

ANGUS COUNCIL

DEVELOPMENT MANAGEMENT REVIEW COMMITTEE – 24 NOVEMBER 2015

LAND AT BALHALL LODGE, MENMUIR, BRECHIN

REPORT BY THE HEAD OF LEGAL AND DEMOCRATIC SERVICES

ABSTRACT:

The Committee is asked to consider an application for a Review of the decision taken by the Planning Authority in respect of refusal of planning permission for the erection of dwellinghouse, application No. 14/00983/FULL, at Land at Balhall Lodge, Menmuir, Brechin.

1. RECOMMENDATIONS

It is recommended that the Committee:-

- (i) review the case submitted by the Planning Authority (**Appendix 1**);
- (ii) review the case submitted by the Applicant (**Appendix 2**); and
- (iii) consider the further lodged representations (**Appendix 3**).

2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/SINGLE OUTCOME AGREEMENT/CORPORATE PLAN

This Report contributes to the following local outcomes contained within the Angus Community Plan and Single Outcome Agreement 2013-2016:

- Our communities are developed in a sustainable manner
- Our natural and built environment is protected and enjoyed

3. CURRENT POSITION

The Development Management Review Committee is required to determine if they have sufficient information from the Applicant and the Planning Authority to review the case. Members may also wish to inspect the site before full consideration of the Appeal.

4. FINANCIAL IMPLICATIONS

There are no financial implications arising directly from the recommendations in the Report.

5. CONSULTATION

In accordance with Standing Order 48(4), this Report falls within an approved category that has been confirmed as exempt from the consultation process.

NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

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List of Appendices:

- Appendix 1 – Submission by Planning Authority
- Appendix 2 – Submission by Applicant
- Appendix 3 – Further Lodged Representations

ANGUS COUNCIL'S SUBMISSION IN RESPECT OF REFUSAL

APPLICATION NUMBER – 14/00983/FULL

APPLICANT- MR J BASFORD

PROPOSAL & ADDRESS – ERECTION OF DWELLING HOUSE AT LAND AT BALHALL
LODGE, MENMUIR, BRECHIN

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Angus Council

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|------------------------------------|---------------------------------------|
| Application Number: | 14/00983/FULL |
| Description of Development: | Erection of Dwelling House |
| Site Address: | Land At Balhall Lodge Menmuir Brechin |
| Grid Ref: | 351414 : 764016 |
| Applicant Name: | Mr J Basford |

Report of Handling

Site Description

The application site is located outwith the development boundary as defined in the Angus Local Plan 2009 (ALPR). The site is located within the open countryside and on agricultural land. The site is bound by an access track to the west, existing woodland to the north and southwest and agricultural land to the east. The existing development boundary at Balhall is located approximately 220m to the south east of the site and the existing residential properties at Balhall and Coachmans Cottage are located to the north/ north west at a distance of approximately 200m. Balhall Lodge and Coachmans Cottage appear to be in the control of the applicant.

Proposal

The application is for full planning permission for the erection of a single dwellinghouse for an essential worker related to Balhall Lodge Farm required due to the renewable energy activities at the farm along with day to day activities. The proposed vehicular access is to be taken from the existing access track to the east. The proposed dwellinghouse is single storey in form with a slated roof and roughcast finish on the walls.

The application has not been subject of variation.

Publicity

The application was subject to normal neighbour notification procedures.

The application was advertised in the Dundee Courier on 19 December 2014 for the following reasons:

- Neighbouring Land with No Premises

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

Planning History

None.

Applicant's Case

As part of the application the agent submitted a supporting statement and the content of this is summarised as follows:

- o That the arable farmland is owned by Mr P. Basford (holding number 091/0010);
- o An additional house is now required and is intended as the main residence of Mr J. Basford, son of Mr P. Basford, who works on the family business;
- o Details the site description, access, services and site condition;
- o Provides a Policy context including consideration of Policy SC7 and SC6.
- o Concluded that the location has been selected for a single house on an access to an existing field.

A letter of support from NFU Scotland was also submitted and the content of this can be summarised as follows:

- o Mr Basford's son is a key player in a number of private renewable enterprises on the farm which need to be closely monitored, in particular a biomass boiler needing regular woodchips;
- o All in, the enterprises on the farm will be reducing carbon emissions ;
- o This Development is consistent with one of the primary purposes of the Scottish Government that is to increase sustainable economic growth;

Following a request for additional supporting information / justification the agent submitted additional supporting information and the details are summarised as follows:

- o No alternative options are available as a dwelling must be located within the land holding for security purposes, CCTV and existing wind turbine connection;
- o A print out showing all house sales within the area in last 5 years;
- o The location plan shows the extent of the landholding and there are no other suitable houses;
- o Requirement for essential worker - The large wind turbine is connected by fibre optic cable to a computer at Balhall Lodge and Jamie Basford has full Control which will be relocated to the new bungalow; Regular meter readings are required for both SSE and OFGEM; The Biomass Heating System is also monitored from the office by a CCTV link to the fuel feeding process which is also extended to new bungalow; daily checks on boiler and fuel feed system need to be performed;
- o This year 200 tonnes of fuel has been processed;
- o The process for fuel is fairly complicated and Jamie has sole responsibility for this;
- o Timber harvested from their own woodland is left to season for 24 months from felling and chipped in bulk into large fuel store;
- o Fire safety system is fitted to counteract dry fuel but the system is not infallible and daily checks are required;
- o Forestry management is a very time consuming part of Jamie's job,
- o Additional duties include general routine maintenance of the farm including general repair and maintenance of the house and outbuildings;
- o Comments on house design are noted and new house design could be submitted;
- o Soakaway is to be re-located within red line site boundary;
- o That having discussed the project with SAC in Forfar, it was decided not to submit a SAC report as this would take some time to prepare and SAC suggested that they have no requirement to provide a report. SAC intimated that the information can be provided by any suitable person.

A letter of support from Perthshire Biofuels was also submitted as part of the application and they advised that as this plant supplies all of the properties on this site, an on site person is required to supervise and maintain the biomass plant to ensure continuous operation and therefore recommend that accommodation is required.

Consultations

Community Council - There was no response from this consultee at the time of report preparation.

Angus Council - Roads - Raised no objections to the proposal.

Scottish Water - There was no response from this consultee at the time of report preparation.

Scottish Water - There was no response from this consultee at the time of report preparation.

Representations

8 letters of representation were received, of which 0 offered comments which neither supported nor objected to the proposal, 0 objected to the proposal and 8 supported the proposal.

The main points of concern were as follows:

Eight letters of support have been received and the main points are summarised as follows:

- That Jamie is a hard working employee and works full time on the running of the farm and in the farms various renewable energy schemes;
- That the new house would enable Jamie to continue to live and work at Balhall with his new family in the coming years;
- Jamie is involved in the security and upkeep of the biomass heating system and wind turbine;
- That the owner of the wind turbine considers it to be essential for someone to be on site to monitor the performance at all times;
- That Jamie looks after the farm when the owner is away for half the year on business.

Development Plan Policies

Angus Local Plan Review 2009

- Policy S1 : Development Boundaries
- Policy S3 : Design Quality
- Policy S6 : Development Principles (Schedule 1)
- Policy SC7 : Essential Worker Housing

TAYplan Strategic Development plan

The proposal is not of strategic significance and policies of TAYplan are not referred to in this report.

The full text of the relevant development plan policies can be viewed at Appendix 1 to this report.

Assessment

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise.

Angus Council is progressing with preparation of a Local Development Plan to provide up to date Development Plan coverage for Angus. When adopted, the Angus Local Development Plan (ALDP) will replace the current adopted Angus Local Plan Review (ALPR). The Draft Proposed Angus Local Development Plan was considered by Angus Council at its meeting on 11 December with a view to it being approved and published as the Proposed ALDP for a statutory period for representations. The Draft Proposed ALDP sets out policies and proposals for the 2016-2026 period consistent with the strategic framework provided by the approved TAYplan SDP(June 2012) and Scottish Planning Policy (SPP) published in June 2014. The Proposed ALDP, as approved by Angus Council, will be subject to a 9 week period for representation commencing in February 2015. Any unresolved representations received during this statutory consultation period are likely to be considered at an Examination by an independent Reporter appointed by Scottish Ministers. The Council must accept the conclusions and recommendations of the Reporter before proceeding to adopt the plan. Only in exceptional circumstances can the Council choose not to do this. The Proposed ALDP represents Angus Council's settled view in relation to the appropriate use of land within the Council area. As such, it will be a material consideration in the determination of planning applications. The Proposed ALDP is, however, at a stage in the statutory process of preparation

where it may be subject to further modification. Limited weight can therefore currently be attached to its contents. This may change following the period of representation when the level and significance of any objection to policies and proposals of the plan will be known.

Policy S1, criterion (b) of the current Angus Local Plan Review 2009 (ALPR) states that proposals on sites outwith development boundaries (ie. in the countryside) will generally be supported where they are of a scale and nature appropriate to the location and where they are in accordance with the relevant policies of the Local Plan. The proposed site lies outwith the development boundary in the ALPR. The primary issues to be considered in this application relate to (1) whether the principle of a dwellinghouse in this location is acceptable and (2) whether the design submitted is acceptable in the rural location proposed.

