

**SOUTH AYRSHIRE COUNCIL**

**LOCAL REVIEW BODY**

**NOTE of CURRENT POSITION**

<b>Site Address:</b>	Land At Catcraig Farm C8 From A719 Junction At Adamhill To Council Boundary Craigie Kilmarnock South Ayrshire KA1 5NB
<b>Application:</b>	21/00644/PPP Planning Permission in Principle for the erection of dwellinghouse and agricultural shed

<b>Appointed Officer's Decision:</b>	<b>Refusal</b>
<b>Date Notice of Review Received:</b>	29 <sup>th</sup> November 2021

<b>Current Position:</b>	New Case for Review
<b>Documentation:</b>	The following documents in relation to the review are attached: Pages 1 to 6 – Report of Handling Pages 7 to 32 – Notice of Review and Supporting Information Pages 33 to 42 – Planning Application and Supporting Information Pages 43 to 46– Decision Notice Pages 47 to 48 – Interested Parties Correspondence
<b>New Material:</b>	No
<b>Additional Material Any other Comments:</b>	N/A
<b>Dated:</b>	21 January 2022

# South Ayrshire Council

## Place Directorate

### Report of Handling of Planning Application

Application Determined under Delegated Powers where less than five objections have been received.  
The Council's Scheme of Delegation can be viewed at <http://www.south-ayrshire.gov.uk/committees/>

<b>Reference No:</b>	<b>21/00644/PPP</b>
<b>Site Address:</b>	<b>Land At Catcraig Farm C8 From A719 Junction At Adamhill To Council Boundary Craigie Kilmarnock South Ayrshire KA1 5NB</b>
<b>Proposal:</b>	<b>Planning Permission in Principle for the erection of dwellinghouse and agricultural shed</b>
<b>Recommendation:</b>	<b>Refusal</b>

#### REASON FOR REPORT

This report fulfils the requirements of Regulation 16, Schedule 2, paragraphs 3 (c) and 4 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. The application has been determined in accordance with the Council's Scheme of Delegation as well as the Procedures for the Handling of Planning Applications.

#### **1. Site Description:**

The application site is located in the countryside, approximately 200 metres to the north of the village of Craigie. The application site comprises of rough grazing land which is located to the east of Craigie Road, Craigie. Access to the site is taken directly from Craigie Road and extends to approximately 120 metres. Including the site access, the site extends to approximately 2880 sq metres.

The agricultural holding which the application site is associated with is bisected by the Main Street, with the steading at Catcraig Farm, which forms the operational base of the farm being located to the south of the Main Street, and approximately 0.67 km from the site of the application. The steading at Catcraig Farm comprises of a farmhouse and a various out-buildings and larger agricultural buildings, which are grouped together so as to form a compact operational base.

#### **2. Planning History:**

None relevant to this application.

#### **3. Description of Proposal:**

Planning permission in principle is sought for the erection of a farm workers dwellinghouse and the erection of an agricultural shed. Given the nature of this application, details for the siting and design of the dwellinghouse would require to be established by the submission of further applications for matters specified in conditions, if planning permission in principle is granted. Notwithstanding, an indicative layout drawing has been submitted which shows a proposed house located to the east of the site, with a proposed shed located in the north-western corner of the site.

#### **4. Consultations:**

**Ayrshire Roads Alliance** offer no objections subject to conditions.

**5. Submitted Assessments/Reports:**

In assessing and reporting on a planning application the Council is required to provide details of any report or assessment submitted as set out in Regulation 16, Schedule 2, para 4(c) (i) to (iv) of the Development Management Regulations.

The applicant/ agent has submitted a planning justification report and labour requirement report in support of the development proposal, which are summarised below as follows;

- o It is considered that the application for the proposed new dwelling house meets the criteria set out in South Ayrshire Council LDP and is fully justified within the labour justification report;
- o The farm has no buildings suitable for conversion and has not sold or by other means separated any property in the last 5 years;
- o The proposed dwelling house and shed are required to facilitate on site supervision for the expanding agricultural business;
- o The proposed site does not equate to the loss of any prime quality agricultural land and is in full ownership of the applicant; and
- o The application is in line with all relevant policies as detailed in the above document.

**6. S75 Obligations:**

In assessing and reporting on a planning application the Council is required to provide a summary of the terms of any planning obligation entered into under Section 75 of the Town and Country Planning (Scotland) Act in relation to the grant of planning permission for the proposed development.

None.

**7. Scottish Ministers Directions:**

In determining a planning application, the Council is required to provide details of any Direction made by Scottish Ministers under Regulation 30 (Directions requiring consultation), Regulation 31 (Directions requiring information), Regulation 32 (Directions restricting the grant of planning permission) and Regulation 33 (Directions requiring consideration of condition) of The Town and Country Planning (Development Management Procedure)(Scotland) Regulations 2013, or under Regulation 50 (that development is EIA development) of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017.

None.

**8. Representations:**

No representations were received.

**9. Development Plan:**

Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) indicates that in making any determination under the Planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

The following policies are relevant in the assessment of the application and can be viewed in full online at <http://www.south-ayrshire.gov.uk/planning/local-development-plans/local-development-plan.aspx>

- o Spatial Strategy;
- o Core Investment Area;
- o Sustainable Development;
- o Rural Housing;

The Spatial Strategy of the LDP sets out the settlement strategy for South Ayrshire and can be viewed as the foundation framework which provides the vision for how the Council wishes to see the towns and countryside areas develop over the duration of the plan.

The Spatial Strategy of the LDP states that; we will not support development outwith the boundaries of settlements (towns and villages), except where we believe it can be justified because it will benefit the economy and there is a need for it in that particular area and in line with the spatial strategy. Notwithstanding the provisions of the Spatial Strategy, the LDP Core Investment Area and Rural Housing

Policies allow for housing to be built within rural areas, in accordance with their provisions, and the related provisions of the Council's supplementary planning guidance entitled Rural Housing. The Sustainable Development policy of the LDP seeks to consider the details of development proposals.

Of particular relevance in the consideration of the proposal are the terms of the LDP Rural Housing Policy. Criterion d. of this policy requires that where a home is essential to a rural business, the developer, must satisfy (the Council) through the submission of a sound business plan, that the business is economically viable and could not be run without residential accommodation. The accompanying text relating to limited extensions to existing and clearly defined nucleated housing clusters is also considered to be relevant in the assessment of the current application. In all instances, the LDP policy confirms that proposals for rural housing must comply with the policy guidance as set out in the associated Rural Housing Planning Guidance note in terms of being appropriately sited and designed.

For the reasons noted elsewhere within this report there are policy concerns in relation to the development proposal, in so far as it is not considered that the proposal is in accordance with the provisions of the LDP and in particular the supplementary policy in relation to Rural Housing. Further consideration of the proposal against the provisions of the Council's Rural Housing SPG, and also site specific aspects relating to the proposal are considered further below.

The provisions of the Adopted South Ayrshire Local Plan must be read and applied as a whole, and as such, no single policy should be read in isolation. The application has been considered in this context.

The statutory Local Development Plan (LDP) for the area currently comprises the South Ayrshire Local Development Plan (adopted in September 2014) and its associated Supplementary Guidance, as well as the Town Centre and Retail Local Development Plan, adopted in 2017.

At a special meeting on 1 September, the Council considered representations on the Modified Proposed Replacement South Ayrshire Local Development Plan (MPLDP2), submitted in response to public consultation, and agreed (1) to submit the Plan, without further modification, to the Scottish Ministers for Examination; and (2) the Plan would be a material consideration in determining planning applications, with the weight accorded to it increasing as it progresses through the statutory process.

As MPLDP2 now represents the Council's settled position on the Development Plan it wishes to progress to adoption, it is a material consideration in the assessment of planning applications. However, it remains the subject of unresolved representations, which will be considered by the Scottish Government's Directorate of Planning and Environmental Appeals (DPEA), as part of the Examination process.

In considering development proposals, the Council may now apportion significant weight to those principles or policies of MPLDP2 which are not the subject of unresolved representations, but MPLDP2 is otherwise unlikely to be the determining factor in the determination of Planning Applications, remaining subordinate in status to the adopted LDP.

#### **10. Other Relevant Policy Considerations (including Government Guidance):**

South Ayrshire Council Supplementary Planning Guidance - Adopted Rural Housing Policy;

South Ayrshire Council's Guidance on Rural Housing indicates that the Council may give favourable consideration to the provision of on-site residential accommodation for a worker employed in an existing rural business, providing that:

- a) It is demonstrated to the satisfaction of the Council that the business cannot operate without continuous on site attendance and that there are no alternative means of operating the business; and
- b) There is no other existing accommodation that could be used to serve the business; and
- c) No existing dwelling serving or connected to the business or holding has been sold or in some other way separated or alienated from the holding in the previous five years; and
- d) Any proposed buildings or structures form or complement a coherent group of buildings and are not visually intrusive.

The requirement for on-site accommodation may be either as a result of the continuous operation of the existing business, or due to proposed extension or diversification of that business.

In all cases, proposals for new residential accommodation in rural areas, including those demonstrated as being required to operate a rural business, must accord with the Council's design guidance, contained in this supplementary guidance.

Guidance on Business Plans: Business plans will be required to demonstrate that by the third year of operation, the business will employ at least one essential worker per dwelling on a full time basis at a

wage of at least 50% of the South Ayrshire average and that the remaining income from the business would support the total equivalent borrowing cost of creating the business, together with its land, property and residential accommodation assets.

It is accepted that the farming enterprise could benefit from an additional residential property, and therefore, in principle, the Service could be minded to support the applicant's case for an additional dwellinghouse to serve the farming operations, however, under criterion d. above, "any proposed buildings or structures form or complement a coherent group of buildings and are not visually intrusive." Where a dwelling house is required in connection with the operation of an existing rural based business, then it is reasonable to expect that, any new dwelling should be sited adjacent to the existing steading so as to reinforce the building grouping and operational base at Catcraig Farm. The steading at Catcraig provides residential accommodation for family members in addition to various out-buildings ranging from traditional out-buildings sited adjacent to the farmhouses, and also large modern agricultural buildings to meet operational and storage requirements of the farming enterprise. The existing steading and the associated operational buildings are considered form a compact and self-contained building grouping which forms the operational hub which is the focus of the farming enterprise.

In contrast, rather than any new dwellinghouse being located so as to concentrate the building grouping and operational base of the existing steading, the proposed new house is not located within or adjacent to the existing steading and operational base at Catcraig Farm, but is located approximately 0.67 km to the north of Catcraig Farm, and in a location where no agricultural buildings are currently present.

