doubt, ask. This drawing is the property of UNUM Partnership Ltd. and must not be reproduced, copied or disclosed in any form, other than for the purpose of this project.

Revision	Date	By



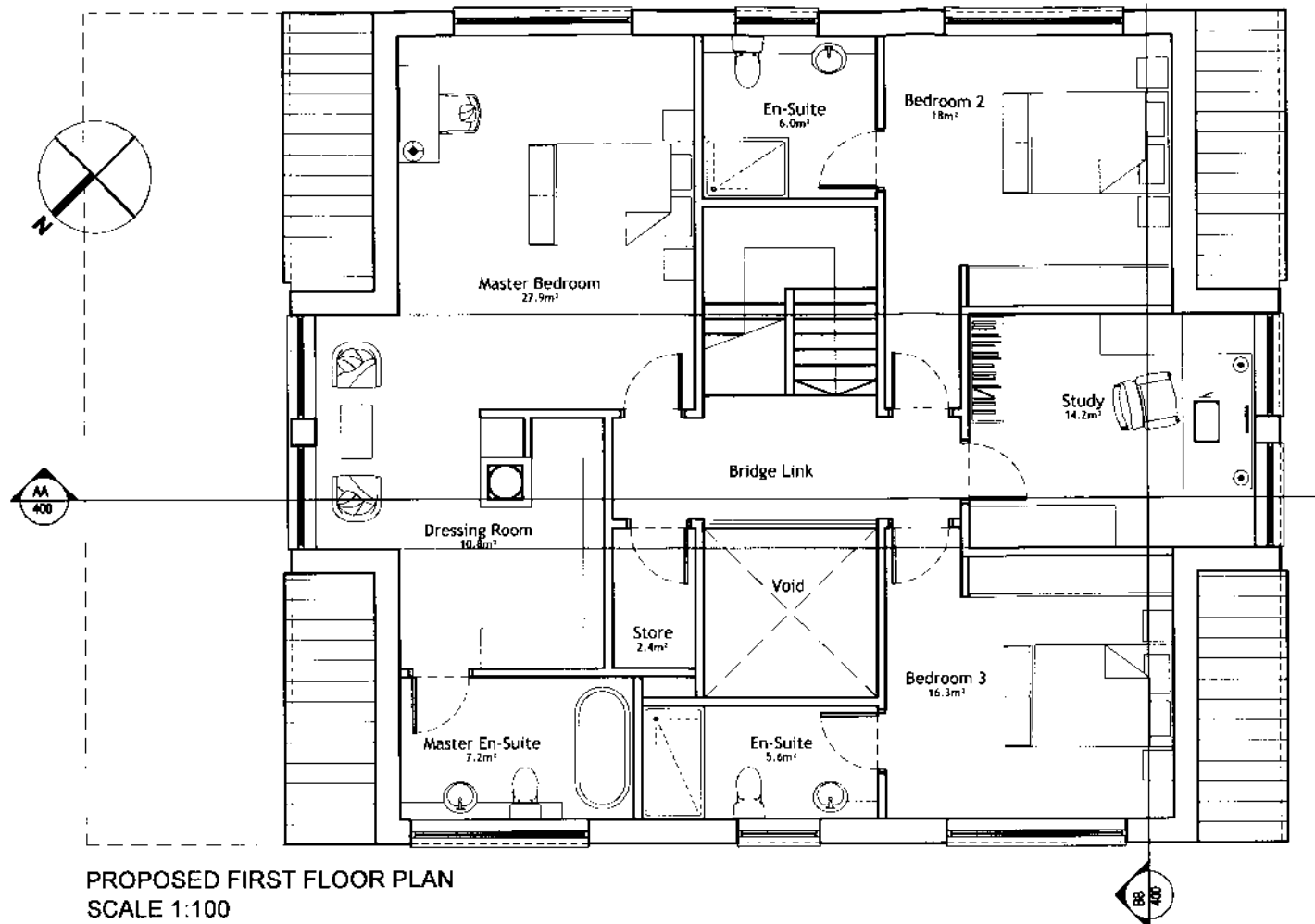
**Town and Country Planning
(Scotland) Act 1997**
REFUSED
Director of Environment
East Renfrewshire Council