The principle of a dwellinghouse on the site

The application seeks permission for an essential worker dwellinghouse and applications of this nature are assessed against Policy SC7 of the local plan. This policy allows a new house where there is an evidenced and essential need to live in the location proposed for a rural business and where all other options have been demonstrated to be inappropriate. The narrative associated with the policy indicates that to obtain support under Policy SC7 it is expected that agricultural units will be of sufficient size to demonstrate long term viability and indicates that small units will not normally be acceptable to justify a house. This policy is criteria based and proposals must meet all of the relevant criteria. Criterion (a) requires all alternatives to have been demonstrated to be inappropriate, and a new house is the only option; criterion (b) requires it to be demonstrated that there is no evidence of houses or plots having been sold off from the land holding in the past five years; criterion (c) requires the submission of supporting evidence to show that there is a functional requirement for the person to live at their place of work; criterion (d) requires the site to form part of the landholding where the worker is employed and criterion (e) requires compliance with Schedule 2: Countryside Housing Criteria as applicable.

The information submitted in support of the application is inadequate to demonstrate compliance with criterion (a). A plan showing the entire land ownership of the applicant has not been submitted and as such it is not possible to assess whether a house in the location proposed is the only possible option and all alternatives can be reasonably be considered to be inappropriate. What this does show is that there appears to be two existing dwellings in the control of the applicant: Balhall Lodge and Coachman's Cottage. There may or may not be other possible sites within the applicant's control which may comply with policies of the plan e.g. SC5 or SC6, but this cannot be judged due to the lack of information submitted. It is noted that planning permission has been granted for a number of new build houses in the development boundary of Balhall which lies approximately 230m to the south of the site (through applications 14/00475/FULL, 14/00476/FULL and 14/00477/FULL) and similarly no information has been submitted which discounts these sites as a reasonable alternative option. I therefore consider the proposal to fail to demonstrate compliance with criterion (a).

Criterion (c) requires the provision of supporting evidence to show that there is a functional requirement for the person to live at their place of work which must be an established and viable rural business. This is normally provided through the submission of a detailed essential worker justification (e.g. an SAC Report) which provides an analysis of the nature of the operation, a calculation of the number of labour units and details of existing housing present. The applicant has submitted information to suggest that the person for which the house is required needs to be on site for security purposes, CCTV, exiting wind turbine connection, taking meter readings, and daily checks for the biomass heating system and associated processes. The main justification appears to be based around the need to be on site for renewable energy purposes. This information falls significantly short of demonstrating that is an essential requirement for a new house and does not indicate where the person lives at present or how both of the existing houses on the landholding are occupied. A house is not typically required for the ongoing management and maintenance of wind turbine(s) which normally takes place remotely with period site visits. Two houses exist on the landholding at present and provide accommodation for the landholding and a degree of surveillance for the wind turbine(s) and biomass operation and I do not consider the case for an additional house to be justified. I therefore consider the proposal to fail to demonstrate compliance with criterion (c).

In relation to criterion (b) the applicant has provided details of houses sold in the area but does not clarify whether any houses or plots have been sold off from the landholding in the past five years. The site does appear to form part of the landholding on which the person is employed (criterion d). The proposal would be compatible with the criteria of Schedule 2 with the exception of criterion (e), which is discussed below in the context of design.

Having assessed the nature of the 'essential worker' case submitted it is considered that the information provided is not sufficient to justify a functional requirement for the applicant to live at their place of work and has not sufficiently explored alternative options available. Therefore the proposal is not considered to comply with criteria (a) and (c) of Policy SC7 as the information submitted has not justified a need for the dwelling house.

The design of the proposed dwellinghouse

In relation to the house design, Schedule 2 Criterion (e) indicates that development proposals should have regard to the rural character of the surrounding area and not be urban in form and / or appearance. Policy S3 relates to design quality and it indicates that a high quality of design is encouraged in all development proposals. Angus Councils Advice Note 5 and Planning Advice Note 72 Housing in the Countryside also needs to be considered in terms of the design and layout of the existing house.

The form and proportions of the proposed house are suburban in form and do not reflect the rural vernacular. Planning Advice Note 72 promotes designs with wide frontages and narrow plan which reflects the rural vernacular of Angus. Advice Note 5 states that plan shapes based on rectangles should be preferred over square forms and T shapes over L. The Advice Note also indicates that traditionally rural houses would as a general rule have a 40 or 45 degree pitch but as a minimum acceptable for modern properties (because these can be much deeper) should be 35 degrees. The current proposed property is L shaped in plan form has a roof pitch of 30 degrees, a gable width of 10.7 metres and has window designs which do not echo traditional styles in appearance. As such there are a number of issues with the plan form, roof pitch, gable width and window design on the property. The design proposed is not compatible with criterion (e) of Schedule 2, Policy S3 or Angus Council Advice Note 5 or the Scottish Government's Planning Advice Note 72 because the proposal has insufficient regard for the rural character of the surrounding rural area and would be (sub)urban in form.

Other policy matters

Policy S6 of the ALPR also needs to be considered. The proposal would be unlikely to give rise to any significant issues in terms of Policy S6 and no objections have been received from the Roads Service or comments received from Scottish Water in terms of drainage. It is also not considered that the current proposal would have any significant additional adverse impacts on privacy of adjacent properties. It is not considered that the rest of policy S6 is directly relevant to the current proposals. Overall the proposal would generally comply with Policy S6 of the ALPR in this instance for these reasons.

Returning to Policy S1, the proposal is considered to be contrary to other policies of the local plan (namely Policy SC7, Schedule 2 and Policy S3. The proposal is consequently contrary to Policy S1 criterion (b).

The Town and Country Planning (Scotland) Act 1997 (as amended) requires that planning decisions are made in accordance with the development plan unless material considerations indicate otherwise. Policy SC7 only allows new houses in exceptional circumstances where there is a proven need to live on site and there are no other reasonable options. The information submitted in support of the application has not demonstrated that the proposed house is essential nor that the nature of the business is sufficient to justify an on site presence. The design of the proposed house is also considered to be unacceptable for the rural area. The proposal is contrary to policies S1, S3 and SC7 of the Angus Local Plan Review as well as the guidance contained Angus Councils Advice Note 5 and the Scottish Government's Planning Advice Note 72. There are no material considerations that would justify approval of the application contrary to the provisions of supplementary planning guidance and development plan policy.

Human Rights Implications

The decision to refuse this application has potential implications for the applicant in terms of his entitlement to peaceful enjoyment of his possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying the decision in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. Any interference with the applicant's right to peaceful enjoyment of his possessions by refusal of the present application is in compliance with the Council's legal duties to determine this planning application under the Planning Acts and such refusal constitutes a justified and proportionate control of the use of property in accordance with the general interest and is necessary in the public interest with reference to the Development Plan and other material planning considerations as referred to in the report.

Equalities Implications

The issues contained in this report fall within an approved category that has been confirmed as exempt from an equalities perspective.

Decision

The application is refused

Reason(s) for Decision:

1. That the application is contrary to Policy SC7 of the adopted Angus Local Plan Review 2009 because it has not been demonstrated that there is a functional and essential requirement for the person to live at their place of work, nor has it been demonstrated that all alternatives have been shown to be inappropriate and a new house is the only option.
2. That the application is contrary to Policy SC7, Schedule 2 and S3 of the adopted Angus Local Plan Review 2009 because the design of the proposed dwellinghouse is urban in form and has not had regard to the rural character of the surrounding area.
3. That the proposal would be contrary to Policy S1 criterion (b) of the adopted Angus Local Plan Review 2009 because it fails to be compatible with other policies of the local plan, namely policies S3, SC7 and Schedule 2 Countryside Housing Criteria.

Notes:

Case Officer: James Wright
Date: 29 July 2015

Appendix 1 - Development Plan Policies

Angus Local Plan Review 2009

Policy S1 : Development Boundaries

(a) Within development boundaries proposals for new development on sites not allocated on Proposals Maps will generally be supported where they are in accordance with the relevant policies of the Local Plan.

(b) Development proposals on sites outwith development boundaries (i.e. in the countryside) will generally be supported where they are of a scale and nature appropriate to the location and where they are in accordance with the relevant policies of the Local Plan.

(c) Development proposals on sites contiguous with a development boundary will only be acceptable where there is a proven public interest and social, economic or environmental considerations confirm there is an overriding need for the development which cannot be met within the development boundary.

Policy S3 : Design Quality

A high quality of design is encouraged in all development proposals. In considering proposals the following factors will be taken into account:-

- * site location and how the development fits with the local landscape character and pattern of development;
- * proposed site layout and the scale, massing, height, proportions and density of the development including consideration of the relationship with the existing character of the surrounding area and neighbouring buildings;
- * use of materials, textures and colours that are sensitive to the surrounding area; and
- * the incorporation of key views into and out of the development.

Innovative and experimental designs will be encouraged in appropriate locations.

Policy S6 : Development Principles (Schedule 1)

Proposals for development should where appropriate have regard to the relevant principles set out in Schedule 1 which includes reference to amenity considerations; roads and parking; landscaping, open space and biodiversity; drainage and flood risk, and supporting information.

Schedule 1 : Development Principles

Amenity

- (a) The amenity of proposed and existing properties should not be affected by unreasonable restriction of sunlight, daylight or privacy; by smells or fumes; noise levels and vibration; emissions including smoke, soot, ash, dust, grit, or any other environmental pollution; or disturbance by vehicular or pedestrian traffic.
- (b) Proposals should not result in unacceptable visual impact.
- (c) Proposals close to working farms should not interfere with farming operations, and will be expected to accept the nature of the existing local environment. New houses should not be sited within 400m of an existing or proposed intensive livestock building. (Policy ER31).