The proposed application site is also noted to stand alone at the north-western extremity of the land associated with farm holding. The application submission indicates that the applicant's criteria for the proposed dwelling and shed are as follows;

- o Retain all grazing land of existing farm steading;
- o Ability to view youngstock grazing from within new dwelling;
- o Ample space for dwelling house and shed;
- o Close to all relevant services; and
- o Improve overall farm security.

As noted above, the existing steading at Catcraig is the operational base for the farming enterprise, and is the locus of the associated operational buildings. The location of the associated operational buildings and infrastructure is considered to reinforce the need for any additional new dwellings to be located at the existing steading. It should also be noted that proposed location of the dwellinghouse remote from the existing steading would also likely result in the occurrence of vehicle trips to and from the steading to run and manage the daily operations of the business. The occurrence of daily and potentially numerous trips to, and from the steading from the application site, would not otherwise occur where a dwellinghouse was sited at the existing steading.

As noted above, the applicant/ agent consider that the house in the location proposed is justified on the basis of retaining all grazing land at the existing farm steading, offer surveillance of youngstock grazing and overall improved farm security. However, the submission does not demonstrate, to the satisfaction of the planning authority that farming operations could not continue to be managed in the current manner, with the addition of a dwellinghouse and agricultural shed at the existing steading. The applicant's supporting information also sets out a series of locational criteria for the siting of a new dwellinghouse. It is considered that the criteria noted by the applicant/ agent could be equally fulfilled by locating an additional dwelling and shed around the vicinity of Catcraig Farm in terms of; providing accommodation with the ability to view the grazing land, sufficient space for a dwelling house and shed, proximity to relevant services and retention of agricultural land.

Therefore, for the purposes of assessing this application, it is not considered that the proposal is justified on the basis of the need for a dwelling house and shed to be provided in the location proposed. In this regard, it is considered that there is sufficient land around the existing steadings and operational buildings at Catcraig Farm so as to enable the applicant to provide for an additional dwelling and any additional operational buildings, as required. The application has been considered in this context.

Additionally, it is considered that the existing steadings at Catcraig Farms are less visually obtrusive than the application site, which comprises of a portion of a larger field where there are currently no services or buildings, and therefore the positioning of additional buildings at, or in close proximity of the steading, offers the best opportunity to consolidate and reinforce the existing building grouping at the steading as the operational locus of farming activities. In this context, a revised application with an alternatively sited dwelling house and agricultural shed at Catcraig Farm steading is also considered to be preferential from a landscape setting perspective.

## **11. Assessment (including other material considerations):**

A site visit has not been undertaken as it is considered that sufficient information is available to determine the application; in accordance with the Council's agreed protocol and the advice of the Scottish Government in containing the spread of Coronavirus. It is considered that sufficient information has been provided with which to undertake an assessment of the application.

The application seeks planning permission in principle for the erection of a dwellinghouse to support the existing farming enterprise. As noted above, the applicant/ agent has submitted a supporting labour requirement report, which considers that the need for an additional dwellinghouse is derived from the labour requirement associated with the farming activities, and the applicant/ agent has submitted a supporting labour requirement report and supplementary information on this basis.

It is accepted that the farming enterprise could benefit from an additional residential property, and therefore, in principle, the Service could be minded to support the applicant's case for an additional dwellinghouse to serve the farming operations, however, under criterion d. above, "any proposed buildings or structures form or complement a coherent group of buildings and are not visually intrusive."

Where a dwelling house is required in connection with the operation of an existing rural based business, then it is reasonable to expect that, any new dwelling should be sited adjacent to the existing steading so as to reinforce the building grouping and operational base at Catcraig Farm. The steading at Catcraig provides residential accommodation for family members in addition to various out-buildings ranging from traditional out-buildings sited adjacent to the farmhouses, and also large modern agricultural buildings to meet operational and storage requirements of the farming enterprise. The existing steading and the associated operational buildings are considered form a compact and self- contained building grouping which forms the operational hub which is the focus of the farming enterprise.

In contrast, rather than any new dwellinghouse being located so as to concentrate the building grouping and operational base of the existing steading, the proposed new house is not located within or adjacent to the existing steading and operational base at Catcraig Farm, but is located approximately 0.67 km to the north of the Catcraig Farm, and in a location where no agricultural buildings are currently present. The proposed application site is also noted to stand alone at the north-western extremity of the land associated with farm holding. Therefore, there are concerns in relation to the proposed siting of the dwellinghouse/ shed due to the proposals not being located so as to consolidate and reinforce the existing steadings and building groupings at Catcraig Farm, and also in terms of the visibility of the site.

For the reasons noted in this report, it is considered that, as the operational hub and locus of farm buildings and farm activities, the existing steading at Catcraig Farm forms a centrally located, and compact building grouping which is well-located to meet the operational needs of the farming enterprise, as well as being less visually sensitive; this approach is in accordance with the policy provisions of the Local Development Plan and the related supplementary guidance. Therefore, it is considered that the applicants' business needs could be equally, if not better, fulfilled by locating an additional dwelling around the vicinity of Catcraig Farm. The application has been considered in this context.

For completeness, the proposals have also been considered against the Council's policies in relation to extensions to a cluster of existing residential properties. In this regard it is noted that, the application site stands in isolation, is bound by agricultural land on three sides, and by a public road to the west. Given the afore-mentioned, the proposed development does not represent the sensitive in-filling of an existing cluster. Therefore, it is not considered that the proposed site could be considered to represent a cluster for the purposes of considering this application.

For the reasons noted above, there are policy concerns in relation to the proposal, and the proposed erection of a dwelling house on this site is not considered to meet with the provisions of the Adopted South Ayrshire Local Development Plan policies in relation to Sustainable Development and Rural Housing, or the provisions of the Council's Supplementary Planning Guidance in relation to Rural Housing. The primacy of the development plan is noted above. An assessment of the development proposal is set out in this report, and as already noted, there are policy objections to the proposal which lead to the conclusion that the development is contrary to the provisions the Local Development Plan, and also the Council's Supplementary Guidance in relation to Rural Housing which supplements formal policy, and that there are no material planning considerations that would out-weigh these provisions. It should also be noted that, the purpose of planning (as set out in the Planning (Scotland) Act 2019) is to manage the development and use of land in the long term public interest.

Given the above assessment and having balanced the applicants' rights against the general interest, it is recommended that the application be refused, for the reasons below.

## **12. Recommendation:**

It is recommended that the application is refused for the reasons, below.

**Reasons:**

- (1) That the development proposal is contrary to the Adopted South Ayrshire Local Development Plan Rural Housing policy due to any proposed buildings or structures not forming or complementing a coherent group of buildings so as to reinforce the existing operational base of the farming enterprise at Catcraig Farm, and not being visually intrusive, and no satisfactory justification having been provided for a departure from this policy.
  
- (2) That the development proposal is contrary to the Planning Guidance in relation to Rural Housing due to not being sited so as to reinforce the existing operational base of the farming enterprise at Catcraig Farm, and due to not constituting development within an existing cluster or the sensitive in-filling of an available gap site which consolidates existing properties within a cluster, and no satisfactory justification having been provided for a departure from the Rural Housing planning guidance.

**Advisory Notes:**

**List of Plans Determined:**

Drawing - Reference No (or Description): **Refused** 0717PP01

**Reason for Decision (where approved):**

N/A.

**Equalities Impact Assessment**

An Equalities Impact Assessment is not required because the proposed development is not considered to give rise to any differential impacts on those with protected characteristics

<b><i>Decision Agreed By:</i></b>	<i>Appointed Officer</i>
<b><i>Date:</i></b>	<i>16 September 2021</i>



County Buildings Wellington Square Ayr KA7 1DR Tel: 01292 616 107 Email: [planning.development@south-ayrshire.gov.uk](mailto:planning.development@south-ayrshire.gov.uk)

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

Thank you for completing this application form:

ONLINE REFERENCE 100425980-002

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

## Applicant or Agent Details

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

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number:

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

First Name: \*

Building Name:

Last Name: \*

Building Number:

Telephone Number: \*

Address 1 (Street): \*

Extension Number:

Address 2:

Mobile Number:

Town/City: \*

Fax Number:

Country: \*

Postcode: \*

Email Address: \*

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

Individual  Organisation/Corporate entity



## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Catcraig Farm"/>
First Name: *	<input type="text" value="J"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Brown"/>	Address 1 (Street): *	<input type="text" value="Craigie"/>
Company/Organisation	<input type="text" value="Messrs J &amp; A Brown"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Kilmarnock"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text" value="07823 325530"/>	Postcode: *	<input type="text" value="KA1 5NB"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="jrb2102@hotmail.co.uk"/>		

## Site Address Details

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

Please identify/describe the location of the site or sites

<input type="text" value="Land of Catcraig Farm North West of Craigie Kilmarnock South Ayrshire"/>
--

Northing	<input type="text" value="632465"/>	Easting	<input type="text" value="242564"/>
----------	-------------------------------------	---------	-------------------------------------

## Description of Proposal

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

Planning permission in principle for the erection of dwelling house and agricultural shed.

## Type of Application

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

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

What does your review relate to? \*

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

## Statement of reasons for seeking review

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

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

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

Appeal statement provided within supporting documentation

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

Yes  No

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

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

appeal statement, planning supporting statement, labour justification report, location plan, delegated report

## Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

21/00644/PPP

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

10/06/2021

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

16/09/2021

## Review Procedure

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

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

Yes  No

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

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

Yes  No

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

Yes  No

## Checklist – Application for Notice of Review

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

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

Yes  No

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

Yes  No

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

Yes  No  N/A

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

Yes  No

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

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

Yes  No

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

## **Declare – Notice of Review**

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

Declaration Name: Mr Alistair Mair

Declaration Date: 25/10/2021



**NOTICE OF REVIEW STATEMENT**

**App 21/00644/PPP**

**‘Proposed erection of farm workers dwelling house  
and agricultural shed’**

**at**

**Lands of Catcraig Farm  
Craigie  
Ayrshire  
KA1 5NB**

**Client**

**Messrs J & A Brown.**



**Client:** Messrs J & A Brown  
Catcraig Farm  
Craigie  
Ayrshire.  
KA1 5NB

**Agent:** Stairhill Architecture Ltd  
Stairhill  
Mauchline  
Ayrshire  
KA5 5HN

### **Planning History**

21/00644/PPP - Planning permission in principle for the erection of dwelling house and agricultural shed.  
  
Application Refused

### **Reasons For Refusal**

1. That the development proposal is contrary to the Adopted South Ayrshire Local Development Plan Rural Housing policy due to any proposed buildings or structures not forming or complementing a coherent group of buildings so as to reinforce the existing operational base of the farming enterprise at Catcraig Farm, and not being visually intrusive, and no satisfactory justification having been provided for a departure from this policy.
2. That the development proposal is contrary to the Planning Guidance in relation to Rural Housing due to not being sited so as to reinforce the existing operational base of the farming enterprise at Catcraig Farm, and due to not constituting development within an existing cluster or the sensitive in-filling of an available gap site which consolidates existing properties within a cluster, and no satisfactory justification having been provided for a departure from the Rural Housing planning guidance.