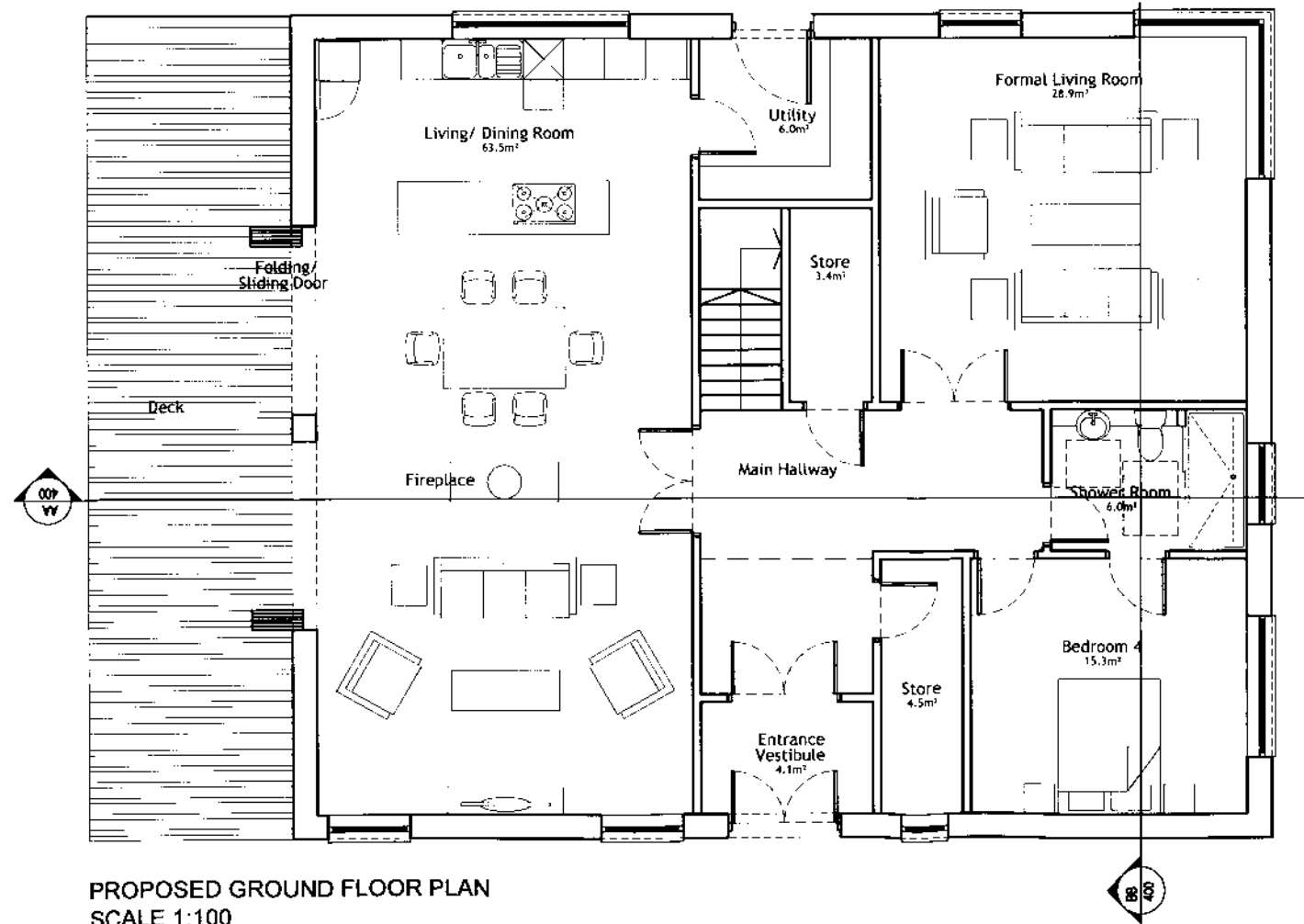
PLANNING				
Client				
Mr & Mrs Sawers				
Project Title				
Proposed new dwelling on site of Existing Barn North Kirktonmoor Farm, Eaglesham				
Drawing Title				
Proposed Site Plan				
Date	Scale	Drawn	Checked	A3
Apr 2013	1:200	ME	MJR	
Drawing No.				Rev
021-GA-201				-

BLANK PAGE

BLANK PAGE



PROPOSED FIRST FLOOR PLAN
SCALE 1:100



PROPOSED GROUND FLOOR PLAN
SCALE 1:100

Please do not scale from this drawing. If in doubt, ask. This drawing is the property of UNJM Partnership Ltd. and must not be reproduced, copied or disclosed in any form, other than for the purpose of this project.

Revision	Date	By
A	1. Modified first floor window positions to match elevs.	29.01.14 MJR

**Town and Country Planning
(Scotland) Act 1997**

REFUSED

**Director of Environment
East Renfrewshire Council**

30/1/14



11 Lynedoch Street, Glasgow, G3 6BF. Tel: 0141 353 2745. Email: tbc@unjm.com

UNJM PARTNERSHIP
CHARTERED ARCHITECTS

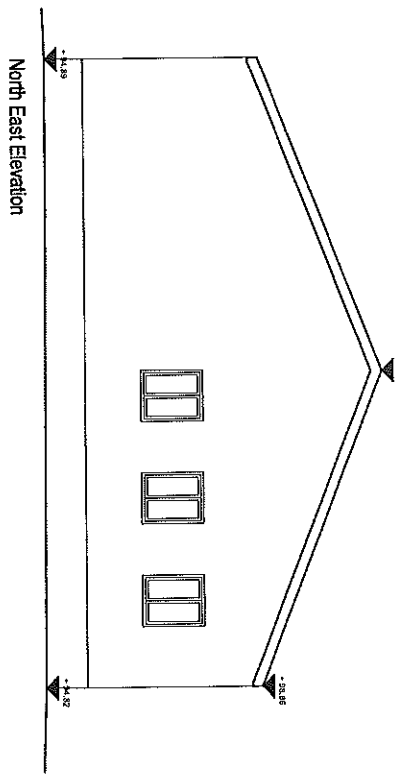
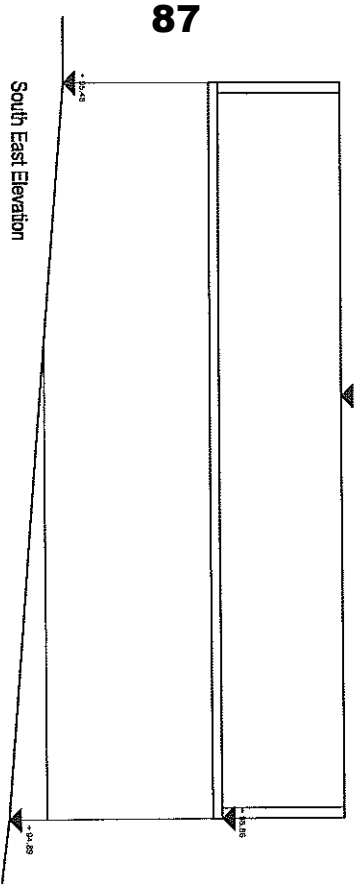
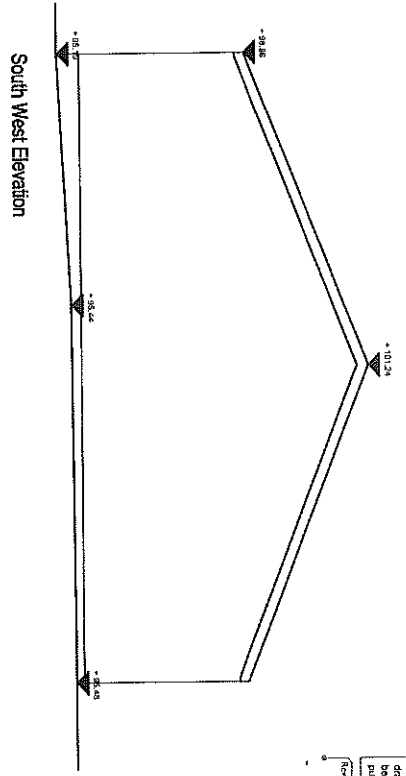
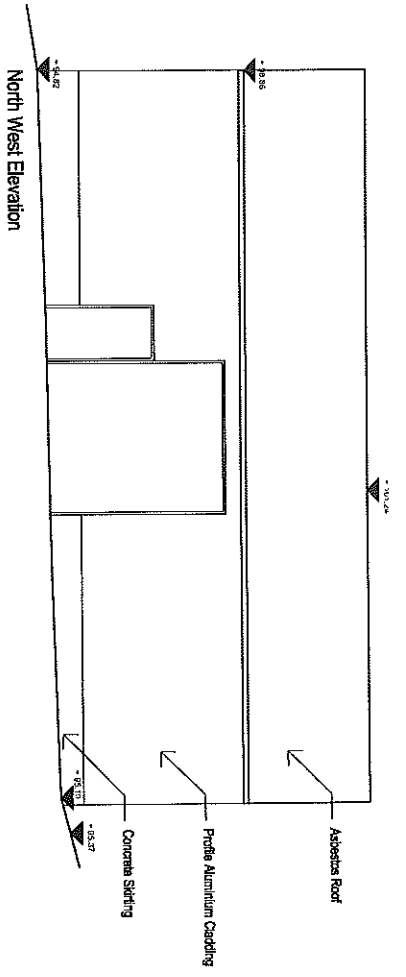
PLANNING