Roads/Parking/Access

- (d) Access arrangements, road layouts and parking should be in accordance with Angus Council's Roads Standards, and use innovative solutions where possible, including 'Home Zones'. Provision for cycle parking/storage for flatted development will also be required.
- (e) Access to housing in rural areas should not go through a farm court.
- (f) Where access is proposed by unmade/private track it will be required to be made-up to standards set out in Angus Council Advice Note 17 : Miscellaneous Planning Policies. If the track exceeds 200m in length, conditions may be imposed regarding widening or the provision of passing places where necessary.
- (g) Development should not result in the loss of public access rights. (Policy SC36)

Landscaping / Open Space / Biodiversity

- (h) Development proposals should have regard to the Landscape Character of the local area as set out in the Tayside Landscape Character Assessment (SNH 1998). (Policy ER5)
- (i) Appropriate landscaping and boundary treatment should be an integral element in the design and layout of proposals and should include the retention and enhancement of existing physical features (e.g. hedgerows, walls, trees etc) and link to the existing green space network of the local area.
- (j) Development should maintain or enhance habitats of importance set out in the Tayside Local Biodiversity Action Plan and should not involve loss of trees or other important landscape features or valuable habitats and species.
- (k) The planting of native hedgerows and tree species is encouraged.
- (l) Open space provision in developments and the maintenance of it should be in accordance with Policy SC33.

Drainage and Flood Risk

- (m) Development sites located within areas served by public sewerage systems should be connected to that system. (Policy ER22)
- (n) Surface water will not be permitted to drain to the public sewer. An appropriate system of disposal will be

necessary which meets the requirements of the Scottish Environment Protection Agency (SEPA) and Angus Council and should have regard to good practice advice set out in the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland 2000.

(o) Proposals will be required to consider the potential flood risk at the location. (Policy ER28)

(p) Outwith areas served by public sewerage systems, where a septic tank, bio-disc or similar system is proposed to treat foul effluent and /or drainage is to a controlled water or soakaway, the consent of SEPA and Angus Council will be required. (Policy ER23).

(q) Proposals should incorporate appropriate waste recycling, segregation and collection facilities (Policy ER38)

(r) Development should minimise waste by design and during construction.

Supporting Information

(s) Where appropriate, planning applications should be accompanied by the necessary supporting information. Early discussion with Planning and Transport is advised to determine the level of supporting information which will be required and depending on the proposal this might include any of the following: Air Quality Assessment; Archaeological Assessment; Contaminated Land Assessment; Design Statement; Drainage Impact Assessment; Environmental Statement; Flood Risk Assessment; Landscape Assessment and/or Landscaping Scheme; Noise Impact Assessment; Retail Impact Assessment; Transport Assessment.

Policy SC7 : Essential Worker Housing

Proposals for a house for an essential worker will only be supported where:-

(a) All alternatives have been demonstrated to be inappropriate, and a new house is the only option;

(b) There is no evidence of houses or plots having been sold off from the landholding in the past five years;

(c) Supporting evidence is provided that there is a functional requirement for the person to live at their place of work, which must be a viable agricultural unit or an existing business which has been established for at least 1 year. Where the proposal is for a house related to a proposed rural business the submission of adequate supporting information will be required, including a business plan, to establish that the business is genuine and viable.

(d) The site forms part of the landholding where the worker is employed.

(e) Schedule 2 : Countryside Housing Criteria is met as appropriate.

Applicants will be required to enter into a Section 75 Agreement to ensure the property continues to meet the needs of an essential worker.

A new house for a retired farmer and/or their spouse may also be permitted where parts a), b) and e) of this policy are met, and the site forms part of the existing landholding.

TAYplan Strategic Development plan

The proposal is not of strategic significance and policies of TAYplan are not referred to in this report.

DEVELOPMENT BOUNDARIES

1.29 Angus Council has defined development boundaries around settlements to protect the landscape setting of towns and villages and to prevent uncontrolled growth. The presence of a boundary does not indicate that all areas of ground within that boundary have development potential.

Development boundaries:

Generally provide a definition between built-up areas and the countryside, but may include peripheral areas of open space that are important to the setting of settlements.

Policy S1 : Development Boundaries

(a) Within development boundaries proposals for new development on sites not allocated on Proposals Maps will generally be supported where they are in accordance with the relevant policies of the Local Plan.

(b) Development proposals on sites outwith development boundaries (i.e. in the countryside) will generally be supported where they are of a scale and nature appropriate to the location and where they are in accordance with the relevant policies of the Local Plan.

(c) Development proposals on sites contiguous with a development boundary will only be acceptable where there is a proven public interest and social, economic or environmental considerations confirm there is an overriding need for the development which cannot be met within the development boundary.

Public interest: *Development would have benefits for the wider community, or is justifiable in the national interest.*

Proposals that are solely of

commercial benefit to the proposer would not comply with this policy.

DESIGN QUALITY

1.37 High quality, people-friendly surroundings are important to a successful development. New development should add to or improve the local environment and should consider the potential to use innovative, sustainable and energy efficient solutions. A well-designed development is of benefit to the wider community and also

provides opportunities to:

- create a sense of place which recognises local distinctiveness and fits in to the local area;
- create high quality development which adds to or improves the local environment and is flexible and adaptable to changing lifestyles;
- create developments which benefit local biodiversity;
- create energy efficient developments that make good use of land
- and finite resources.

1.38 Design is a material consideration in determining planning applications. In all development proposals consideration should be given to the distinctive features and character of the local area. This includes taking account of existing patterns of development, building forms and materials, existing features such as hedgerows, trees, treelines and walls and distinctive landscapes and skylines.

1.39 The preparation of a design statement to be submitted alongside a planning application is encouraged, particularly for major developments or those affecting listed buildings or conservation areas. Early contact with Planning and Transport is recommended so that the requirement for a design statement can be determined.

Designing Places - A policy statement for Scotland – Scottish Executive 2001 This is the first policy statement on designing places in Scotland and marks the Scottish Executive's determination to raise standards of urban and rural development. Good design is an integral part of a confident, competitive and compassionate Scotland.

Good design is a practical means of achieving a wide range of social, economic and environmental goals, making places that will be successful and sustainable.

PAN 68 Design Statements

Design Statements should explain the design principles on which the development is based and illustrate the design solution.

The PAN explains what a design statement is, why it is a useful tool, when it is required and how it should be prepared and presented.

The aim is to see design statements used more effectively in the planning process and to

Policy S3 : Design Quality

A high quality of design is encouraged in all development proposals. In considering proposals the following factors will be taken into account:

- **site location and how the development fits with the local landscape character and pattern of development;**
- **proposed site layout and the scale, massing, height, proportions and density of the development including consideration of the relationship with the existing character of the surrounding area and neighbouring buildings;**
- **use of materials, textures and colours that are sensitive to**
- **the surrounding area; and**
- **the incorporation of key views into and out of the development.**

Innovative and experimental designs will be encouraged in appropriate locations.

DEVELOPMENT PRINCIPLES

1.44 The principles in Schedule 1 provide a 'checklist' of factors which should be considered where relevant to development proposals. They include amenity considerations; roads and parking; landscaping, open space and biodiversity; drainage and flood risk, and supporting information. The Local Plan includes more detailed policies relating to some principles set out. Not all development proposals will require to comply with all of the principles.

Policy S6 : Development Principles

Proposals for development should where appropriate have regard to the relevant principles set out in Schedule 1 which includes reference to amenity considerations; roads and parking; landscaping, open space and biodiversity; drainage and flood risk, and supporting information.

Schedule 1 : Development Principles

Amenity

- a) The amenity of proposed and existing properties should not be affected by unreasonable restriction of sunlight, daylight or privacy; by smells or fumes; noise levels and vibration; emissions including smoke, soot, ash, dust, grit, or any other environmental pollution; or disturbance by vehicular or pedestrian traffic.
- b) Proposals should not result in unacceptable visual impact.
- c) Proposals close to working farms should not interfere with farming operations, and will be expected to accept the nature of the existing local environment. New houses should not be sited within 400m of an existing or proposed intensive livestock building. (Policy ER31).

Roads/Parking/Access

- d) Access arrangements, road layouts and parking should be in accordance with Angus Council's Roads Standards, and use innovative solutions where possible, including 'Home Zones'. Provision for cycle parking/storage for flatted development will also be required.
- e) Access to housing in rural areas should not go through a farm court.
- f) Where access is proposed by unmade/private track it will be required to be made-up to standards set out in Angus Council Advice Note 17: Miscellaneous Planning Policies. If the track exceeds 200m in length, conditions may be imposed regarding widening or the provision of passing places where necessary
- g) Development should not result in the loss of public access rights. (Policy SC36)

Landscaping / Open Space / Biodiversity

- h) Development proposals should have regard to the Landscape Character of the local area as set out in the Tayside Landscape Character Assessment (SNH 1998). (Policy ER5)
- i) Appropriate landscaping and boundary treatment should be an integral element in the design and layout of proposals and should include the retention and enhancement of existing physical features (e.g. hedgerows, walls, trees etc) and link to the existing green space network of the local area.
- j) Development should maintain or enhance habitats of importance set out in the Tayside Local Biodiversity Action Plan and should not involve loss of trees or other important landscape features or valuable habitats and species.
- k) The planting of native hedgerows and tree species is encouraged.
- l) Open space provision in developments and the maintenance of it should be in accordance with Policy SC33.