## **Reasons for Review**

We have studied and reviewed the planning officers report of handling and make note as follows.

No objections were received from any public members.

No objections were received from any consultees.

The planning officer states 'It is accepted that the farming enterprise could benefit from an additional residential property, and therefor on principle, the Service could be minded to support the applicants case for an additional dwelling house to serve the farming operations'

So by agreement of the council the application has proved and justified the requirement for an additional dwelling house.

The single reason for refusing the application is the siting of the proposed dwelling and agricultural shed.

South Ayrshire Rural Design Guidance states;

- d) Any proposed buildings or structures form or complement a coherent group of buildings and are not visually intrusive.

The planner states;

It is reasonable to expect that, any new dwelling should be sited adjacent to the existing steading so as to reinforce the building grouping and operational base at Catcraig Farm.

There is no mention in any policy or guidance for reinforcing the existing operational base of the farm. The planner's opinion of what should be reasonable does not meet current policy nor do they have any first-hand experience of how our client's business operates. We have precisely detailed the site-specific reasons as to why the proposed site has been chosen within our supporting statement which are as follows;

The farm operates a dairy herd which is milked through a robotic milking system.

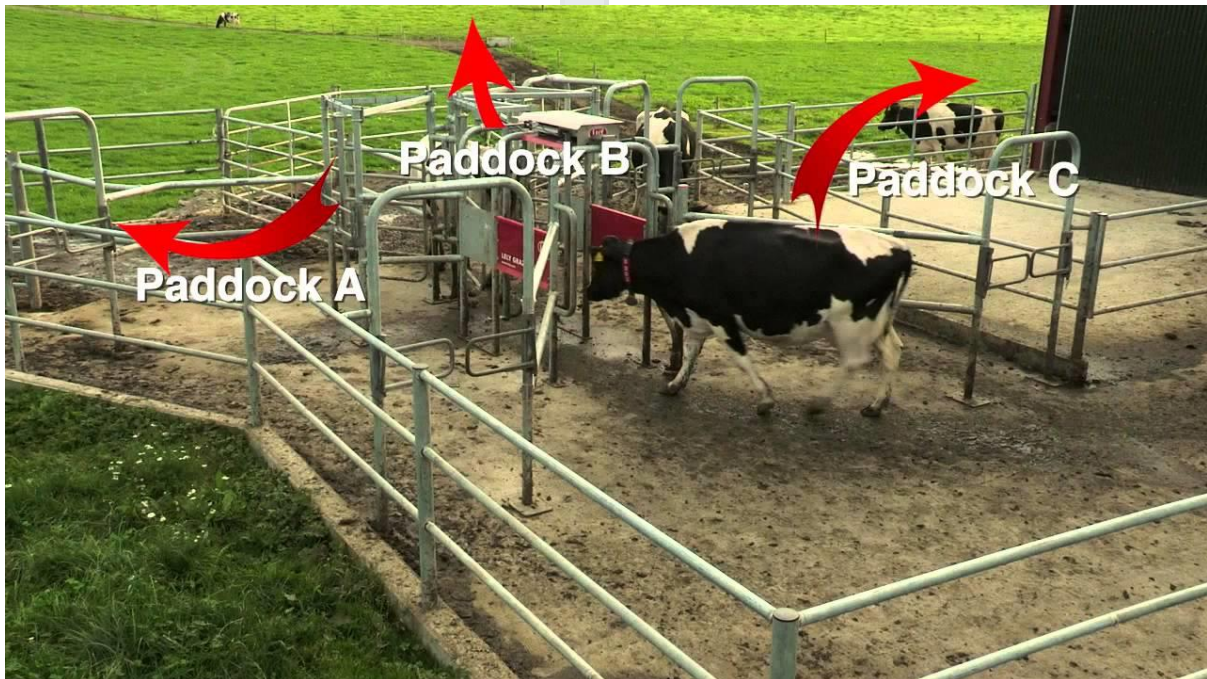
Traditional milking parlours hold approx. 8-10 cows per side which are all milked at the same time. When the last cow finishes milking they are released and the next lot of cows enter the parlour to be milked in the same way. This would normally take between 1-3 hours depending on the size of the herd and happen twice daily. Once all cattle are milked they would all be herded back to their grazing field.



A robotic parlour works in a completely different manner, broadly speaking the process runs thus. Your cow enters a small pen, driven by the desire to relieve udder pressure and nibble on the food that's on offer during milking. As the cow enters the pen, an ID tag is scanned that tells the system when the cow was last milked, how the udder is shaped and the rate at which each teat dispenses milk. Robotic arms simultaneously sanitize and stimulate the teats, prompting the cow to let down her milk. Lasers then guide suction tubes onto each teat and the milking begins.

This type of system relies on the cows being housed directly adjacent to the parlour, hence the justified reason we are not able to build a new shed or house adjacent the farm steading as all grazing land is critical to allow cows summer grazing adjacent to the parlour.

#### SAMPLE PHOTO OF ROBOTIC DAIRY



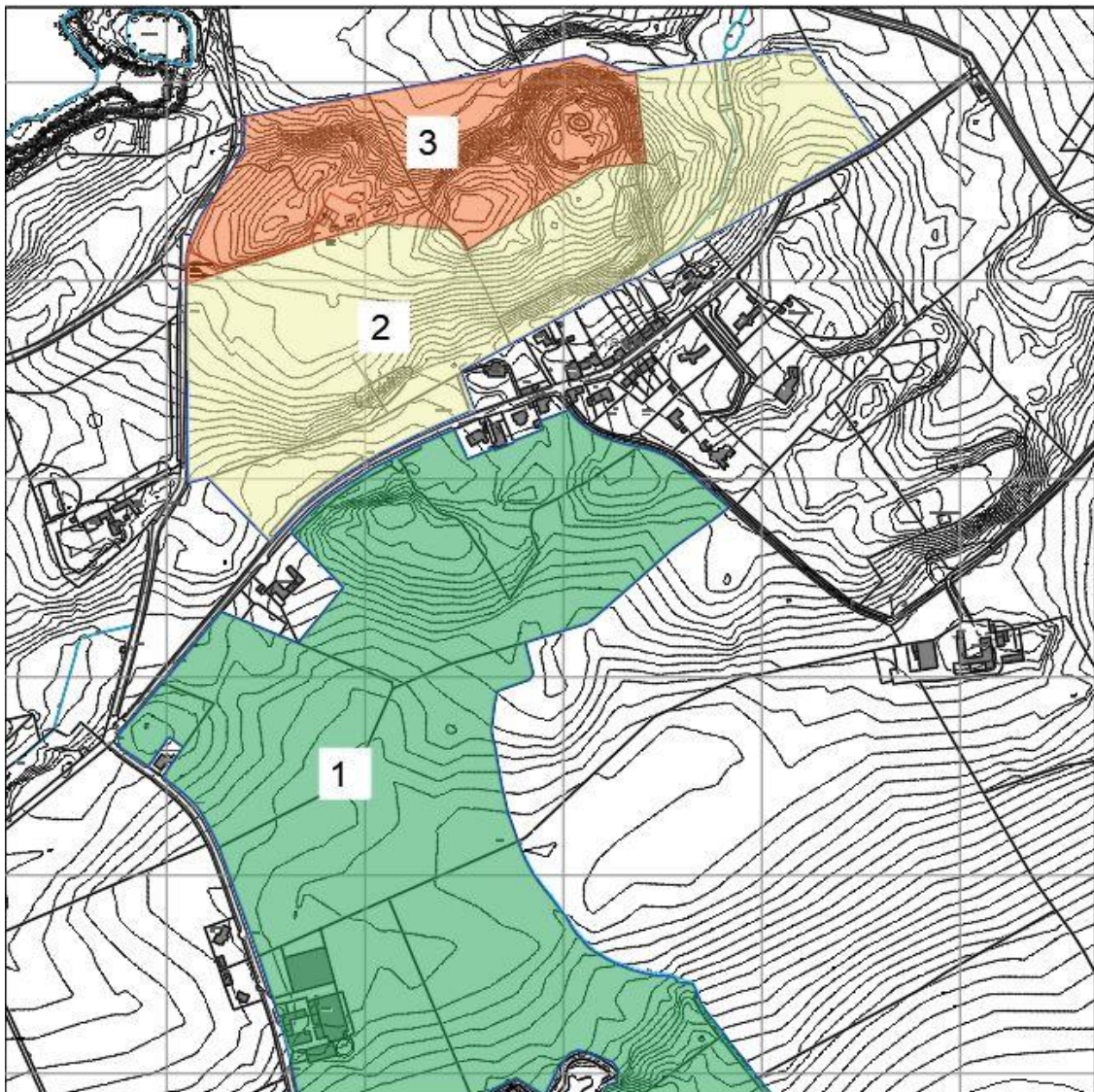
This type of system means the cattle must be kept indoors or in very close proximity to the parlour to allow barrier free access.

If our clients were to erect the proposed house adjacent the existing steading this would remove valuable grazing land that is required to allow growth of the herd and business.





The land holding is split into 3 distinct parcels of land as shown here;



1. grazing land surrounding the farm to the south of Craigie
2. grazing land to the north of Craigie
3. Craigie Hill with rough grazing / gorse.

The proposed site is located within area 3 on the edge of the rough grazing / gorse land. This is directly adjacent the grazing land and no land of any agricultural value shall be lost from the proposals.

The grazing land surrounding the farm requires to be retained and expanded (through land purchase) where possible to allow the growth of the dairy herd. As detailed previously, they require to be housed in winter and have direct access to summer grazing from the robotic milking parlour.

The land to the North of Craigie is used for grazing young stock, silage production and calving cows.



The planning officer has sited the following reasons as further justification to refuse the proposed site.

1. Trips between farm and new house / shed.
2. Not demonstrated that the business could not operate in current manner with addition of dwelling house and shed at existing steading
3. Application sites compromises of portion of a larger field with no services or buildings.
4. No agricultural buildings are currently present.

Trips between the proposed dwelling and shed and the existing steading would have no negative impact on the local area. The proposed dwelling and shed will allow for the farm work to be split into youngstock and in calf cows at the new shed and dairy cows at the existing farm steading. There are currently journeys between the existing steading and the land holding adjacent the proposed site daily to both feed and check on livestock. The proposed dwelling will help reduce this as any checks can be done on foot.

The labour report along with our supporting statement have justified the need for an additional house and the reason for siting the house in the chosen location. We have again demonstrated exactly why this site has been chosen within this supporting LRB document. Building a dwelling house at the existing steading would have a negative impact on our client's business and is not in the best interests of our client or their business operations.