Client				A3
Mr & Mrs Sawers				
Project Title				
Proposed new dwelling on site of Existing barn. North Kirktonmoor Farm, Eaglesham				
Drawing Title				
Ground and First floor plan as proposed				
Date	Scale	Drawn	Checked	
Apr 2013	1:100	MJR	MJR	
Drawing No.			Rev	
021-GA-300			A	

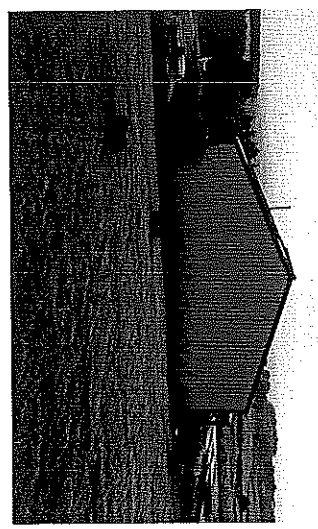
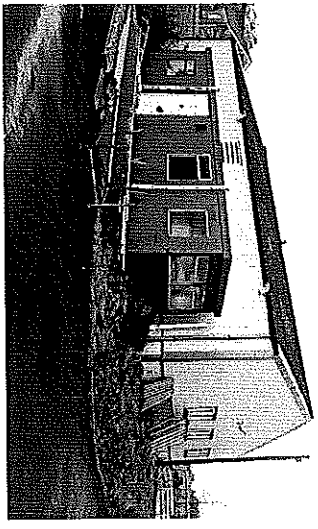
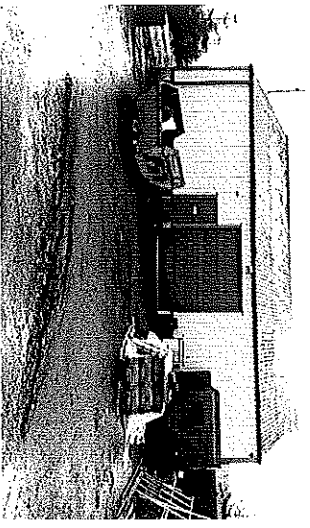
BLANK PAGE

Please do not scale from this drawing. If in doubt, ask! This drawing is for information only and should not be used for any purpose other than that intended. It is not to be used as evidence in any court, other than for the purpose of the project.

ISSUED FOR PLANNING 09.05.13 ME



87



EXISTING SITE PHOTOGRAPHS



11, Temple Road, 5, TC
 01473 31394
 01473 31395
 CHARTERED ARCHITECTS

PLANNING

Client: Mr & Mrs Sowers

Project Title: Proposed new dwelling on site of Existing barn, North Kirkconnor Farm, Egleham