Drainage and Flood Risk

- m) Development sites located within areas served by public sewerage systems should be connected to that system. (Policy ER22)
- n) Surface water will not be permitted to drain to the public sewer. An appropriate system of disposal will be necessary which meets the requirements of the Scottish Environment Protection Agency (SEPA) and Angus Council and should have regard to good practice advice set out in the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland 2000.
- o) Proposals will be required to consider the potential flood risk at the location. (Policy ER28)
- p) Outwith areas served by public sewerage systems, where a septic tank, bio-disc or similar system is proposed to treat foul effluent and /or drainage is to a controlled water or soakaway, the consent of SEPA and Angus Council will be required. (Policy ER23).

Waste Management

- q) Proposals should incorporate appropriate waste recycling, segregation and collection facilities (Policy ER38).
- r) Development should minimise waste by design and during construction.

Supporting Information

- s) (s) Where appropriate, planning applications should be accompanied by the necessary supporting information. Early discussion with Planning and Transport is advised to determine the level of supporting information which will be required and depending on the proposal this might include any of the following: Air Quality Assessment; Archaeological Assessment; Contaminated Land Assessment; Design Statement; Drainage Impact Assessment; Environmental Statement; Flood Risk Assessment; Landscape Assessment and/or Landscaping Scheme; Noise Impact Assessment; Retail Impact Assessment; Transport Assessment.

Essential Worker Housing

2.22 The local plan policies provide significant opportunities for new residential accommodation to be provided in rural areas. In addition a new house may be permitted where it is required for the management of land, or for family purposes related to the management of land (retired farmers and/or their spouses), or in relation to another form of rural business where all other options have been investigated and dismissed. These options include the conversion or renovation of an existing property on the same landholding, availability of accommodation in a settlement in close proximity to the location, the existence of a valid planning permission for a dwelling which has not been taken up, and development of a new house on a site which would comply with Policy SC6. These options will have the benefit of not being subject to occupancy conditions.

Essential Worker:
A full time worker required by the operational needs of a farm or rural business to live in close proximity to their place of work for reasons of security or animal welfare or similar.

2.23 To obtain support under Policy SC7 it is expected that the agricultural unit will be of a sufficient size to demonstrate long term viability. Small units will not normally be acceptable to justify a house. Where a new business is proposed it may be that temporary accommodation only will be acceptable pending demonstration of the viability of the business venture.

Policy SC7 : Essential Worker Housing

Proposals for a house for an essential worker will only be supported where:

- a) All alternatives have been demonstrated to be inappropriate, and a new house is the only option;
- b) There is no evidence of houses or plots having been sold off from the landholding in the past five years;
- c) Supporting evidence is provided that there is a functional requirement for the person to live at their place of work, which must be a viable agricultural unit or an existing business which has been established for at least 1 year. Where the proposal is for a house related to a proposed rural business the submission of adequate supporting information will be required, including a business plan, to establish that the business is genuine and viable.
- d) The site forms part of the landholding where the worker is employed.
- e) Schedule 2 : Countryside Housing Criteria is met as applicable (page 30).

Applicants will be required to enter into a Section 75 Agreement to ensure the property continues to meet the needs of an essential worker.

A new house for a retired farmer and/or their spouse may also be permitted where parts a), b) and e) of this policy are met, and the site forms part of the existing landholding.

Schedule 2 : Countryside Housing Criteria

In addition to taking account of the provisions of the General Policies including Policy S6 : Development Principles, and the associated Schedule 1, all countryside housing proposals should meet the following criteria as applicable (except where specific exclusions are set out). Development proposals should_:

- a) be on self-contained sites and should not set a precedent or open up further areas for similar applications; (does not apply to proposals for conversion under Policy SC5, rural brownfield sites under Policy SC6(c) or essential worker houses under Policy SC7)
- b) meet the plot size requirements; (does not apply to proposals for conversion under Policy SC5, or new country house proposals under Policy SC8)
- c) not extend ribbon development;
- d) not result in the coalescence of building groups or of a building group with a nearby settlement;
- e) have regard to the rural character of the surrounding area and not be urban in form and/or appearance;
- f) provide a good residential environment, including useable amenity space/private garden ground, and adequate space between dwellings whilst retaining the privacy of adjacent properties. Angus Council's Advice Note 14 - Small Housing Sites provides guidance on minimum standards in relation to private amenity space and distance between dwellings which will be acceptable for proposals involving between one and four dwellings on sites within existing built up areas. In countryside areas it will commonly be expected that these standards should be greater than the minimum having regard to the nature of the location. The extension of property curtilage in relation to proposals for renovation or conversion of existing buildings may be permitted in line with Angus Council's Advice Note 25 – Agricultural Land to Garden Ground.
- g) be acceptable in relation to the cumulative effect of development on local community infrastructure including education provision;
- h) not adversely affect or be affected by farming or other rural business activities(*may not apply to proposals for essential worker houses related to the farm or business under Policy SC7*);
- i) not take access through a farm court (*may not apply to proposals for essential worker houses for farm workers under Policy SC7*);
- j) not require an access road of an urban scale or character. The standard of an access required to serve a development will give an indication of the acceptability of the scale of the development in a rural location, e.g. where the roads standards require a fully adoptable standard of road construction with street lighting and is urban in appearance it is likely that the development proposals will be too large; and
- k) make provision for affordable housing in line with Policy SC9 : Affordable Housing.

Self – contained sites:

The whole site must be fully occupied by a single plot which meets the plot size requirements. Sites must not breach field boundaries and should have existing, physical boundaries such as landform, buildings, roads, trees, watercourses, or long established means of enclosure, such as stone walls. Fences will not normally be regarded as providing a suitable boundary for the purposes of this definition unless they can be demonstrated to define long standing and established boundaries as evidenced by historic OS maps. Plots which have been artificially created will not be acceptable.

Plot size requirements:

Category 1 RSUs : between 0.08ha (800m²) and 0.2ha (2000m²)

Category 2 RSUs : between 0.06ha (600m²) and 0.4ha (4000m²)

The size of the footprint of the dwelling, including contiguous buildings, will depend on local circumstances including the size of the plot and the character of the surrounding area. Where a plot is created by sub-division of an existing plot, both the original and new plot must comply with the plot size requirements.

Ribbon development :

A string of three or more houses along a metalled road – ie. a road with a hard, crushed rock stone surface as a minimum.

ANGUS COUNCIL

**COMMUNITIES
PLANNING**

CONSULTATION SHEET

PLANNING APPLICATION NO

14/00983/FULL

Tick boxes as appropriate

ROADS

No Objection

Interest

(Comments to follow within 14 days)

Date

| | | |
|----|----|----|
| 16 | 12 | 14 |
|----|----|----|

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WILL BE PROVIDED ON REQUEST**

ELECTRONIC SUBMISSION DRAWINGS TO BE VIEWED VIA IDOX

David Soutar
5 Potters Park Crescent
Forfar
Angus
DD8 1HH

17 December 2014

Angus Council
Planning Department
Orchardbank
Forfar

Dear Sirs

I would like to register my support for Jamie Basford in this application for a new house at Balhall. Jamie is employed at the farm full time in the running of the farm and in the farm's various renewable energy schemes, managing the wind turbine and the biomass systems, ensuring the efficient running and the safety of the operations. The new house is required for Jamie to be located on the farm and would enable Jamie to continue to live and work at Balhall with his new family in the coming years.

Yours truly



D M Soutar

RECEIVED

23 DEC 2014

IL/KW

REF 14/00983 / FULL

ANGUS COUNCIL COMMUNITIES
WILLIAM WALLACE HOUSE
ORCHARDBANK BUSINESS PARK
FORFAR DD81WH

DATE RECEIVED: 22 DEC 2014

Comments for Planning Application 14/00983/FULL

Application Summary

Application Number: 14/00983/FULL

Address: Land At Balhall Lodge Menmuir Brechin

Proposal: Erection of Dwelling House

Case Officer: James Wright

Customer Details

Name: Mr David Taylor

Address: 5 Northampton Road Forfar

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:I would like to register my support for Jamie Basford in this application for a new house at Balhall.Jamie is a hard working employee at the farm and works full time on the running of the farm and in the farms various renewable energy schemes,he manages the wind turbine and biomass systems ensuring the efficient running and the safety of the operation.The new house is for Jamie and his new family to be located on the farm and to continue his good work there.

Comments for Planning Application 14/00983/FULL

Application Summary

Application Number: 14/00983/FULL

Address: Land At Balhall Lodge Menmuir Brechin

Proposal: Erection of Dwelling House

Case Officer: James Wright

Customer Details

Name: Mr Edward Wighton

Address: Fintry Place Broughty Ferry Dundee

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I would like to lodge my support for the application by Mr Jamie Basford to construct a new home on the land at Balhall Lodge. Jamie carries out many daily duties, and it would be beneficial to both him, and the farm that he be allowed to build this new home. Because of the many responsibilities Jamie has, including his role in the renewable energy systems, having this home built in its proposed location would ensure Jamie is close at hand.

Comments for Planning Application 14/00983/FULL

Application Summary

Application Number: 14/00983/FULL

Address: Land At Balhall Lodge Menmuir Brechin

Proposal: Erection of Dwelling House

Case Officer: James Wright

Customer Details

Name: Mrs Joyce Whitehead

Address: 14 Castle Gardens Edzell

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I would like to register my support for Jamie for this application. Jamie is my Grandson and he works very hard at Balhall Lodge Farm especially as my Son in Law is away for half of the year on other business so Jamie looks after the Farm and the wind turbine etc. Jamie is a hard worker and it would be fantastic if he would be allowed to build this bungalow for him to settle down on the farm.