The application site is not part of a larger field. The site is a portion of Craigie Hill which is covered in gorse and has steep drops to the north side. It is not suitable for livestock other than sheep grazing. The site does not loose any prime agricultural land and indeed does not lose any productive farming land either.

The application includes the erection of an agricultural shed as well as the dwelling house which will form a coherent group in line with policy guidance.



## **Summary**

The council are minded to support the principle for the erection for a farm workers dwelling house and shed.

The singular reason for refusal is the location of proposed site and lack of justification for choosing said site.

We have clearly demonstrated previously and reiterated within this statement the importance that the land adjacent the existing steading remains as grazing land to allow the dairy herd access to fresh grass and the robotic milking parlour.

The specific site has been chosen as it protects all the farms productive land and utilises a small piece of unproductive gorse hillside.

It is of our professional opinion that the proposals are in full accordance with all relevant SAC LDP policies and supporting guidance and that the LRB should overturn the decision to approve the application for the proposed farm workers dwelling house and shed.



**SUPPORTING STATEMENT**

‘Proposed erection of farm workers dwelling house  
and agricultural shed’

at

Lands of Catcraig Farm  
Craigie  
Ayrshire  
KA1 5NB

**Client**

Messrs J & A Brown.

**Client:** Messrs J & A Brown  
Catcraig Farm  
Craigie  
Ayrshire.  
KA1 5NB

**Agent:** Stairhill Architecture Ltd  
Stairhill  
Mauchline  
Ayrshire  
KA5 5HN

### **Background Information**

Messrs J & A Brown are a specialist dairy farm, milking 100 cows through their robotic parlour. The farm consists of 122 acres with an additional 20 acres of rented grassland to produce silage for winter forage.

The farm has continually invested in the business over recent years with the last significant investment being a robotic milking system in 2019.

Due to this investment the business is now in a financial position where they are able to erect a farm workers dwelling house and further agricultural shed to secure the future of the farm for the next generation.

### **Farming practice**

The farm is run as a specialist dairy herd milking 100 cows through a robotic milking parlour. They farm a total of 142 acres of land of which 122 acres are owned and 20 acres are rented for silage production. Milk is sold off to Graham's Milk.

The farmland is split into two distinctive land parcels, the dairy herd grazing land to the South of Craigie which surrounds the farm steading and the silage and youngstock grazing which sits to the North of Craigie separated by the Main Street.

Emerging legislation from Europe is moving away from 24hr 365day cattle housing similarly to how poultry has done the same. This will require all milking cattle to have access to summer grazing.

This will be achieved by utilising the parcel of land that surrounds the existing farm steading on a rotational plan. This will allow cattle to graze and have daily access to the robotic milking system without crossing any public roads. The parcel of land to the north of main street will then be utilised for silage production, young stock and calving cows.



Our clients daughter Georgia (18) currently works on the farm but is seeking to enter further education and plans to move to student accommodation. This will have a big impact on an already under strain team of work staff. This has been the catalyst for our client to seek planning approval to provide accommodation for a skilled stock man which will help alleviate the demanding workload.

The labour requirement for the farm is 3.11 labour units.

## **Proposals**

The proposal is for the erection of a new dwelling house and shed to provide shelter for winter grazing cattle and calving cows.

This proposed set up will allow for the farm managers to have a more balanced work life and aims to create a working environment that is beneficial to both the mental and physical health of all managers and employees.

The criteria required for the proposed dwelling and shed are as follows;

- Retain all grazing land of existing farm steading.
- Able to view youngstock grazing from within new dwelling.
- Ample space for dwelling house and shed.
- Close to all relevant services.
- Improve overall farm security

There is an area of rough land to the north of the farms outer limits which will be utilised for the new agricultural shed and bungalow which will retain all current grazing land in use for the business.

## **Site Analysis**

Planning policy and design guidance looks to encourage good design within the countryside where it can be justified that the dwelling house is required on an agricultural basis.

The labour requirement report breaks down the farming business and details the labour requirement for the entire farming unit. The fam business requires a total of 3.11 labour units.

Planning policy looks to group buildings together to create a uniform farming base, with the possibility of converting redundant buildings or using brownfield land opposed to green field sites.

The most important issue within the brief was to retain the existing land around Catcraig Farm steading to allow for maximum herd allocation and herd health when new regulations are introduced for grazing access giving the farm options to grow the existing business further.



Due to lack of buildings suitable for conversion within the steading we have studied the entire land holding of the farm and assessed where potential sites meet our client's criteria whilst also meeting with current planning policy at both national and local level.

The land holding is split in two 3 distinctive sections, the grazing land surrounding the farm to the south of Craigie, the grazing land to the north of Craigie and Craigie Hill with rough grazing / gorse.

Due to the farms compact land holding in terms of modern farming our client is keen to utilise every acre possible for productive grazing and silage production.

This has led us to look at the poorest quality farm land on Craigie Hill , due to the elevated nature we have studied the contours to find a site that sits down within the hills side allowing for the proposals to become part of the landscape.

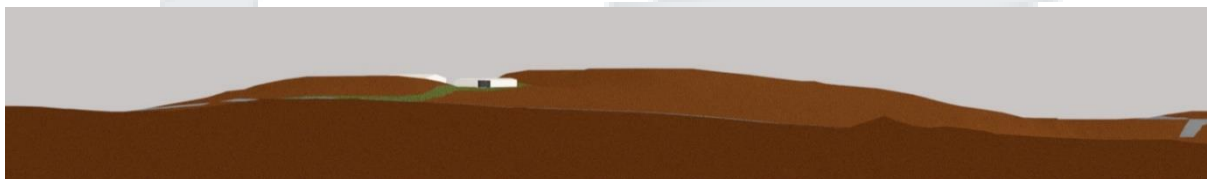
The site identified is located approx. 200m to the North West of Craigie Village accessed from Craigie Road directly opposite Laigh Langcraig Farm road. The site sits at approx. 148m AOD sitting within a hollow of the hill side surrounded by land at 152m AOD and rising. The site equates to a total of 2880m<sup>2</sup> of rough grazing land surrounded with gorse bushes and is bounded to the south with an agricultural stob and wire stock proof fence.

This proposed site will retain all the farms best quality grazing land adjacent to the existing steading whilst also providing vital care and support to the livestock on the land to the North of Craigie village. The elevated nature of the site allows for the new dwelling to have a vantage point overlooking the farmland.

Preliminary 3D landscape analysis is shown below showing how a proposed shed and dwelling house would fit within the landscape from critical viewpoints. The analysis shows only the landform and no existing buildings or vegetation etc.

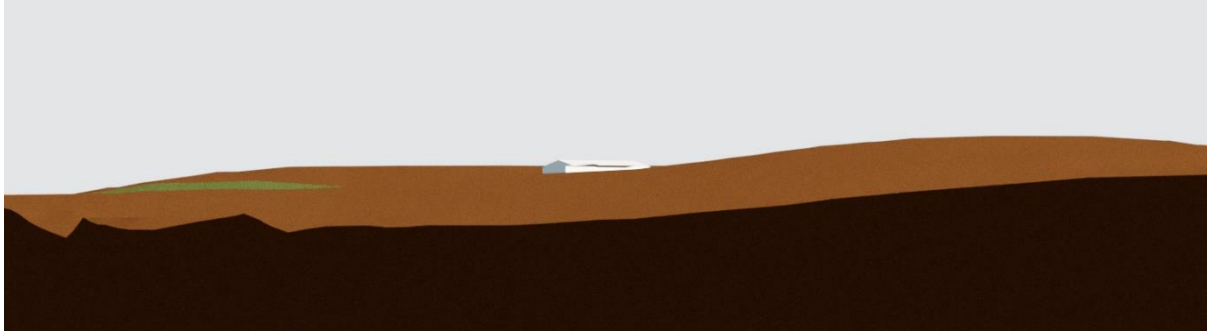
The views clearly show scope for the design to fit within the landscape as per the proposals.

View looking towards site from proposed new access



View looking towards site from Craigie Village





Electricity and water are in close proximity to service the site.

In summary the proposed site utilises a derelict piece of land with little to no agricultural value. Sits below the skyline, offers views across the farmland where the young stock graze. The current application is for planning permission in principle only and a full application will be submitted with the design for the proposed shed and house that demonstrates how the design will fit within the rural landscape and be screened by the natural topography and setting.

The application will be supported by the following documents;

*Labour assessment report.*

*Proposed Plans*

### **Conclusion**

It is considered that the application for the proposed new dwelling house meets the criteria set out in South Ayrshire Council LDP and is fully justified within the labour justification report.

The farm has no buildings suitable for conversion and has not sold or by other means separated any property in the last 5 years.

The proposed dwelling house and shed are required to facilitate on site supervision for the forward thinking and expanding agricultural business.

The proposed site does not equate to the loss of any agricultural land of merit and is in full ownership of our client.

The application is for planning permission in principle only and a full detailed application for design and siting of the dwelling and shed in line with rural design guidance shall be submitted under a further application.

The application is in line with all relevant policies as detailed in the above document. It is for these reasons that the planning authority should use there duly elected powers to approve this application.





*Strictly Private and Confidential*

**PLANNING JUSTIFICATION  
REPORT**

Prepared for:

**Messrs J & A Brown  
Catcraig  
Craigie  
Kilmarnock  
Ayrshire  
KA1 5NB**

Prepared by:

Caroline McMillan  
Agricultural Consultant (FBASS, BSc, HND)  
Agricultural Consultancy Services Ltd  
Woodhead of Lessnessock  
Ochiltree  
Cumnock  
Ayrshire  
KA18 2RR

Tel: 01290 700069/07749358293  
Email: lessnessockfarm@btinternet.com

November 2020

This report has been prepared exclusively for the use of the above business 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 he does, then he relies upon it at his own risk.

## CONTENTS

<b>1.0</b>	<b>INTRODUCTION .....</b>	<b>1</b>
<b>2.0</b>	<b>CATCRAIG.....</b>	<b>2</b>
2.1	BUSINESS OVERVIEW.....	2
2.2	SUMMARY OF LAND .....	3
2.3	SUMMARY OF LIVESTOCK.....	3
<b>3.0</b>	<b>LABOUR REQUIREMENT.....</b>	<b>4</b>
<b>4.0</b>	<b>ADDITIONAL COMMENTS.....</b>	<b>5</b>
4.1	THE SITE .....	5
4.2	FARM LABOUR AND WORKING PRACTICES .....	5
4.3	ANIMAL WELFARE AND MANAGEMENT .....	5
4.4	SECURITY & SAFETY.....	6
4.5	ALTERNATIVE ACCOMMODATION .....	6
<b>5.0</b>	<b>CONCLUSION .....</b>	<b>7</b>

## **1.0 INTRODUCTION**

Jim Brown farms with his wife Mhairi at Catcraig farm near the village of Craigie in South Ayrshire. They are assisted on the unit by their daughter Georgia (18). The family farm a total of 49.35 hectares (122 acres) of land and an additional 8.30 hectares (20 acres) is rented locally for silage.