Drawn Title: Elevations as existing

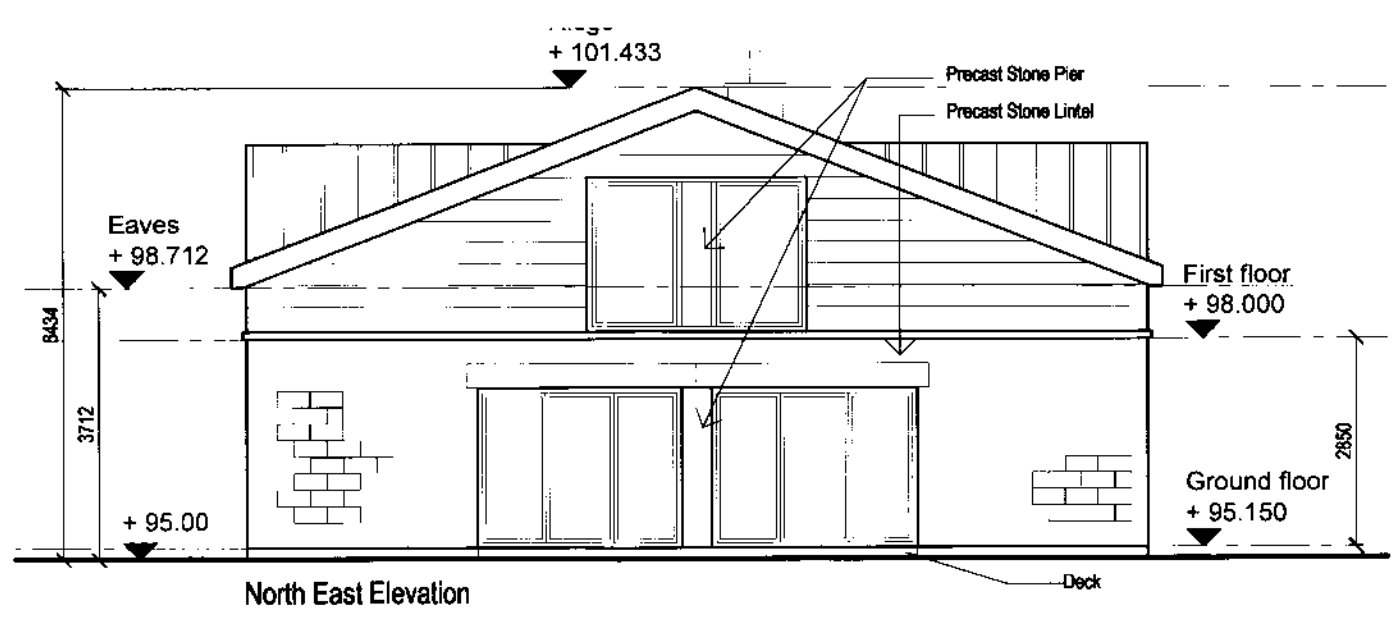
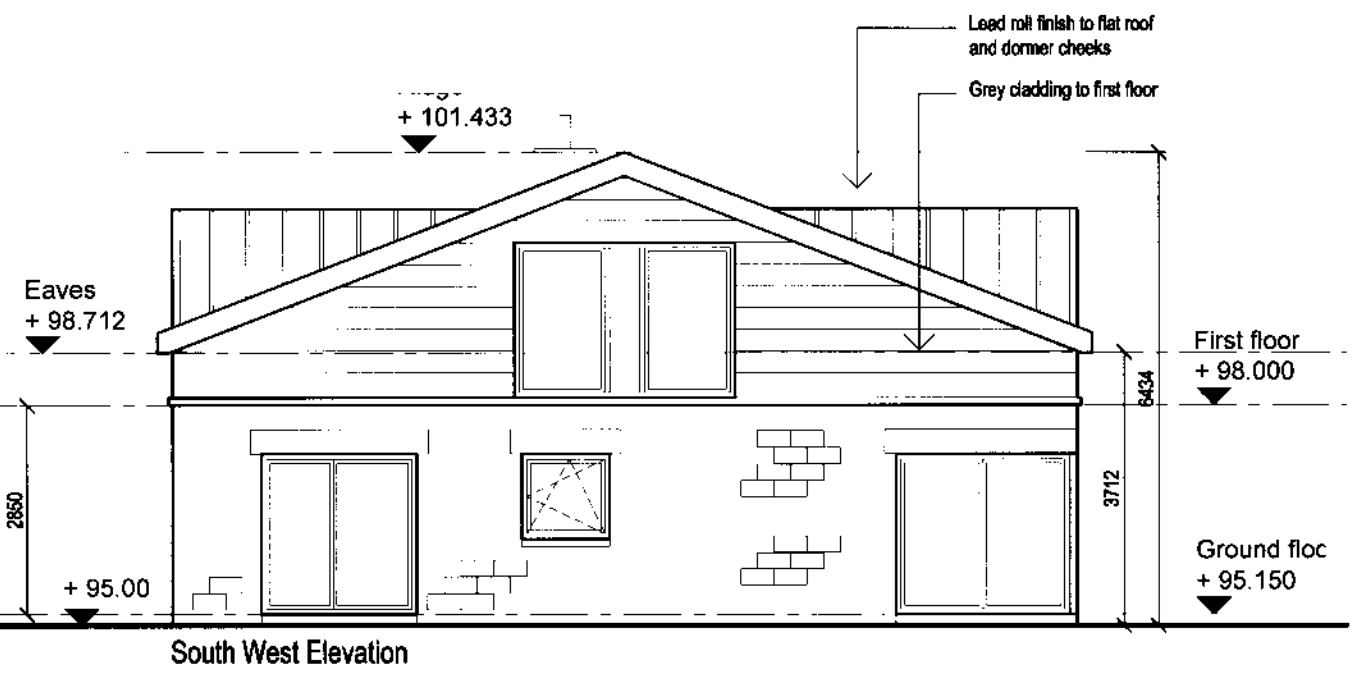