Comments for Planning Application 14/00983/FULL

Application Summary

Application Number: 14/00983/FULL

Address: Land At Balhall Lodge Menmuir Brechin

Proposal: Erection of Dwelling House

Case Officer: James Wright

Customer Details

Name: Mr Lloyd Garvie

Address: West Cairnbeg Farmhouse Laurencekirk

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I would like to register my support for Jamie Basford in this application for a new house at Balhall. Jamie is employed at the farm full time in the running of the farm and in the farm's various renewable energy schemes, managing the wind turbine and the biomass systems, ensuring the efficient running and the safety of the operations.

The new house is required for Jamie to be located on the farm and would enable Jamie to continue to live and work at Balhall with his new family in the coming years.

Comments for Planning Application 14/00983/FULL

Application Summary

Application Number: 14/00983/FULL

Address: Land At Balhall Lodge Menmuir Brechin

Proposal: Erection of Dwelling House

Case Officer: James Wright

Customer Details

Name: Mr Marc Jacobs

Address: Mill of Balfour Edzell

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I would like to comment similarly as others that I register my support for Jamie Basford in this application for a new house at Balhall. Jamie is employed at the farm full time in the running of the farm and in the farm's various renewable energy schemes, managing the wind turbine and the biomass systems, ensuring the efficient running and the safety of the operations.

The new house is required for Jamie to be located on the farm and would enable Jamie to continue to live and work at Balhall with his new family in the coming years.

Comments for Planning Application 14/00983/FULL

Application Summary

Application Number: 14/00983/FULL

Address: Land At Balhall Lodge Menmuir Brechin

Proposal: Erection of Dwelling House

Case Officer: James Wright

Customer Details

Name: Mr Nicholas Smart

Address: 1 The Glebe Forfar

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I would like to register my support to this application. I know Jamie is involved in the day to day running of the family business and involved in the maintenance, security and upkeep of the Biomass heating system and Wind Turbine.

Having this house situated on the farm would enable Jamie to be on site which is essential for these things and continue to work at the farm.

Comments for Planning Application 14/00983/FULL

Application Summary

Application Number: 14/00983/FULL

Address: Land At Balhall Lodge Menmuir Brechin

Proposal: Erection of Dwelling House

Case Officer: James Wright

Customer Details

Name: Mr Peter Kavanagh

Address: Nidderdale View Birstwith Harrogate

Comment Details

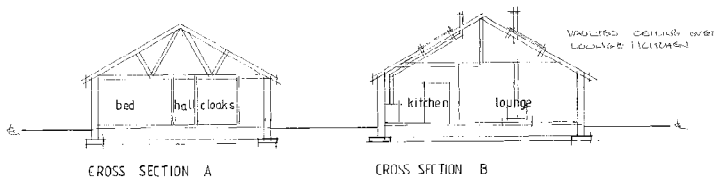
Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

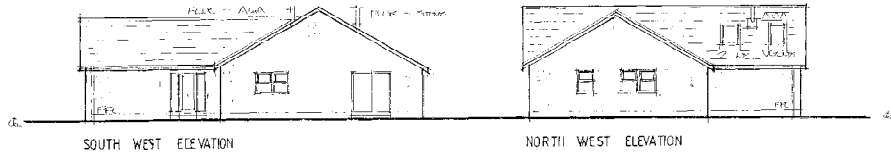
Comment: I would like to register my support for Jamie Basford in this application for a new house at Balhall Lodge. As the owner of the Northern Power 100 Wind Turbine at Balhall Lodge, I can confirm that it is absolutely essential for someone to be on site to manage the Wind Turbine and monitor the performance and turbine computer on site at all times. Jamie is responsible for the daily checks required at the site including daily visual health checks of the turbine, metering system and transformers and monitoring of the turbine computer situated at Balhall Lodge. The turbine computer system will be moved to the new Bungalow for Jamie to continue his role as manager of the turbine and operating systems.





Refused

SCALED ROOF FINISH
 D/W BATHS BROWNS
 D/W FASCIA
 BROWN GRANT
 HWY FLOOR & WINDERS

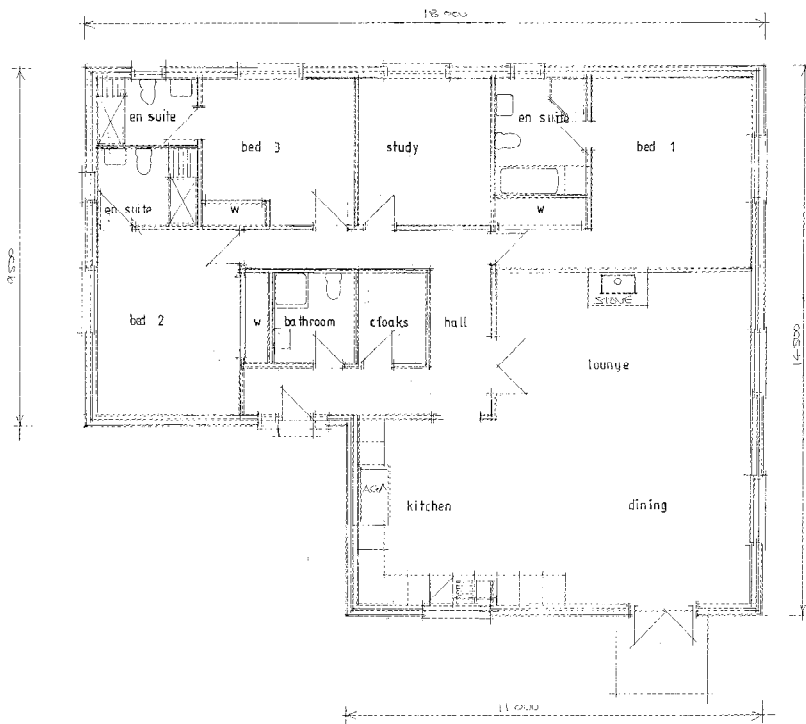


| | |
|---|--|
| <p>A CRAIG ARCHITECTURAL CONSULTANT</p> <p>6 CLEAR STREET, BRECHIN, ANGLUS DD9 6AP TEL: 01753 420000 FAX: 01753 420001</p> <p>PROJECT NO: 391114 - 3/3 DRAWING NO: 391114 - 3/3</p> <p>THE CONTRACTOR IS RESPONSIBLE FOR THE WORK ALL SETS FROM THE START TO THE END</p> | |
| <p>PROPOSED DWELLING HOUSE at BALHALL LODGE MENMARR By BRECHIN for MR</p> | |
| <p>DRAWING NO 391114 - 3/3 SD 1009D SCALE 1:100 DATE NOVEMBER 2014</p> | |

NOTE:
 WALL BATH AND MATERIAL
 FINISH TO BE CHOSEN IN
 CONSULTATION WITH
 ANGLUS COUNCIL PLANNING

ENVIRONMENTAL TREATMENT IN
 CONSULTATION WITH
 ANGLUS COUNCIL PLANNING

DRAINAGE ARRANGEMENT
 TO CONSULTATION WITH
 SEPA AND BUILDING
 STANDARDS



ACRAIG
 ARCHITECTURAL
 CONSULTANT

6 CLERK STREET, ROYFORTH, ANGLIA MK45 6AE
 Tel: (01256) 42520 Fax: (01256) 42522

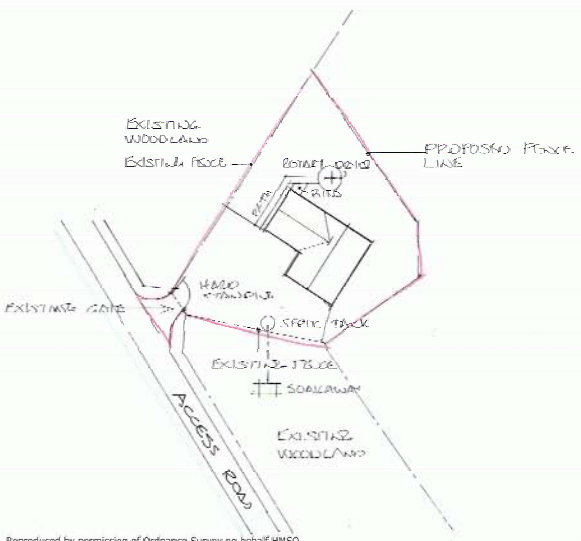
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PROPOSED DWELLING HOUSE
 of
BALHALL LODGE
MENMUIR
 By BRECHIN
 for
 MR

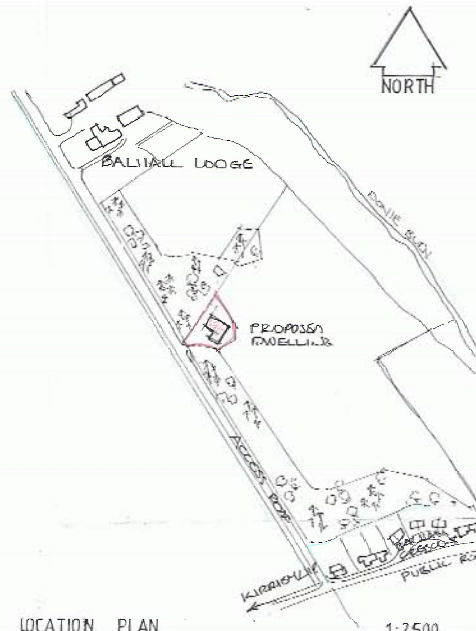
DRAWING N° 391114-7/1
 SD 100913
 SCALE 1:50
 DATE NOVEMBER 2014

Refused



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SITE PLAN 1:500



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LOCATION PLAN 1:2500

ACRAIG
ARCHITECTURAL
CONSULTANT

6 CLERK STREET, BRECCHIN, ANGUS DD9 6AU
Tel: (01356) 625500 Fax: (01356) 625517

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PROPOSED DWELLING HOUSE
at
BALHALL LODGE
MENMUIR
By BRECHIN
for
MR

DRAWING N° 391114 - 1/3
SD 100913
SCALE 1:2500
DATE NOVEMBER 2014



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LOCATION PLAN 1:50000

Refused







ANGUS COUNCIL



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

PLANNING PERMISSION REFUSAL
REFERENCE 14/00983/FULL

To **Mr J Basford**
c/o A D Craig
6 Clerk Street
Brechin
DD9 6AE

With reference to your application dated 8 December 2014 for planning permission under the above mentioned Acts and Regulations for the following development, viz.:-

Erection of Dwelling House at Land At Balhall Lodge Menmuir Brechin for Mr J Basford

The Angus Council in exercise of their powers under the above mentioned Acts and Regulations hereby **Refuse Planning Permission (Delegated Decision)** for the said development in accordance with the particulars given in the application and plans docketed as relative hereto in paper or identified as refused on the Public Access portal.