The business is a specialist 100 cow robotic dairy unit with milk being sold to Graham's Milk.

A planning application is being submitted by the business for a new dwelling house at Catcraig for an agricultural worker. This house would be located near the rough grazing land at Craigie where the young stock are grazed and wintered. This would ensure that all the farm would be visible from either of the two farmhouses so security would be enhanced.

A site visit was carried out to view the proposed location of the 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 an additional dwelling house at Catcraig and has been prepared on the basis of the information provided during consultation with the Brown family. Agricultural Consultancy Services Ltd accepts no liability in the event of the planning application being turned down. In the event of planning permission being granted, Agricultural Consultancy Services Ltd accept no liability for any planning conditions which South Ayrshire Council may impose on the dwelling house.

## **2.0 CATCRAIG FARM**

### **2.1 Business Overview**

Catcraig farm extends to 49.35 hectares (122 acres) of land near the village of Craigie in South Ayrshire. An additional 8.30 hectares (20 acres) is rented locally for silage. The business is run as a specialist dairy unit with a 100 Holstein Friesian and Ayrshire cows. Jim has a specialist interest in breeding red and white Holstein and Ayrshire cattle.

The business is run as a family partnership consisting of Jim and his wife Mhairi. They are assisted by their daughter Georgia who is keen on showing and stock work.

The business sells their milk to Graham's family dairy. The business installed two robots in 2019 and produce over 900,000 litres of milk per annum. The herds average production is 9,000 litres per cow. Heifer replacements are retained from the dairy herd and male dairy calves and beef calves are sold reared to other farmers for beef production.

The business grows two cuts of silage on 23.51 hectares (58 acres) of land at home and on 8.30 hectares (20 acres) of rented land. The remaining land is used for grazing. Jim has been enhancing the biodiversity on the farm by planting hedges and fencing off watermargins.

Catcraig is a diverse mix of land types – grade 3<sup>2</sup>, 4<sup>1</sup>, 4<sup>2</sup> and 5<sup>1</sup> according to the Macaulay land classification system. Grade 3 is land that is capable of producing good yields of a narrow range of crops primarily cereals and grass. Grade 4 is land that is suited to grassland enterprises with short arable breaks. Grade 5 land is land capable of use as improved grassland.

## 2.2 Summary of Land

<b>Category of Land</b>	<b>Hectares</b>
Silage – 2 cuts and aftermath grazing	23.51
Silage – rented grazing	8.30
Grassland	25.84

## 2.3 Summary of Livestock

<b>Stock</b>	<b>Number</b>
Dairy Cows	100
Bulls	1
Dairy Heifers > 2 years	1
Dairy Heifers 1-2 years	40
Dairy Heifers < 1 year	40
Beef Cattle	20
Ewe hogs	100

### 3.0 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 enterprises at Catcraig are as follows:

<b>Crops</b>	<b>Area (ha)</b>	<b>Hours/Annum</b>	<b>Total</b>
Silage	31.81	26	827.06
Grassland	25.84	4	103.36
<i>Sub total</i>			930.42
<b>Livestock</b>	<b>Number</b>	<b>Hours/Annum</b>	<b>Total</b>
Dairy Cows	100	39	3,900.00
Bulls	1	9	9.00
Dairy Heifers > 2 years	1	9	9.00
Dairy Heifers 1 – 2 years	40	9	360.00
Dairy Heifers < 1 year	40	9	360.00
Beef Cattle	20	9	180.00
Ewe hogs	100	1.65	165.00
<i>Sub total</i>			4,983.00
<b>TOTAL</b>			<b>5,913.42</b>
<i>SGRPID Standard Man Year</i>			<i>1,900</i>
<b><u>LABOUR REQUIREMENT FOR CATCRAIG</u></b>			<b>3.11</b>

## **4.0 ADDITIONAL COMMENTS**

### **4.1 The Site**

The proposed house will be situated on the rougher ground near Craigie village. This will enhance roadside security and means that all of the land can be viewed from either of the two houses.

Catraig is a diverse mix of land types – grade 3<sup>2</sup>, 4<sup>1</sup>, 4<sup>2</sup> and 5<sup>1</sup> according to the Macaulay land classification system. The proposed site is on land classified 5<sup>1</sup>.

The preferred site of the proposed development will not involve the loss of any environmental features. Jim has been enhancing the farm's conservation value and biodiversity by fencing off watermargins and planting hedges. Hedge planting is essential for providing a habitat for hedgerow birds.

### **4.2 Farm Labour and Working Practices**

The Brown family all live in the farmhouse at Catcraig. It is proposed that the new house will be used to accommodate an agricultural worker to assist Jim on the farm.

Dairy farming involves working long hours 7 days per week. The milking is done by two robots which means that Jim is on call 24 hours per day, 7 days per week to sort out problems. The working day now starts later at 6 am than when Jim was milking the cows through a parlour. Each morning the cows and calves are all to feed and scrape and bed up. Cow fertility is monitored and any cows or heifers to serve are artificially inseminated. In the afternoon other stock tasks are undertaken as required and any paperwork or records are updated in the farm office. Cows are checked for signs of heat detection and calving throughout the day and usually the last check is at 10pm. If a cow is calving Jim or Mhairi will have to wait up until the cow calves. The business calves all year around which means that cows are checked all year around. Most of calf rearing duties are carried out by Mhairi or Georgia.

Jim is also responsible for all field work in the spring and summer and silage is brought in with their own forage wagon instead of contractors.

### **4.3 Animal Welfare and Management**

Livestock require constant supervision by a suitably qualified individual. Animal losses contradict welfare standards, as well as having a significant economic impact on the farm business.

The business has 100 dairy cows and 101 dairy youngstock. As noted above these animals calve all year around so require constant supervision. Generally, on a dairy farm of this type there will be someone with the cattle 16 hours per day plus someone will stay up if cows are calving at night.

Catraig is situated near the village of Craigie. The roads near the farm are used extensively by cyclists, dog walkers and walkers. Activity has increased due to lockdown during the

recent Co-vid outbreak. It is vital that stock are monitored to ensure that gates are not left open by walkers or vandals.

#### **4.4 Security & Safety**

Catcraig steading is situated 0.7 miles from the village of Craigie, 5 miles from Kilmarnock and 31 miles from Glasgow.

With the increasing awareness by the public of their access rights under the Land Reform (Scotland) Act 2003, there is potential of safety and security problems on the farm from people not fully understanding their responsibilities in the countryside.

Other notable problems with access are potential incidents with countryside visitors walking through fields where there are cattle. This is dangerous for both the people and the animals, and incidents arising could result in death or injury. Similarly, there is the risk of members of the public leaving gates open, which may allow stock to stray from inbye fields onto the road, putting others at risk.

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.

In rural locations, problems may arise relating to vandalism – deliberate and accidental – and theft. In Ayrshire there has been an increase in farm thefts particularly farm quad bikes. Electrical cable theft is also at an all time high locally. Catcraig is located in close proximity to Craigie, Kilmarnock and Glasgow so is a high risk area. The new house will ensure that the whole farm can be monitored, thus enhancing security so this will help deter thieves from entering the farm from Craigie and prevent rustlers from taking any cattle or locals opening gates and letting cattle onto the roads.

#### **4.5 Alternative Accommodation**

There are no other dwelling houses or buildings suitable for conversion presently located at Catcraig that could be utilised by the business.



## **5.0 CONCLUSION**

- The estimated annual labour requirement for the farming operations at Catcraig is currently 3.11 labour units. This type of unit and the stock carried therefore justifies three full time workers.
- It is considered highly desirable for welfare and security that there are suitably qualified personnel residing onsite at Catcraig at all times.
- The location of the proposed dwelling house at Catcraig is not prime agricultural land and 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 unit that can be utilised for living quarters.
- Support from the local authority through the development of a dwelling house will help secure the farming future at Catcraig, as well as encouraging wider rural business and economic development through the house construction and long-term maintenance, as well as continuing farming operations.



County Buildings Wellington Square Ayr KA7 1DR Tel: 01292 616 107 Email: [planning.development@south-ayrshire.gov.uk](mailto:planning.development@south-ayrshire.gov.uk)

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

Thank you for completing this application form:

ONLINE REFERENCE 100425980-001

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

## Type of Application

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

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

## Description of Proposal

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

Proposed erection of farm workers dwelling house and agricultural shed.

Is this a temporary permission? \*

Yes  No

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

Yes  No

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

No  Yes – Started  Yes - Completed

## Applicant or Agent Details

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

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	Stairhill Architecture Ltd		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Alistair	Building Name:	Stairhill
Last Name: *	Mair	Building Number:	<input type="text"/>
Telephone Number: *	01292591500	Address 1 (Street): *	Stair
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	Mauchline
Fax Number:	<input type="text"/>	Country: *	United Kingdom
		Postcode: *	KA5 5HN
Email Address: *	alistair@stairhill.co.uk		

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	Catcraig Farm
First Name: *	J	Building Number:	<input type="text"/>
Last Name: *	Brown	Address 1 (Street): *	Craigie
Company/Organisation	Messrs J & A Brown	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	Kilmarnock
Extension Number:	<input type="text"/>	Country: *	Scotland
Mobile Number:	<input type="text"/>	Postcode: *	KA1 5NB
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## Site Address Details

Planning Authority:

South Ayrshire Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Land of Catcraig Farm North West of Craigie Kilmarnock South Ayrshire

Northing

632465

Easting

242564

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Site Area

Please state the site area:

2880.00

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)

Rough grazing land

## Access and Parking

Are you proposing a new altered vehicle access to or from a public road? \*

Yes  No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \*  Yes  No

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

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*  Yes  No

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

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

As you have indicated that you are proposing to make private drainage arrangements, please provide further details.

What private arrangements are you proposing? \*

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

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: \*

Package sewage treatment plant with filter drain

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

Note:-

Please include details of SUDS arrangements on your plans

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

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

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

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

## Assessment of Flood Risk

Is the site within an area of known risk of flooding? \*  Yes  No  Don't Know

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

Do you think your proposal may increase the flood risk elsewhere? \*  Yes  No  Don't Know

## Trees

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

Yes  No

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

## All Types of Non Housing Development – Proposed New Floorspace

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

Yes  No

## All Types of Non Housing Development – Proposed New Floorspace Details

For planning permission in principle applications, if you are unaware of the exact proposed floorspace dimensions please provide an estimate where necessary and provide a fuller explanation in the 'Don't Know' text box below.