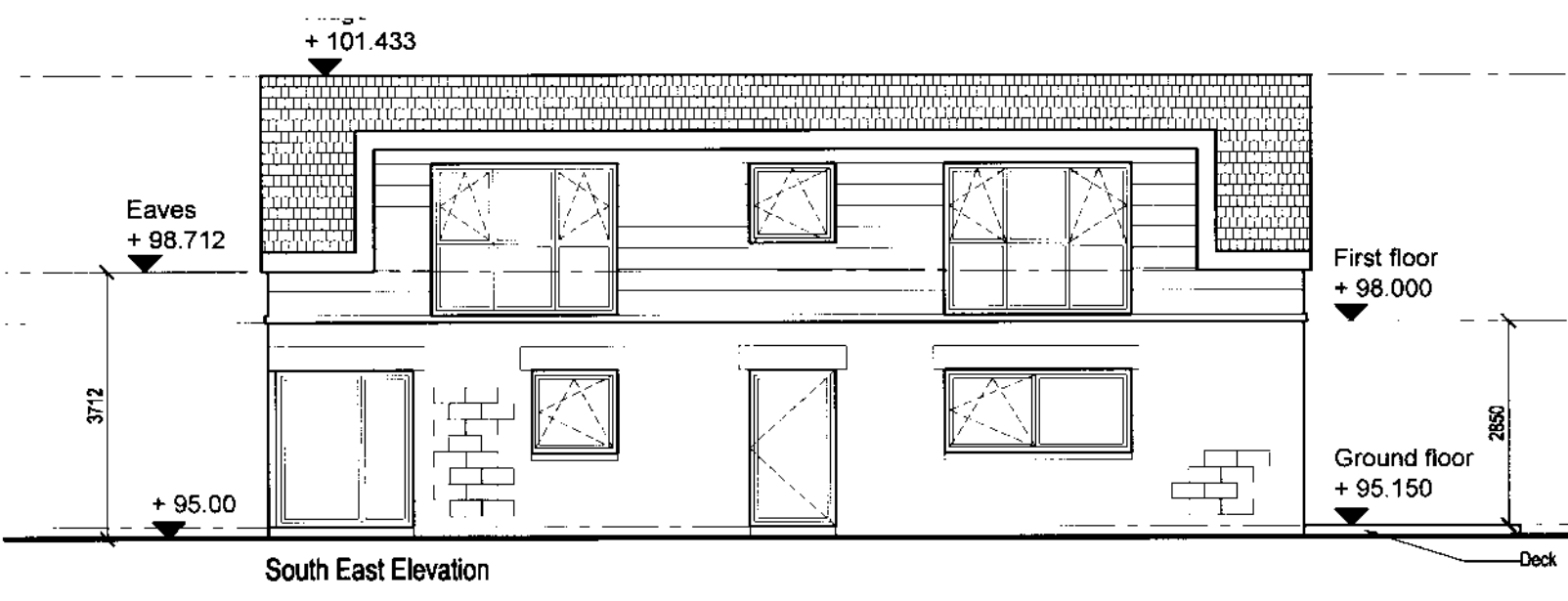
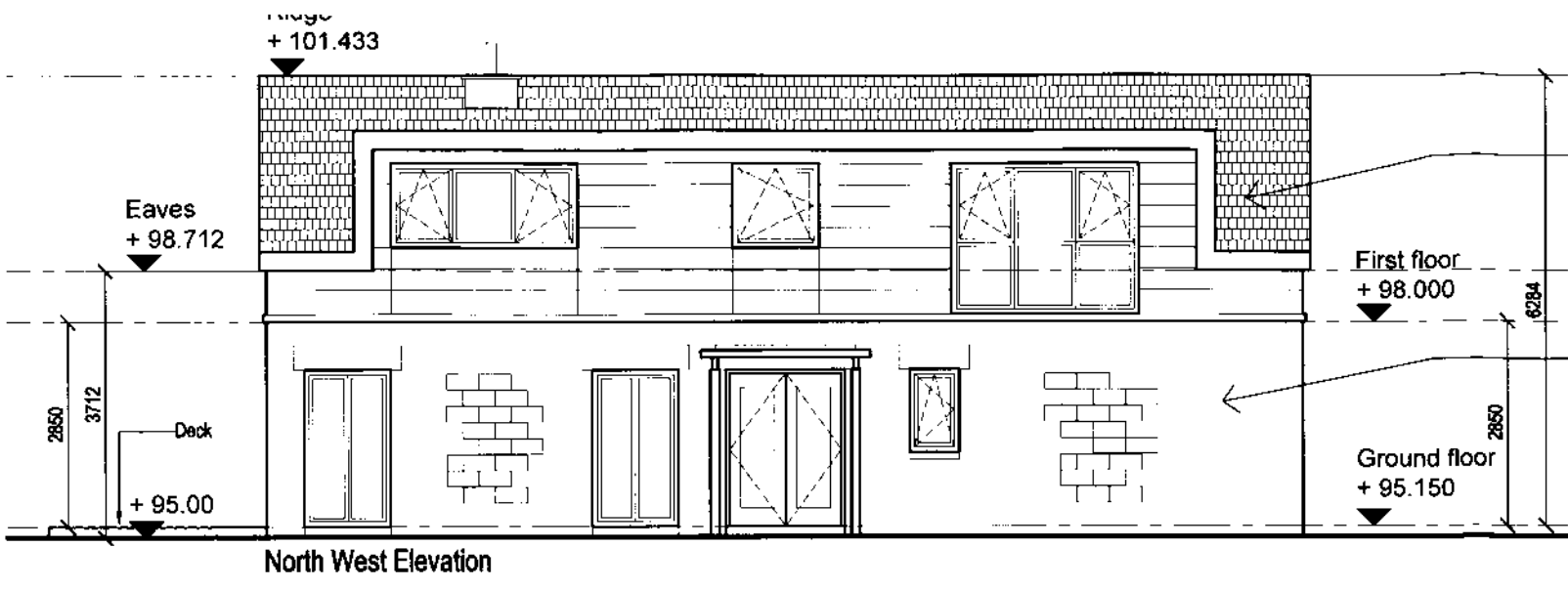
Date	Scale	Drawn	Checked
Apr 2013	1:100	MJR	MJR