The reasons for the Council's decision are:-

- 1 That the application is contrary to Policy SC7 of the adopted Angus Local Plan Review 2009 because it has not been demonstrated that there is a functional and essential requirement for the person to live at their place of work, nor has it been demonstrated that all alternatives have been shown to be inappropriate and a new house is the only option.
- 2 That the application is contrary to Policy SC7, Schedule 2 and S3 of the adopted Angus Local Plan Review 2009 because the design of the proposed dwellinghouse is urban in form and has not had regard to the rural character of the surrounding area.
- 3 That the proposal would be contrary to Policy S1 criterion (b) of the adopted Angus Local Plan Review 2009 because it fails to be compatible with other policies of the local plan, namely policies S3, SC7 and Schedule 2 Countryside Housing Criteria.

Amendments:

The application has not been subject of variation.

Dated this **31 July 2015**

Iain Mitchell - Service Manager
Angus Council
Communities
Planning
County Buildings
Market Street
FORFAR
DD8 3LG

PROPOSED ERECTION OF A SINGLE DWELLING HOUSE

at

BALHALL LODGE

MENMUIR

BY BRECHIN

DD9 7RW

PLANNING APPLICATION - SUPPORTING STATEMENT

NOVEMBER 2014

**ACRAIG ARCHITECTURAL CONSULTANT
6 CLERK STREET
BRECHIN DD9 6AE**

Contents

Section 1: Proposals

Section 2: Site Description

Section 3: Access

Section 4: Services

Section 5: Site Conditions

Section 6: Conclusion

Section 7: Letter of Support

Proposals:

Permission is sought in principle for the erection of a dwelling house on an area of land situated adjacent to the access track leading to Balhall Lodge from the public Brechin to Kirriemuir road.

The arable farmland is owned by Mr P. Basford who resides at Balhall Lodge and is known as Balhall Farm, Menmuir. - Holding number: 091/0010.

An additional house is now required and is intended as the main residence of Mr J. Basford, son of Mr P. Basford, who works within the family business.

Site Description:

The site is located approximately 7 miles to the north-west of Brechin.

The site is bounded on the north-west by a post and wire fence to woodland, at the south-west by the access leading to Balhall Lodge and the south again by a post and wire fence to woodland.

The north-east and south-east boundaries by a proposed post and wire fence.

The site area is approximately 1240 sq. m

Access:

Access is gained via an existing gate between areas of established woodland and enters the plot directly from the tarred access road leading to Balhall Lodge from the public road.

The access and visibility splays can be provided to satisfy Angus Council Road Department requirements.

Services:

Services are all readily available on site.

Surface water will be taken to a soak-away and foul to a separate soak-away via a septic tank.

Site conditions:

The site does not fall within the Flood Risk Area of the SEPA flood map. No trees are on site. The site is bounded on 3 sides by existing and historic features.

Considerations:

The proposals have been prepared giving consideration to a Pre-Application Letter dated 7 November 2013 Ref: 13/00577/PREAPP and discussions with both Mr P. Christison and Mr J. Wright of the planning department.

Policies having been considered are:

Policy SC4: No existing houses exist on the landholding which could be utilised.

Policy SC5: No buildings suitable for conversion exist

Policy SC6: The proposals accord to "part d" of the policy and Schedule 2 Criteria.

- a) The site is mainly self-contained and will not set a precedent for further similar applications
- b) The plot size is in line with requirements of Cat 2 RSU
- c) Does not form ribbon development
- d) Does not result in a building group
- e) Designed to be in keeping with the various designs in the surrounding area such as Balhall Lodge, Balhall Lodge Cottage, Balhall Crescent and Balhall Stables.
- f) The proposals provide a good residential environment
- g) Will improve the cumulative effect of development on the local community infrastructure
- i) Does not take access through a farm courtyard
- j) Access arrangements satisfy this point
- k) Affordable Housing is not applicable in this case

Policy SC7: The proposals are for an essential worker and in accordance with the following:

- a) No alternatives exist and the only option is a new house
- b) No plots or houses have been sold off from the landholding in the past 5 years
- c) A letter of support for the proposals is attached to the report
- d) The site forms part of the landholding where the worker is employed

Conclusion:

This location has been selected for a single house on an access to an existing field. The field is also accessed from another 3 locations.

The proposed development will not affect the amenity of the existing properties or result in unacceptable visual impact.

The site area is in keeping with Angus Council guidelines.

The access arrangements, road layout and parking meet the requirements of Angus Council, Roads Department.

Landscaping and boundary treatment to be agreed with the Planning Department.

The site is located out with a flood risk area and all drainage will be designed in accordance with SEPA and Angus Council Building Standards requirements.

The site is not on contaminated land and no known protected species will be affected by the proposals.

The above points are all in accordance with Angus Council Schedules 1: Development Principles, Schedule 2: Countryside Housing Criteria and meets the criteria of Policy SC6. In addition the final design will be carried out in accordance with Angus Council Advice Notes 5 & 14.

The merits of approving this dwelling far out-way any reasons for refusal.



Rural Centre - West Mains,
Inglisston Newbridge,
Aberdeenshire - T1128 8LT

T: 0131 472 4000
F: 0131 472 4010

15 September 2014

Mr Paul Basford
t/a Balhall Farm
Balhall Lodge
Menmuir
Brechtin DD9 7RW

Dear Mr Basford,

Erection of Dwelling House

Please use this letter in support of the application for the erection of a dwelling house at Balhall Farm, Menmuir, Holding number 091/0010.

Scottish Planning Policy, Planning for Rural Development, recognises that “the planning system has a significant role in supporting sustainable economic growth in rural areas. By taking a positive approach to new development, planning authorities can help create the right conditions for rural businesses and communities to flourish”. Rural Scotland needs to become more confident and forward looking both accepting change and benefiting from it, providing for people who want to continue to live and work there.

The proposed development at Balhall Farm for a dwelling house will help to secure the future of the existing farm business by allowing Mr Basford’s son to reside on the property. Mr Basford’s son is a key player in a number of the renewable enterprises on the farm which need to be closely monitored, in particular a biomass boiler needing regularly fuelled with woodchips. All in all the enterprises on this farm will be reducing carbon emissions and assist the Scottish Government in reaching their Renewable targets.

This development is consistent with one of the primary purposes of the Scottish Government that is to increase sustainable economic growth. The Scottish Government recognises that planning decisions are critical if Scotland is to improve its growth rate so that it is comparable to other similar countries. Planning should be an enabler to economic development rather than an obstacle.

NFU Scotland sympathises considerably with our member in this situation and asks that the Council heed Scottish Government Planning Policy and its suggestion that there is a need for a more positive and aspirational planning vision for rural Scotland.

Yours sincerely

A solid black rectangular box used to redact the signature of the sender.

Kate Maitland
Regional Manager

Perthshire Biofuels

Tomnagrew
Trochry
DUNKELD
Perthshire
PH8 0BX
01350 723 313

www.perthshirebiofuels.co.uk

www.perthshirebiofuels.co.uk

20 February 2015

Angus Planning Authority

Dundee

Ref: Planning Application Cottage at Balhall Lodge, Menmuir, Brechin

Dear Sir/Madam

With reference to the above application, I am writing to support the proposal on the grounds that, as biomass installers who provided the biomass installation at Balhall, we are of the opinion that as this plant supplies all the properties on this site, an on-site person is required to supervise and maintain the biomass plant to ensure continuous operation.

I therefore recommend that accommodation is required for this purpose.

Yours faithfully

John Bryce

Biomass Engineer

ESSENTIAL WORKERS HOUSE, BALHALL LODGE, MENMUIR, BRECHIN

APPLICATION 14/00983/FULL

ADDITIONAL INFORMATION REQUESTED

Alternative Options:

No alternative options are available as a dwelling must be located within the land holding for security purposes, cctv, existing wind turbine connection

Houses Sold:

A print out from www.myhouseprice.com/professional/search is attached and covers all land and house sales in the area over the last 5 years.

Location Plan:

The Location Plan submitted with the Planning Application indicates the extent of land and buildings owned by the applicant and I confirm no other suitable houses are in the ownership of this holding.

Requirement for Essential Worker:

Jamie Basford is an essential worker at Balhall Lodge Farm due to the considerable renewable energy activities at the farm along with other day to day activities.

The Large Wind turbine is connected by fiber optic cable to a computer situated at Balhall Lodge where the turbine is essentially monitored and controlled. JB has full control over the turbine from this computer which will be relocated into the new bungalow.

From this computer, all safety and performance aspects of the turbine are monitored and the turbine can be switched off and disconnected from the Grid in the event of a problem occurring.