Please state the use type and proposed floorspace (or number of rooms if you are proposing a hotel or residential institution): \*

Not in a Use Class

Gross (proposed) floorspace (In square meters, sq.m) or number of new (additional) Rooms (If class 7, 8 or 8a): \*

1

If Class 1, please give details of internal floorspace:

Net trading spaces:

Non-trading space:

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

outline planning permission only at this time. Proposed agricultural shed, size, siting and design to be confirmed at full planning stage.

## Schedule 3 Development

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

Yes  No  Don't Know

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

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

## Planning Service Employee/Elected Member Interest

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

Yes  No

## Certificates and Notices

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

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

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

Yes  No

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

Yes  No

Do you have any agricultural tenants? \*

Yes  No

## Certificate Required

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

Certificate E

## Land Ownership Certificate

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

Certificate E

I hereby certify that –

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

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

Or

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

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

Name:

Address:

Date of Service of Notice: \*

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

Signed: Alistair Mair

On behalf of: Mr J Brown

Date: 10/06/2021

Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

Yes  No  Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

Yes  No  Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

Yes  No  Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? \*

Yes  No  Not applicable to this application



g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- Site Layout Plan or Block plan.
- Elevations.
- Floor plans.
- Cross sections.
- Roof plan.
- Master Plan/Framework Plan.
- Landscape plan.
- Photographs and/or photomontages.
- Other.

If Other, please specify: \* (Max 500 characters)

Provide copies of the following documents if applicable:

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

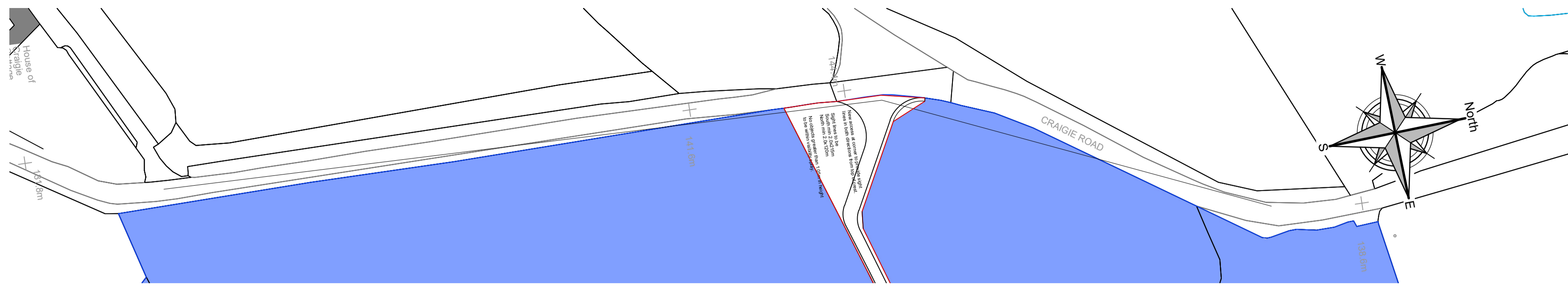
Other Statements (please specify). (Max 500 characters)

## Declare – For Application to Planning Authority

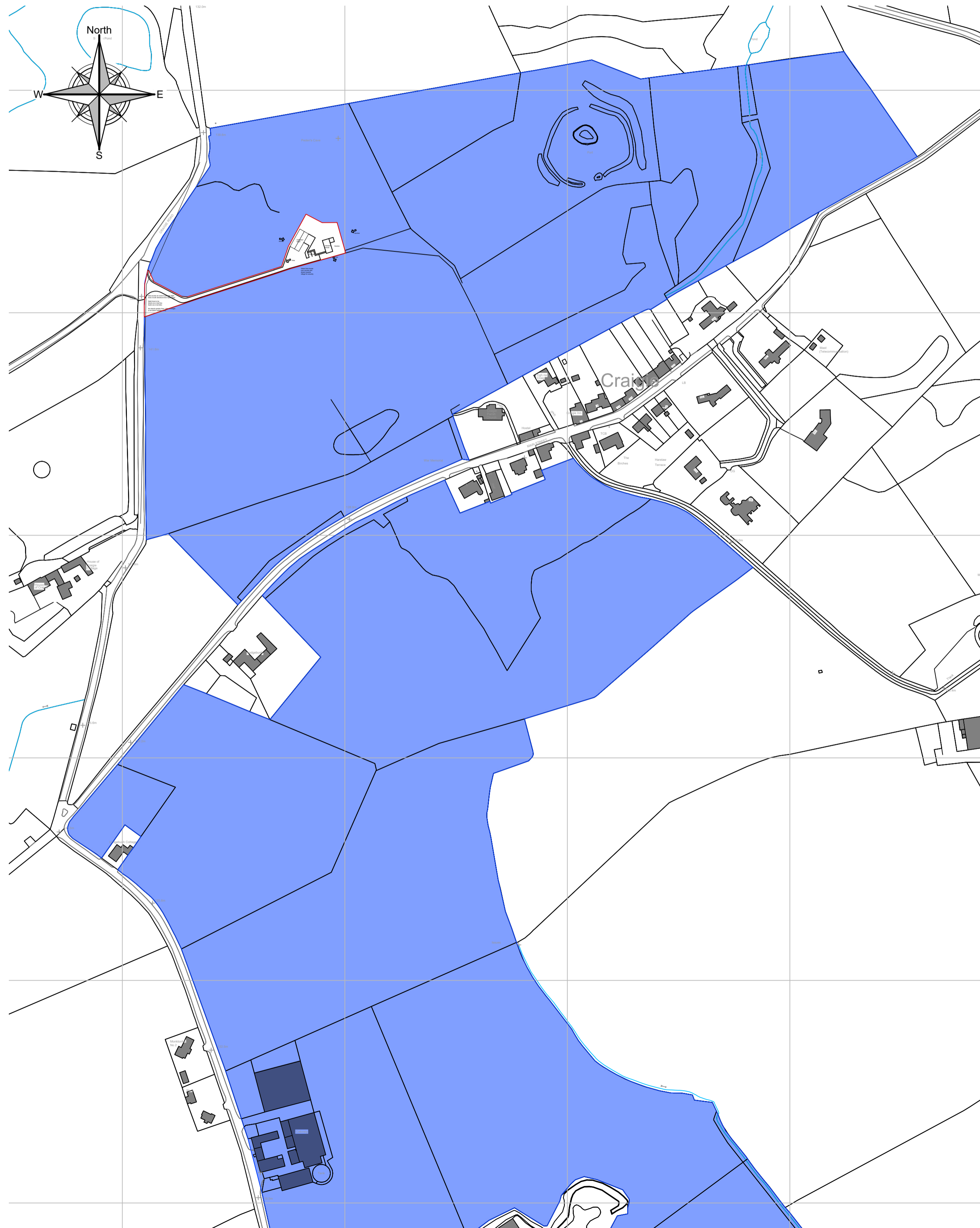
I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Alistair Mair

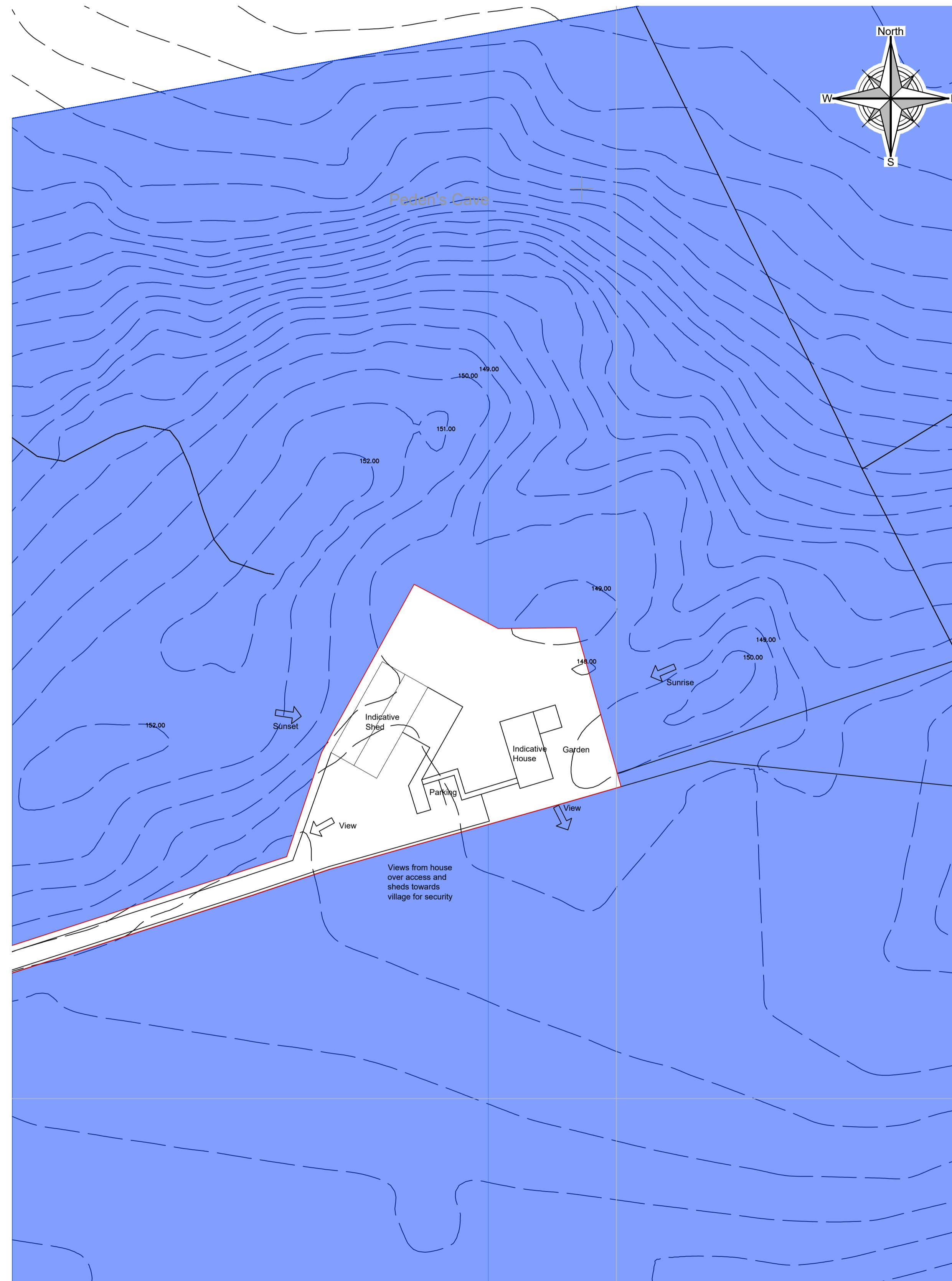
Declaration Date: 10/06/2021



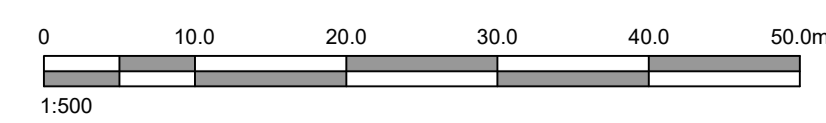
Proposed Site Access  
1:1000



Proposed Location Plan  
1:2500



Proposed Site Plan  
1:500



NOTES

Copyright: the copyright of this drawing is vested in Stairhill Architecture Ltd. It shall not be used or copied without permission by anyone for any purpose. Do not scale this drawing, work to figured dimensions only. All dimensions are in millimeters unless stated otherwise.