Drawing No: 021-EX-500

BLANK PAGE

Please do not scale from this drawing. If in doubt, ask. This drawing is the property of UNUM Partnership Ltd. and must not be reproduced, copied or disclosed in any form, other than for the purpose of this project.

Revision	Date	By
A	13.01.14	ME
B	29.01.14	MJR



**Town and Country Planning
(Scotland) Act 1997**

REFUSED

**Director of Environment
East Renfrewshire Council**

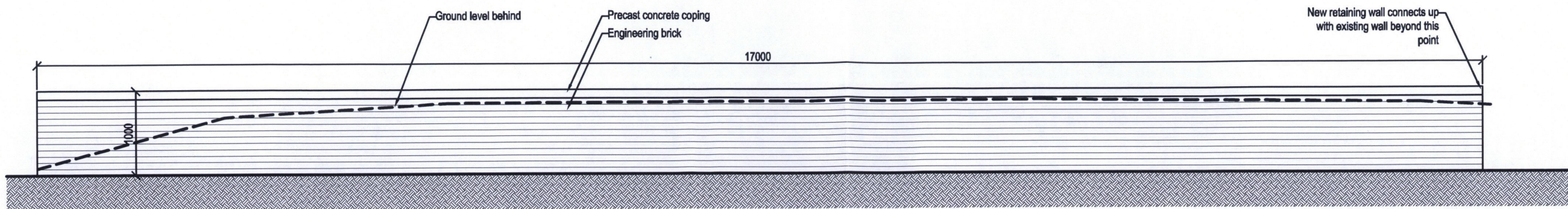


PLANNING				
Client				
Mr & Mrs Sawers				
Project Title				
Proposed new dwelling on site of Existing barn, North Kirktonmoor Farm, Eaglesham				
Drawing Title				
Elevations as proposed				
Date	Scale	Drawn	Checked	A3
Apr 2013	1:100	MJR	MJR	
Drawing No.				Rev
021-EL-500				B

BLANK PAGE

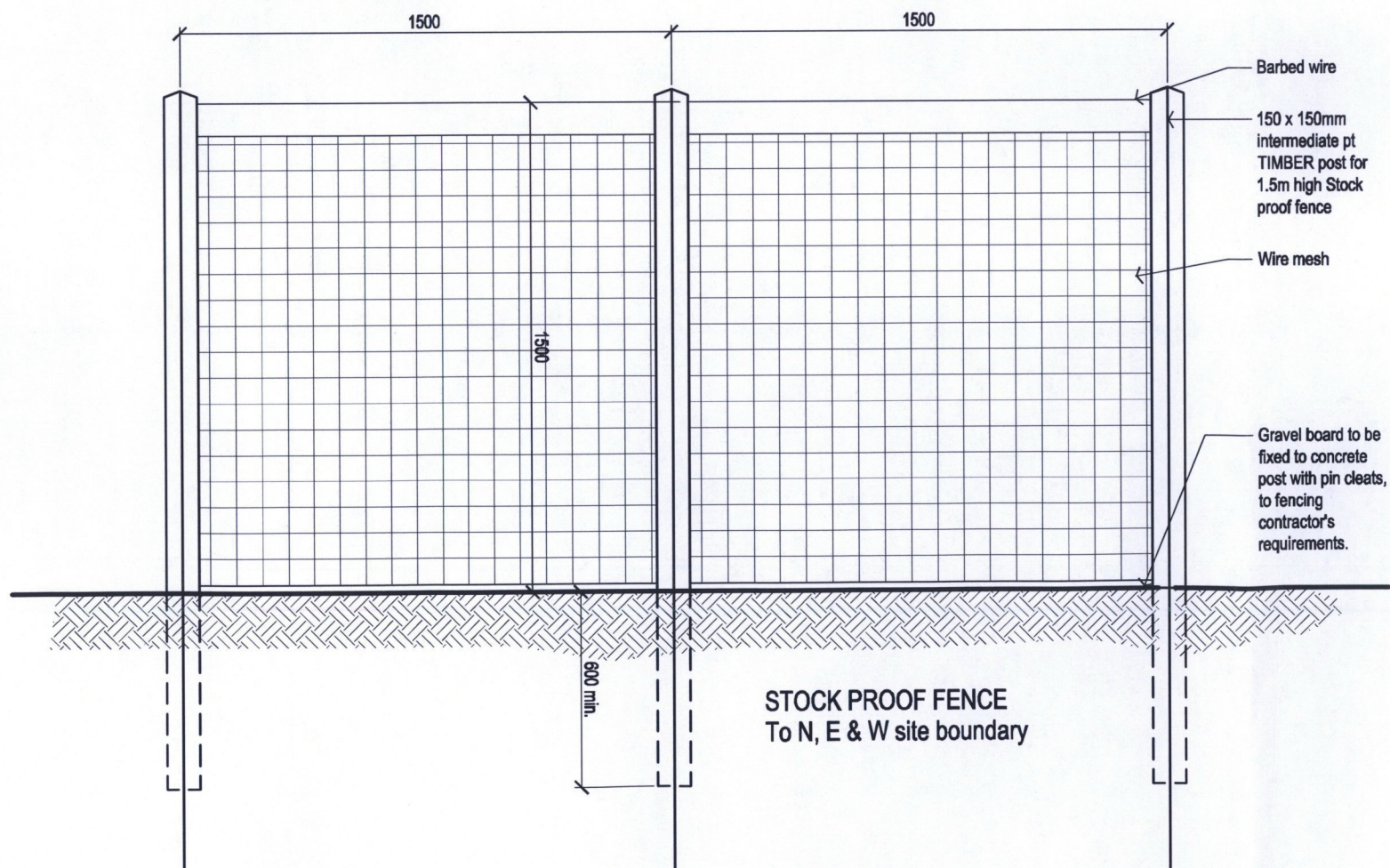
Please do not scale from this drawing. If in doubt, ask. This drawing is the property of UNUM Partnership Ltd. and must not be reproduced, copied or disclosed in any form, other than for the purpose of this project.