Regular meter readings are required for both SSE and for Ofgem and daily visual checks on the turbine, transformers, metering equipment and very importantly the security of the turbine and equipment also form part of the turbine management program.

The Biomass heating system is also monitored from the office by CCTV link to the fuel feeding process which will also be extended and moved to the new Bungalow.

Daily checks and services have to be performed on the boiler and fuel feed system and the fuel hopper has to be filled up using a tractor with loader each week and up to every 4 days during winter.

The fuel is collected either from our own forestry or from Rosehill Timber at Edzell Base.

This year JB has processed approximately 200 tonnes of fuel including approximately 100 tonnes from our own woodland. This process is a full time commitment and combined with the on site monitoring it is essential that Jamie is available on the farm.

The process for fuel is fairly complicated and Jamie is solely responsible for harvesting the timber, processing, drying and fuelling the biomass system.

Timber harvested from our own woodland is left to season for 24 months from felling and then chipped in bulk into the large fuel store. The moisture content of this fuel is anything between 35 and 45%. The fuel is then moved from the large store into the dryer at approximately 5 tonnes per cycle where it is tested for moisture content and then force air dried until the moisture content is between 20 and 25%.

It is essential that the moisture content is measured and regulated as too high a moisture content results in either non burn or excess tar in the boiler and ultimately boiler failure or even more serious if the fuel is not tested daily and over dried then the fire in the boiler system will back up the feed auger and ultimately could result in a major fire in the fuel feed and storage system.

A fire safety system is fitted to counteract dry fuel but the system is not infallible and daily checks on the moisture content are essential for the safe running of the system.

Forestry management is a very time consuming part of Jamie's job and any spare time during work hours is spent managing and harvesting timber.

Timber is collected by Jamie in bulk using a Tractor and Trailer from Rosehill Timber (approximately 6 tonnes per load) to supplement the timber harvested in our own woodlands. Depending on the time of year and weather conditions at the time, this wood chip can be anything up to 60% moisture content and simply will not burn under any circumstances. This wood chip has to be force dried in the same process as described above in order to turn the wet wood chip into biomass fuel.

Additional duties include general routine maintenance of the farm including general repairs and maintenance of the house and out buildings, gardening / grass cutting / hedge cutting, general fencing and management of the farm land and water supplies, winter snow clearance etc.

JB also now (due to Paul Basford being away from home for approximately 6 months of the year) has financial control over the day to day running of the business and spends many hours each week in the office.

House Design:

Your comments on house design are noted and a meeting can be held at your earliest convenience to discuss and agree a revised design

Soak-away Location:

To satisfy this requirement it is proposed to locate the soak-away wholly within the land outlined red on the Planning Application Drawing.

SAC Report:

Having discussed the project with SAC in Forfar it was decided not to submit a Sac Report as this would take some time to prepare and SAC suggested that they have no requirement to provide a report. SAC intimated that the information can be provided by any suitable person.

ACRAIG ARCHITECTURAL CONSULTANT
6 CLERK STREET
BRECHIN DD9 6AE

5 BALHALL CRESCENT, MENMUIR, BRECHIN, ANGUS, DD9 7RR - Sale Price: £73,050

1m from the centre of DD9 7RR

Classification: **Residential**
 Application Date: **06-09-2012**
 Application Number: **12ANG07951**
 Application Type: **DW**
 Entry Date: **05-09-2012**
 Deed Codes: **11 20**
 Title Number: **ANG9002**
 Property Type: **Semi-detached**
NEW☆

Buyer Names:
MARIANNE DALY EVANS
 Seller Names:
BARRY RONALD CUMMING, JILLIAN LOUISE CUMMING
 County of Registration:
ANGUS

Notes:

Right To Buy: **No** New Build: **No**

Accommodation: Semi-Detached House - 3 Bedrooms, 1 Bathroom, 1 Public Room, Unspecified Central Heating, Built in 1955

Top 3 of 5 Rentals for 'DD9 7R' powered by Citylets

Meadowburn**5 bed Detached House, £1200/month (Aug, 2013)**Meadowburn**5 bed Detached House, £1200/month (Jul, 2013)**4 Balhall Crescent**3 bed Semi Detached House, £550/month (Jun, 2012)****6 BALHALL CRESCENT, MENMUIR, BRECHIN, ANGUS, DD9 7RR - Sale Price: £98,000**

7m away

Classification: **Residential**
 Application Date: **20-06-2012**
 Application Number: **12ANG05189**
 Application Type: **DW**
 Entry Date: **01-06-2012**
 Deed Codes: **11 20**
 Title Number: **ANG31289**
 Property Type: **Semi-detached**
NEW☆

Buyer Names:

JAMES ALEXANDER ISAAC ALLAN, EMMA MARIE ALLAN

Seller Names:

CHRISTINA ELIZABETH BROUGHTON, EILEEN BURROWS, VALERIE THOMPSON

County of Registration:

ANGUS

Notes:

Right To Buy: **No** New Build: **No**

Accommodation: House - 2 Floors, 3 Bedrooms, 1 Bathroom, 1 Public Room, Electric Central Heating,

Top 3 of 5 Rentals for 'DD9 7RR' powered by Citylets

Meadowburn**5 bed Detached House, £1200/month (Aug, 2013)**Meadowburn**5 bed Detached House, £1200/month (Jul, 2013)**4 Balhall Crescent**3 bed Semi Detached House, £550/month (Jun, 2012)****BALHALL LODGE, MENMUIR, BRECHIN, ANGUS, DD9 7RW - No Consideration**

467m away

Classification: **Residential**
 Application Date: **25-02-2013**
 Application Number: **13ANG01693**
 Application Type: **TP**
 Entry Date: **14-11-2012**
 Deed Codes: **40**
 Title Number: **ANG61123**
 Property Type: **Unallocated**
NEW☆

Buyer Names:

HARMONY ENERGY WINDS LIMITED

Seller Names:

PAUL BASFORD, MANDY BASFORD

County of Registration:

ANGUS

Notes:

Right To Buy: **No** New Build: **No**

Top 3 of 5 Rentals for 'DD9 7RW' powered by Citylets

Meadowburn**5 bed Detached House, £1200/month (Aug, 2013)**Meadowburn**5 bed Detached House, £1200/month (Jul, 2013)**4 Balhall Crescent**3 bed Semi Detached House, £550/month (Jun, 2012)****BOGTON COTTAGE, BALHALL, MENMUIR, BRECHIN, DD9 7RS - Sale Price: £157,250**

1,061m away

Classification: **Residential**
 Application Date: **12-06-2009**

Buyer Names:

WILLIAM MCKENZIE REID, ILONA MARGARET WHIELDON

Seller Names:

ANDREW MACPHERSON, CAROL MACPHERSON

| | | | |
|---------------------|-------------------|-------------------------|--------------|
| Application Number: | 09ANG04759 | County of Registration: | ANGUS |
| Application Type: | DW | Notes: | |
| Entry Date: | 28-05-2009 | Right To Buy: | No |
| Deed Codes: | 11 20 | New Build: | No |
| Title Number: | ANG18083 | | |
| Property Type: | Detached | | |
| | NEW ☆ | | |

Top 3 of 5 Rentals for 'DD9 7RS' powered by Citylets

| | |
|--|--|
| <u>Meadowburn</u> | <u>Meadowburn</u> |
| 5 bed Detached House, £1200/month (Aug, 2013) | 5 bed Detached House, £1200/month (Jul, 2013) |
| <u>4 Balhall Crescent</u> | |
| 3 bed Semi Detached House, £550/month (Jun, 2012) | |

1 BALFOUR COTTAGES, MENMUIR, BRECHIN, DD9 7RN - No Consideration

1,313m away

| | | | |
|---------------------|--------------------|-------------------------|---|
| Classification: | Residential | Buyer Names: | CLAIRE ELIZABETH GLAISTER |
| Application Date: | 07-10-2010 | Seller Names: | CLAIRE ELIZABETH GLAISTER, ALISON SUSAN GOLDIE |
| Application Number: | 10ANG10108 | County of Registration: | ANGUS |
| Application Type: | FA | Notes: | |
| Entry Date: | 06-09-2010 | Right To Buy: | No |
| Deed Codes: | 11 | New Build: | No |
| Title Number: | ANG2725 | | |
| Property Type: | Unallocated | | |
| | NEW ☆ | | |

Top 3 of 5 Rentals for 'DD9 7RN' powered by Citylets

| | |
|--|--|
| <u>Meadowburn</u> | <u>Meadowburn</u> |
| 5 bed Detached House, £1200/month (Aug, 2013) | 5 bed Detached House, £1200/month (Jul, 2013) |
| <u>4 Balhall Crescent</u> | |
| 3 bed Semi Detached House, £550/month (Jun, 2012) | |

COWFORD COTTAGE, MENMUIR, BRECHIN, ANGUS, DD9 6SF - Sale Price: £287,500

1,682m away

| | | | |
|---------------------|--------------------|-------------------------|---|
| Classification: | Residential | Buyer Names: | GARY ALEXANDER DUNCAN OGILVIE, LUCINDA SUSAN DAVINIA OGILVIE |
| Application Date: | 19-12-2012 | Seller Names: | ALLEN CARTNEY, CARIANNE CARTNEY |
| Application Number: | 12ANG12100 | County of Registration: | ANGUS |
| Application Type: | DW | Notes: | |
| Entry Date: | 05-12-2012 | Right To Buy: | No |
| Deed Codes: | 11 20 | New Build: | No |
| Title Number: | ANG19261 | | |
| Property Type: | Unallocated | | |
| | NEW ☆ | | |