REVISION SCHEDULE	

SKETCH DWG	BUILDING WARRANT DWG
PLANNING DWG	TENDER DWG
PRESENTATION	AS BUILT DWG

**Stairhill**  
ARCHITECTURE LTD  
STAIRHILL, MAUCHLINE Ayrshire KA5 5HN  
WWW.STAIRHILL.CO.UK e:INFO@STAIRHILL.CO.UK t:01292 591500

CLIENT  
**Mr J Brown**  
ADDRESS  
**Catraig Farm,  
Craigie,  
Kilmarnock, KA1 5NB**

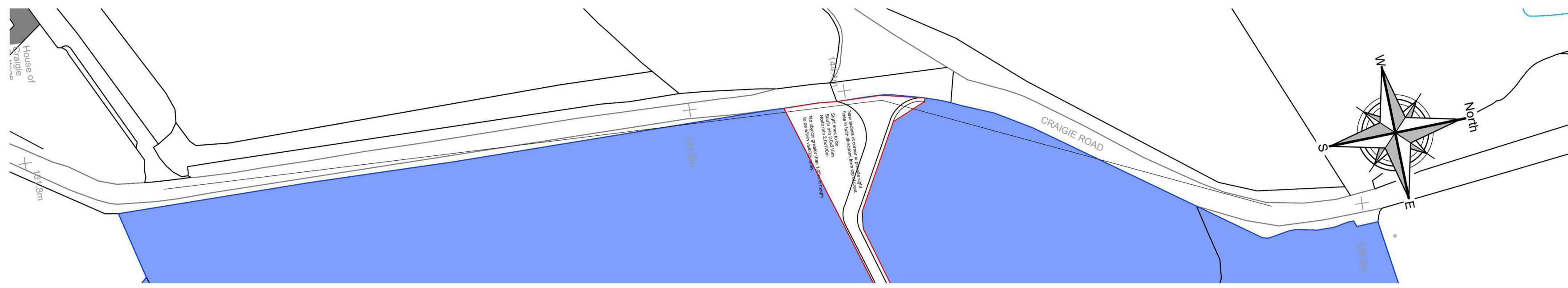
PROJECT  
**Proposed Dwelling House  
and agricultural Shed.**

SITE  
**Lands of Catraig Farm,  
North West of Craigie**

TITLE  
**Proposed Site Plans**

DWG NO. **0717 PP 01**

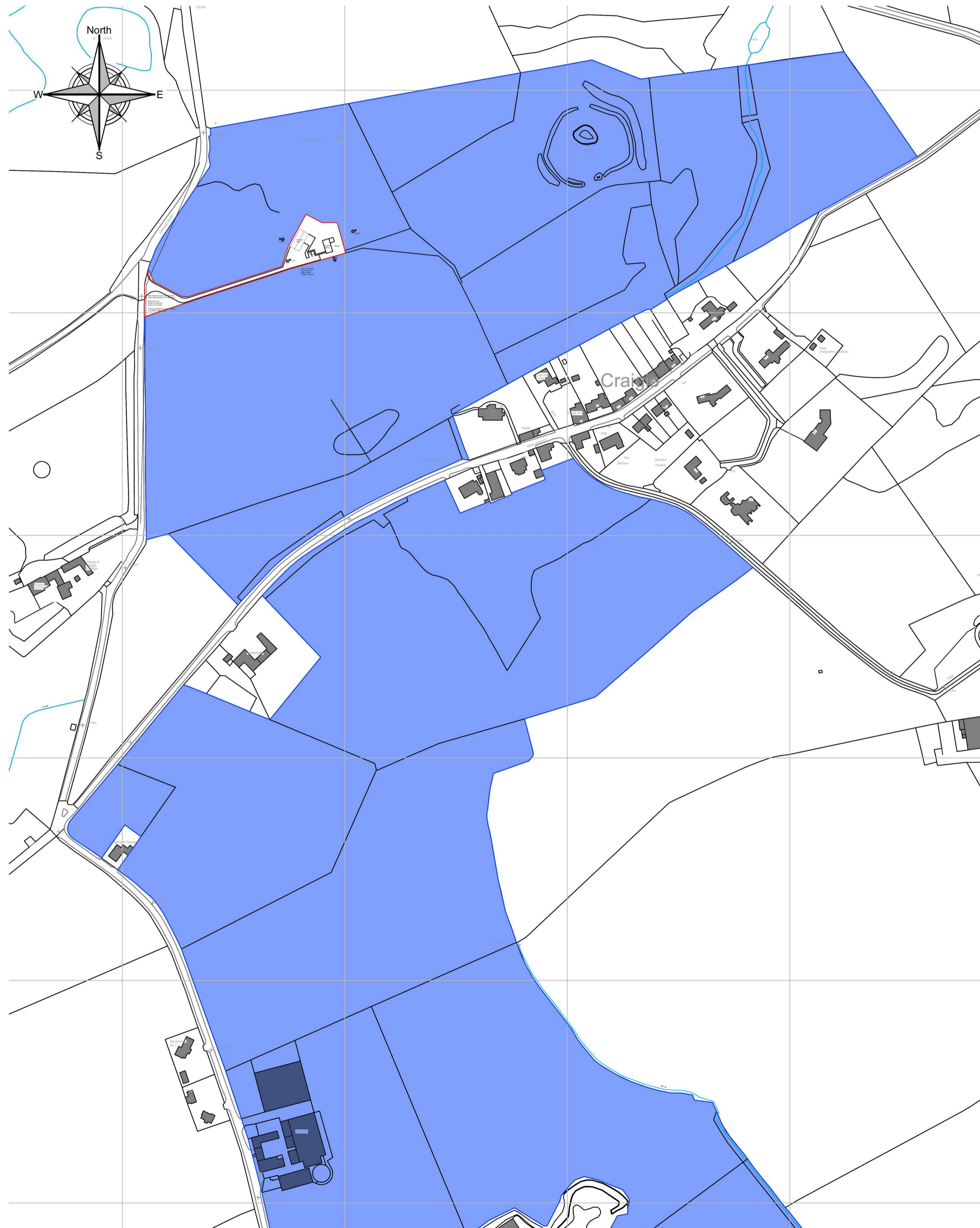
SHEET SIZE A1	SCALE as shown	REVISION
DRAWN BY A. Mair	DATE Jun 2021	



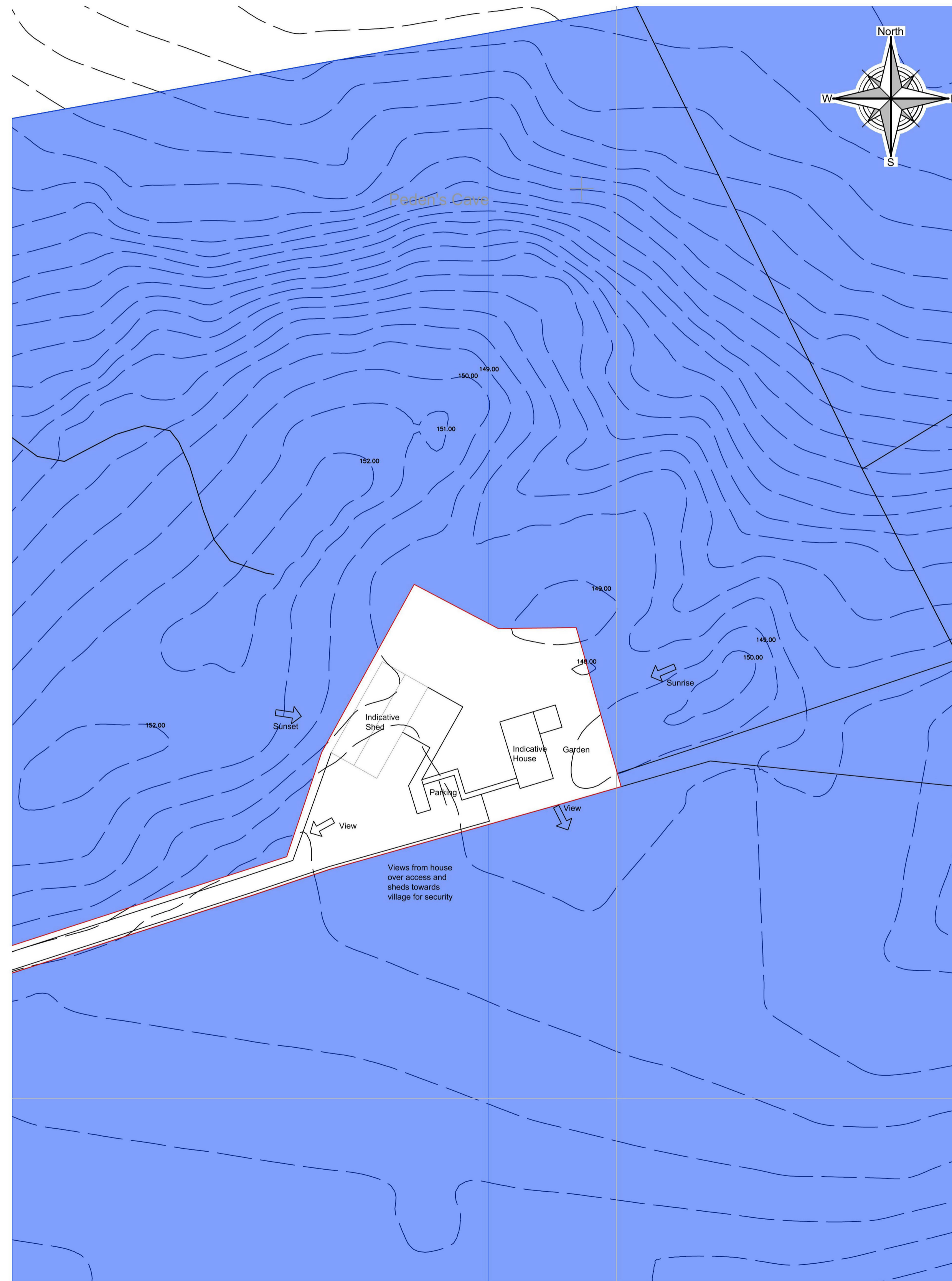
**SOUTH AYRSHIRE COUNCIL**

Refused under the Town and Country Planning (Scotland) Act, 1997 (As Amended), subject to reasons specified in the notification of this decision by South Ayrshire.