Revision	Date	By



RETAINING WALL
To partial South boundary

Town and Country Planning
(Scotland) Act 1997
REFUSED
Director of Environment
East Renfrewshire Council



EXAMPLE STOCK PROOF FENCE

Additional
AMENDED PLANS RECEIVED
Date: 30/1/14

UNUM
UNUM PARTNERSHIP
CHARTERED ARCHITECTS
11 Lynedoch Street Glasgow, G3 6EF t. 0141 353 2745 e. TBC

PLANNING			
Client			
Mr & Mrs Sawers			
Project Title			
Proposed new dwelling on site of Existing barn. North Kirktonmoor Farm, Eaglesham			
Drawing Title			
Elevation of stockproof fence & retaining wall			
Date	Scale	Drawn	Checked
Jan 2014	1:20 & 1:50	MJR	MJR
Drawing No.			Rev
021-DT-700			A3

BLANK PAGE

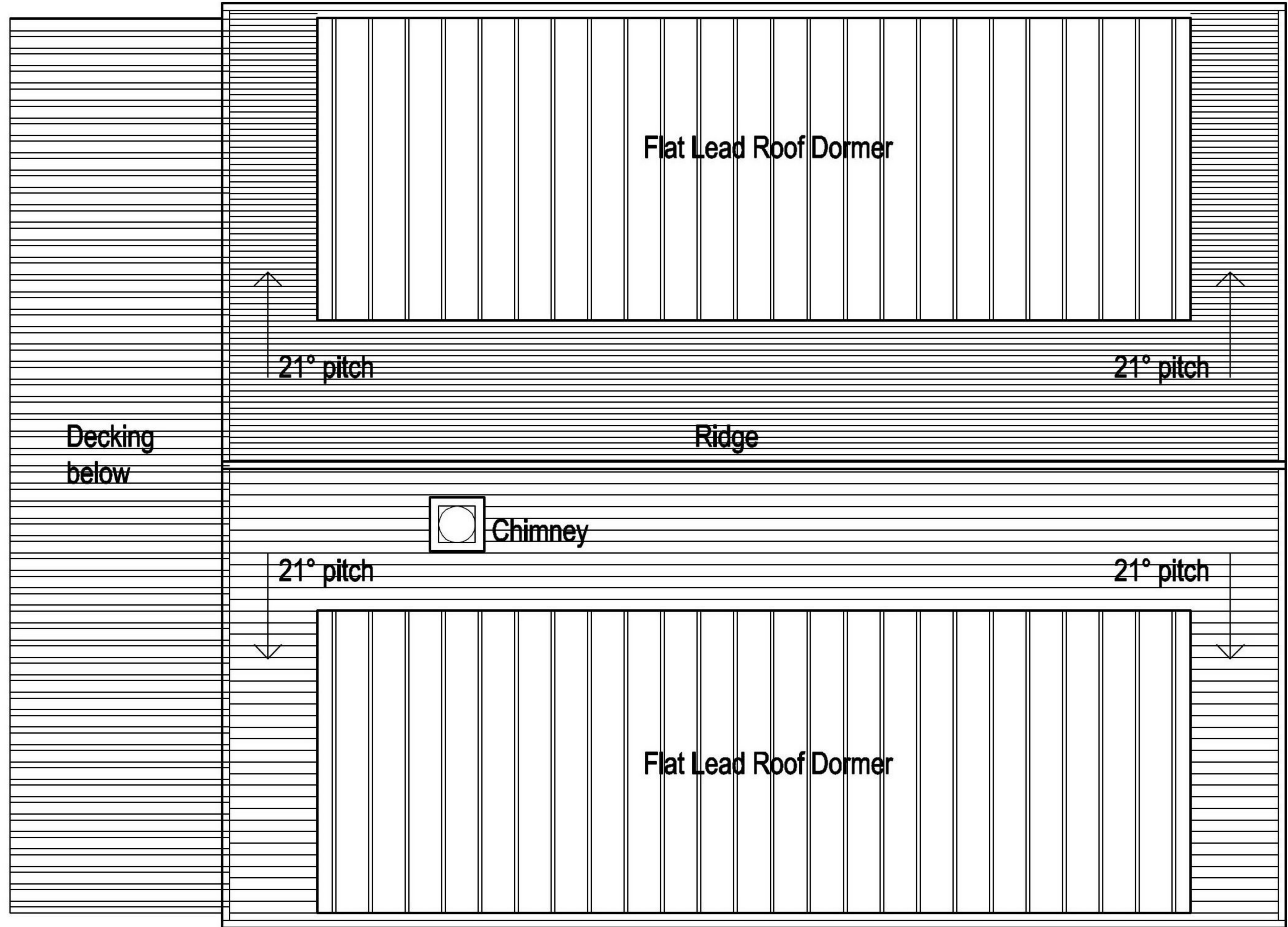
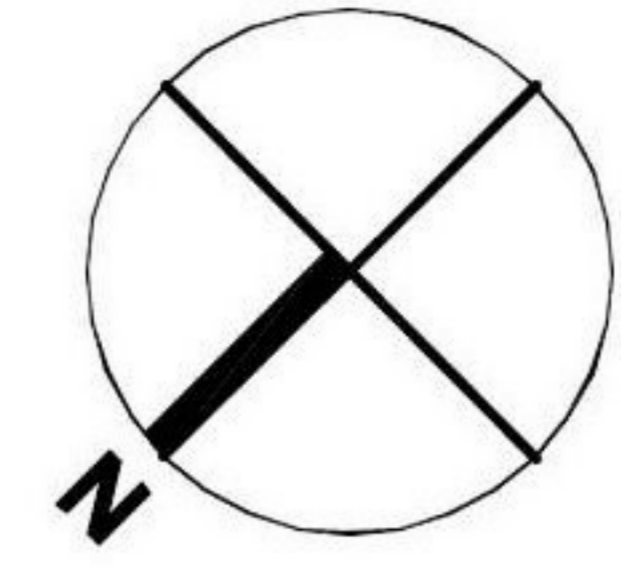
**Town and Country Planning
(Scotland) Act 1997**