**Proposed Site Access**  
1:1000



**Proposed Location Plan**  
1:2500



**Proposed Site Plan**  
1:500

NOTES

Copyright: the copyright of this drawing is vested in Stairhill Architecture Ltd. It shall not be used or copied without permission by anyone for any purpose. Do not scale this drawing, work to figured dimensions only. All dimensions are in millimeters unless stated otherwise.

REVISIONS	
NO.	DESCRIPTION

SKETCH DWG	BUILDING WARRANT DWG
PLANNING DWG	TENDER DWG
PRESENTATION	AS BUILT DWG

**Stairhill**  
ARCHITECTURE LTD  
STAIRHILL, MAUCHLINE AYRSHIRE KA5 5HN  
WWW.STAIRHILL.CO.UK e: INFO@STAIRHILL.CO.UK t: 01292 591500

CLIENT: **Mr J Brown**  
ADDRESS: **Catcraig Farm, Craigie, Kilmarnock. KA1 5NB**

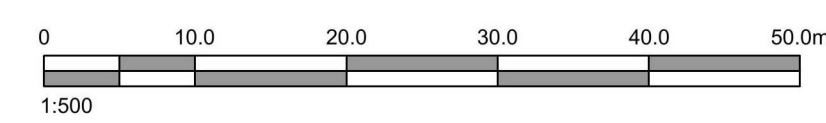
PROJECT: **Proposed Dwelling House and agricultural Shed.**

SITE: **Lands of Catcraig Farm, North West of Craigie**

TITLE: **Proposed Site Plans**

DWG NO: **0717 PP 01**

SHEET SIZE	SCALE	REVISION
A1	as shown	
DRAWN BY	DATE	
A. Mair	Jun 2021	



## Place Directorate

Assistant Director: Louise Reid

Planning Service, County Buildings, Wellington Square, Ayr, KA7 1DR  
[www.south-ayrshire.gov.uk/planning/](http://www.south-ayrshire.gov.uk/planning/)  
Tel: 01292 616118  
Email: david.clark@south-ayrshire.gov.uk  
Our Ref: 21/00644/PPP  
Date: 22 September 2021



Messrs J & A Brown  
per Stairhill Architecture Ltd  
Alistair Mair  
Stairhill  
Stair  
Mauchline  
United Kingdom  
KA5 5HN

Dear Sir/Madam

### **TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 AS AMENDED BY THE PLANNING ETC. (SCOTLAND) ACT 2006**

**PROPOSAL:** Planning Permission in Principle for the erection of dwellinghouse and agricultural shed  
**SITE ADDRESS:** Land At Catcraig Farm C8 From A719 Junction At Adamhill To Council Boundary  
Craigie Kilmarnock South Ayrshire  
KA1 5NB

With reference to your application for Planning Permission in Principle (Local Development), I enclose a copy of the Decision Notice refusing permission. The drawings and, where relevant, the documents to which this decision relates can be accessed from the Council's website [www.south-ayrshire.gov.uk/planning/](http://www.south-ayrshire.gov.uk/planning/) by using the application reference number detailed above. You may find the Report of Handling otherwise entitled Delegated Report of particular interest, as this sets out an assessment of the application and an explanation for the decision taken.

If you require further information in respect of your decision notice, please contact Mr David Clark by telephoning 01292 616118 or by emailing [david.clark@south-ayrshire.gov.uk](mailto:david.clark@south-ayrshire.gov.uk)

Yours faithfully

*Louise Reid*

**Louise Reid**  
Assistant Director – Place Directorate

Encs

**LOCAL DEVELOPMENT**

**REFUSAL OF PLANNING PERMISSION IN PRINCIPLE  
(Delegated)**

Ref No: 21/00644/PPP

**SOUTH AYRSHIRE COUNCIL**

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
as amended by the PLANNING ETC. (SCOTLAND) ACT 2006**

**TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT) (SCOTLAND) ORDERS**

**To: Messrs J & A Brown  
per Stairhill Architecture Ltd  
Alistair Mair  
Stairhill  
Stair  
Mauchline  
United Kingdom  
KA5 5HN**

With reference to your application dated **29th July 2021** for planning permission in principle under the above-mentioned Acts and Orders for the following development, viz:-

**Planning Permission in Principle for the erection of dwellinghouse and agricultural shed**

**at: Land At Catcraig Farm C8 From A719 Junction At Adamhill To Council Boundary Craigie  
Kilmarnock South Ayrshire  
KA1 5NB**

The Council in exercise of their powers under the above-mentioned Acts and Orders hereby **refuse** planning permission in principle for the said development.

The drawings and other documents, where relevant, which relate to this refusal can be viewed at [www.south-ayrshire.gov.uk/planning/](http://www.south-ayrshire.gov.uk/planning/)

The reasons for the Council's decision are:

- (1) That the development proposal is contrary to the Adopted South Ayrshire Local Development Plan Rural Housing policy due to any proposed buildings or structures not forming or complementing a coherent group of buildings so as to reinforce the existing operational base of the farming enterprise at Catcraig Farm, and not being visually intrusive, and no satisfactory justification having been provided for a departure from this policy.
- (2) That the development proposal is contrary to the Planning Guidance in relation to Rural Housing due to not being sited so as to reinforce the existing operational base of the farming enterprise at Catcraig Farm, and due to not constituting development within an existing cluster or the sensitive in-filling of an available gap site which consolidates existing properties within a cluster, and no satisfactory justification having been provided for a departure from the Rural Housing planning guidance.

**List of Plans Determined:**

Drawing - Reference No (or Description): **Refused** 0717PP01

The explanation for reaching this view is set out in the Report of Handling and which forms a part of the Planning Register.

**Dated: 16th September 2021**

*Louise Reid*

.....  
**Louise Reid**  
**Assistant Director – Place Directorate**

**PLANNING SERVICE, COUNTY BUILDINGS, WELLINGTON SQUARE, AYR, KA7 1DR**

**NOTICE TO ACCOMPANY REFUSAL  
OR GRANT OF PERMISSION WITH CONDITIONS**

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
as amended by the PLANNING ETC. (SCOTLAND) ACT 2006**

- (1) If the applicant is aggrieved by the decision of the planning authority to refuse permission for, or 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. Information on how to require a review can be obtained from the address and contact details below. Any notice of review submitted should also be addressed to:

South Ayrshire Council  
Planning Service  
County Buildings  
Wellington Square  
Ayr  
KA7 1DR

**T:** 01292 616 107

**E:** [planning.development@south-ayrshire.gov.uk](mailto:planning.development@south-ayrshire.gov.uk)

**W:** [www.south-ayrshire.gov.uk/planning/](http://www.south-ayrshire.gov.uk/planning/)

- (2) If permission to develop land is refused or granted subject to conditions, 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 his interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.
- (3) In certain circumstances, a claim may be made against the planning authority for compensation, where permission is refused or granted, subject to conditions by the Scottish Ministers. The circumstances in which such compensation is payable are set out in Section 77 of the Town and Country Planning (Scotland) Act 1997.
- (4) Where permission is being granted in respect of any building or premises which are open to the public, attention is hereby drawn to the applicant's duty, in terms of section 4,5, and 7 to 8A of the Chronically Sick and Disabled Persons Act 1970, to include, where reasonable and practicable provision for the needs of the disabled. (Ref. S.45 of the Town and Country Planning (Scotland) Act 1997).

Attention is also drawn to the Equality Act 2010 which may impose further obligations on developments.

Contact: ARA.TransportationPlanningConsultations@ayrshireroadsalliance.org

ARA Case Officer: AP

Planning Case Officer: D Clark

Planning Application No: 21/00644/PPP

Location: Land At Catcraig Farm, Craigie

Date Received: 31/08/2021

Date Returned: 01/09/2021

Recommendation: No Objection subject to Conditions

The following response has been prepared following a review of the information made available through South Ayrshire Council's Planning portal website at the time of writing.

**Expository Statement (if applicable):**

Required for Major applications, or where the recommendation is for refusal or deferral.

**Advisory Notes:**

**Road Opening Permit:**

That a Road Opening Permit shall be applied for, and obtained from the Council as Roads Authority, for any work within the public road limits, prior to works commencing on site.

**Roads (Scotland) Act:**

The Council as Roads Authority advises that all works on the carriageway to be carried out in accordance with the requirements of the Transport (Scotland) Act 2005 and the Roads (Scotland) Act 1984.

**New Roads and Street Works Act 1991:**

In order to comply with the requirements of the New Roads and Street Works Act 1991, all works carried out in association with the development on the public road network, including those involving the connection of any utility to the site, must be co-ordinated so as to minimise their disruptive impact. This co-ordination shall be undertaken by the developer and his contractors in liaison with the local roads authority and the relevant utility companies.

**Costs of Street Furniture:**

The Council as Roads Authority advises that any costs associated with the relocation of any street furniture shall require to be borne by the applicant / developer.



## **Conditions:**

### **Access Construction (single access or small development):**

That the proposed access shall be constructed in accordance with the specifications in the Council's National Roads Development Guide and be a minimum of 5.5 metres wide over the initial 10 metres as measured from the rear of the public roadway and be formed with 6 meter radius curves. The access shall be constructed, as approved, prior to completion of the development.

#### **Reason:**

In the interest of road safety and to ensure an acceptable standard of construction.

### **Private Access Surfacing:**

That the private access shall be surfaced for a minimum of 10 metres as measured from the rear of the public roadway, prior to occupation. Precise detail and specifications of the required surfacing shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority) before any work commences on site.

#### **Reason:**

In the interest of road safety and to ensure an acceptable standard of construction.

### **Discharge of Water:**

That the discharge of water onto the public road carriageway shall be prevented by drainage or other means. Precise details and specifications of how this is to be achieved shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority) before any work commences on site.

#### **Reason:**

In the interest of road safety and to avoid the discharge of water onto the public road.

### **Off Road Parking Provision (PPP):**

That off-road parking spaces shall be provided within the existing site boundary to satisfy provision levels as defined within the Council's adopted National Roads Development Guide, with parking layouts designed to comply with the guidance set out in the National Roads Development Guide, and within the Designing Streets publication as National Policy.

#### **Reason:**

In the interest of road safety and to ensure adequate off-street parking provision.