REFUSED

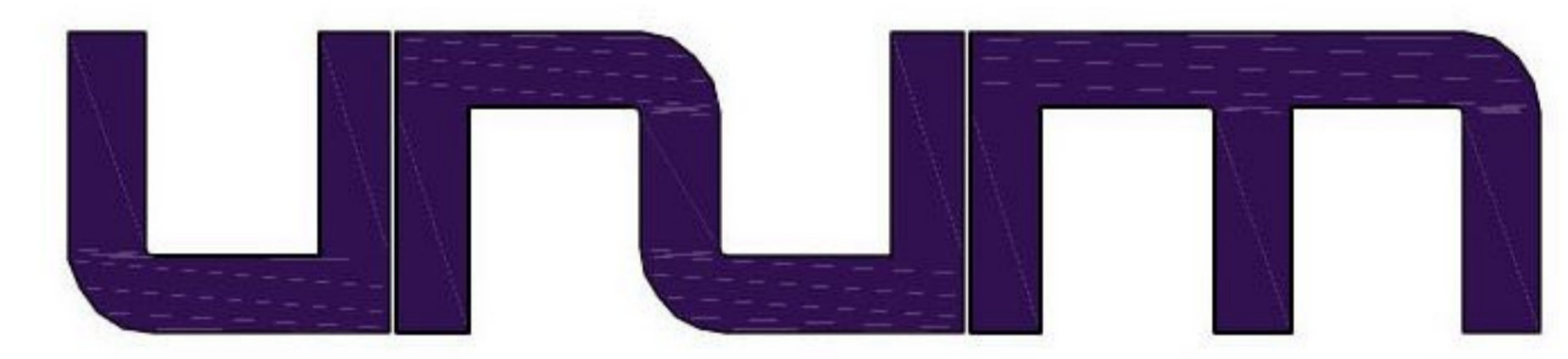
Director of Environment
East Renfrewshire Council

Please do not scale from this drawing. If in doubt, ask. This drawing is the property of UNUM Partnership Ltd. and must not be reproduced, copied or disclosed in any form, other than for the purpose of this project.

Revision	Date	By
- ISSUED FOR PLANNING	09.05.13	ME



PROPOSED ROOF PLAN
SCALE 1:100



11 Lynedoch Street
Glasgow, G3 6EF

t. 0141 353 2745
e. TBC

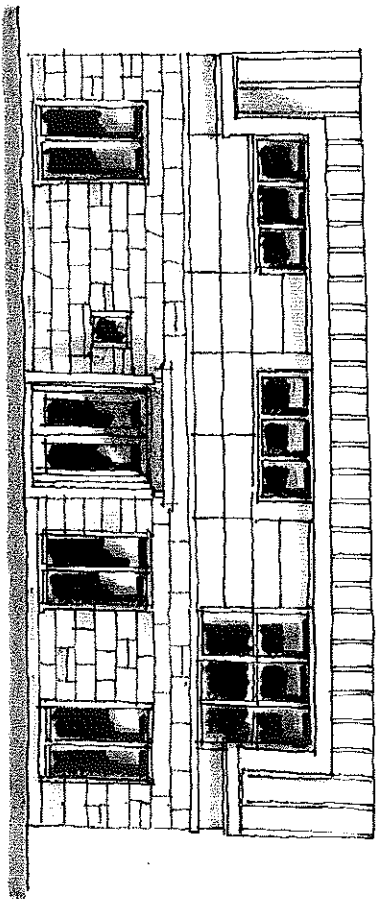
**UNUM PARTNERSHIP
CHARTERED ARCHITECTS**

PLANNING				
Client				
Mr & Mrs Sawers				
Project Title				
Proposed new dwelling on site of Existing barn. North Kirktonmoor Farm, Eaglesham				
Drawing Title				
Proposed Roof Plan				
Date	Scale	Drawn	Checked	A3
Apr 2013	1:100	ME	MJR	
Drawing No.				Rev
021-GA-30R				-

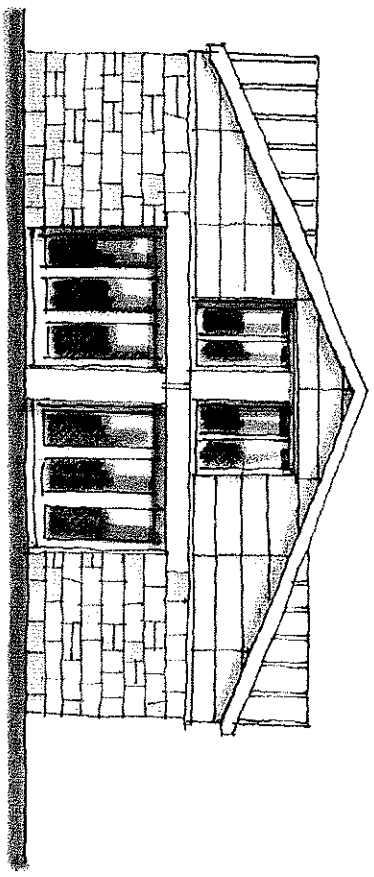
BLANK PAGE

Please do not scale from this drawing. If in doubt, ask. This drawing is the property of JRM Architects and should not be used for any other purpose than for the purpose of this project.


ISSUED FOR PLANNING 09.05.13 ME



West (Rear) Elevation



South Elevation (LOOKING TOWARDS FARM)



JRM
JRM PARTNERSHIP
CHARTERED ARCHITECTS

11 Leonard Street, 5, 7th, 22nd Floor
London, EC2A 4PU, UK

PLANNING

Client: Mr. & Mrs Sawers

Project Title: Proposed new dwelling on site of Existing barn, North Kirkmoor Farm, Eaglesham

Drawing Title: Artists Impression

Date	Scale	Drawn	Checked
Apr 2013	NTS	RON	MIR

Drawing No: 021-900

A3

BLANK PAGE