Top 3 of 5 Rentals for 'DD9 6SF' powered by Citylets

| | |
|--|--|
| <u>Meadowburn</u> | <u>Meadowburn</u> |
| 5 bed Detached House, £1200/month (Aug, 2013) | 5 bed Detached House, £1200/month (Jul, 2013) |
| <u>4 Balhall Crescent</u> | |
| 3 bed Semi Detached House, £550/month (Jun, 2012) | |

COWFORD COTTAGE, MENMUIR, BRECHIN, ANGUS, DD9 6SF - £287,500 in respect of the subjects in this Title and other subjects

1,682m away

| | | | |
|---------------------|--------------------|-------------------------|---|
| Classification: | Residential | Buyer Names: | GARY ALEXANDER DUNCAN OGILVIE, LUCINDA SUSAN DAVINIA OGILVIE |
| Application Date: | 19-12-2012 | Seller Names: | ALLEN CARTNEY, CARIANNE CARTNEY |
| Application Number: | 12ANG12109 | County of Registration: | ANGUS |
| Application Type: | DW | Notes: | |
| Entry Date: | 05-12-2012 | Right To Buy: | No |
| Deed Codes: | 11 20 | New Build: | No |
| Title Number: | ANG46296 | | |
| Property Type: | Unallocated | | |
| | NEW ☆ | | |

Top 3 of 5 Rentals for 'DD9 6SF' powered by Citylets

| | |
|--|--|
| <u>Meadowburn</u> | <u>Meadowburn</u> |
| 5 bed Detached House, £1200/month (Aug, 2013) | 5 bed Detached House, £1200/month (Jul, 2013) |

4 Balhall Crescent**3 bed Semi Detached House, £550/month (Jun, 2012)****COWFORD COTTAGE, MENMUIR, BRECHIN, DD9 6SF - Sale Price: £7,000**

1,712m away

| | | | |
|---------------------|-----------------|-------------------------|--|
| Classification: | Land | Buyer Names: | VALERIE ANNE MCLEOD |
| Application Date: | 05-11-2009 | Seller Names: | DOUGLAS WILLIAM PHILP, SANDRA ANN PHILP, G PHILP AND SON |
| Application Number: | 09ANG09988 | County of Registration: | ANGUS |
| Application Type: | FR | Notes: | 0.445 HA AT |
| Entry Date: | 07-09-2009 | Right To Buy: | No New Build: No |
| Deed Codes: | 326 | | |
| Title Number: | <u>ANG54622</u> | | |
| Property Type: | Detached | | |
| | NEW ☆ | | |

Top 3 of 5 Rentals for 'DD9 6SF' powered by Citylets

Meadowburn**5 bed Detached House, £1200/month (Aug, 2013)**Meadowburn**5 bed Detached House, £1200/month (Jul, 2013)**4 Balhall Crescent**3 bed Semi Detached House, £550/month (Jun, 2012)****ROSEBANK AT THE COE, MENMUIR, BRECHIN - Sale Price: £12,000**

1,756m away

| | | | |
|---------------------|-----------------|-------------------------|--|
| Classification: | Land | Buyer Names: | DUNCAN ANDREW MACKINTOSH, JULIE ANN MACKINTOSH |
| Application Date: | 31-08-2009 | Seller Names: | ALEXANDER DOUGLAS HENRY MORTIMER, MOIRA MORTIMER |
| Application Number: | 09ANG07504 | County of Registration: | ANGUS |
| Application Type: | FR | Notes: | Right To Buy: No New Build: No |
| Entry Date: | 18-08-2009 | | |
| Deed Codes: | 11 | | |
| Title Number: | <u>ANG54164</u> | | |
| Property Type: | Unallocated | | |
| | NEW ☆ | | |

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DEVELOPMENT MANAGEMENT REVIEW COMMITTEE

APPLICATION FOR REVIEW

**ERECTION OF A DWELLINGHOUSE AT LAND AT BALHALL LODGE,
MENMUIR, BRECHIN**

APPLICATION NO 14/00983/FULL

APPLICANT'S SUBMISSION

- | | |
|---------------|--|
| ITEM 1 | Notice of Review |
| ITEM 2 | Appeal Statement |
| ITEM 3 | Planning Application Form – Including Certificate A |
| ITEM 4 | Relevant Drawings No 391114 – 1/3, 2/3 & 3/3 |
| ITEM 5 | Planning Application Supporting Statement & Addendum |
| ITEM 6 | Refusal Document – Ref 14/00983/FULL |

NOTICE OF REVIEW

Under Section 43A(8) Of the Town and County Planning (SCOTLAND) ACT 1997 (As amended) In Respect of Decisions on Local Developments

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.

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://eplanning.scotland.gov.uk>

| 1. Applicant's Details | | 2. Agent's Details (if any) | |
|---|--|-----------------------------|---------------------------|
| Title | Mr | Ref No. | |
| Forename | J | Forename | Alex. |
| Surname | Basford | Surname | Craig |
| Company Name | | Company Name | A. Craig Arch. Consultant |
| Building No./Name | Balhall Lodge | Building No./Name | |
| Address Line 1 | Menmuir | Address Line 1 | 6 Clerk Street |
| Address Line 2 | | Address Line 2 | |
| Town/City | Brechin | Town/City | Brechin |
| Postcode | DD9 7RW | Postcode | DD9 6AE |
| Telephone | | Telephone | 01356 625500 |
| Mobile | | Mobile | 07836 692314 |
| Fax | | Fax | 01356 625572 |
| Email | | Email | adc@adcraig.co.uk |
| 3. Application Details | | | |
| Planning authority | Angus Council | | |
| Planning authority's application reference number | 14/00983/FULL | | |
| Site address | <div style="border: 1px solid black; padding: 5px;"> Land at Balhall Lodge Menmuir Brechin DD9 7RW </div> | | |
| Description of proposed development | <div style="border: 1px solid black; padding: 5px;"> Erection of a Dwelling House </div> | | |

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 decision notice or from the date of expiry of the period allowed for determining the application.

4. Nature of Application

- Application for planning permission (including householder application)
- Application for planning permission in principle
- 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)
- Application for approval of matters specified in conditions

5. Reasons for seeking review

- Refusal of application by appointed officer
- Failure by appointed officer to determine the application within the period allowed for determination of the application
- Conditions imposed on consent by appointed officer

6. 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.

- Further written submissions
- One or more hearing sessions
- Site inspection
- Assessment of review documents only, with no further procedure

If you have marked either of the first 2 options, 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 necessary.

7. Site inspection

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

- Can the site be viewed entirely from public land?
- Is it possible for the site to be accessed safely, and without barriers to entry?

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

N/A

8. 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.

See Attached Sheet

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes No

If yes, please explain below a) why your are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

N/A

9. 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

Planning Application Form - Including Certificate A
Relevant Drawings No. 391114 - 1/3, 2/3 & 3/3
Planning Application Supporting Statement & Addendum
Refusal Document - Ref: 14/00983/FULL

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 until such time as the review is determined. It may also be available on the planning authority website.

10. Checklist

Please mark the appropriate boxes to confirm that 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 requesting a review

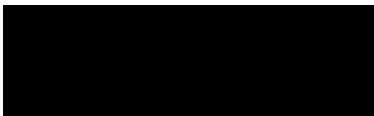
All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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 hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:



Name: A.D.Craig

Date: 21/08/15

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

ERECTION OF DWELLING HOUSE

LAND at BALHALL LODGE

MENMUIR

BRECHIN

DD9 7RW

Planning Reference: 14/00983/FULL

STATEMENT OF REASONS FOR REQUESTING A REVIEW

Reasons for Refusal:

1. Contrary to Policy SC7 – not demonstrating there is functional and essential requirement for the person to live at their place of work – not been demonstrated that all alternatives have been shown to be inappropriate
2. Contrary to Policy SC7 – design not sympathetic to the rural character of the surrounding area
3. Contrary to Policy S1(b) because it fails to be compatible with other policies of the Local Plan – namely S3, SC7 and Schedule 2 Countryside Housing Criteria

Reasons for Requesting a Review:

Policy SC7 was referred to in Considerations” noted in the original Planning Application Supporting Statement.

Namely:

- a) No alternatives exist and the only option is a new house
- b) No plots or houses have been sold off from the landholding in the past 5 years
- c) Letter and e-mails of support for the proposals are attached to the report
- d) The site forms part of the landholding where the applicant is employed.

BACKGROUND INFORMATION:

I confirm Balhall Lodge is owned and occupied by Mr & Mrs P. Basford, and now also an elderly parent requiring constant care. The adjacent property known as Coachmans Cottage is a 2 bedroom dwelling and since 2003 has been owned by Dunroamin Property Rentals Ltd, Compton House 104 Scotland Road, Penrith, and not in the ownership of Balhall Lodge. The essential worker Mr J. Basford also currently resides at Balhall Lodge. As Mr J. Basford now hopes to get married and start his own family, Balhall Lodge living with his parents, sister and elderly grandparent is no longer suitable for him.

Planning Applications for 2 No house sites and conversion of stables were recently approved at Balhall Stables for Mrs D. Stout and is currently being marketed as one lot. Mrs Stout has been approached regarding the purchase of a site and advised she is not prepared to sell in separate lots. If not sold as one lot the property is to be withdrawn from the market.

A print out from www.myhouseprice.com/professional/search is attached and covers all land and house sales in the area over the last 5 years.

ESSENTIAL WORKER:

The applicant is an essential worker at Balhall Lodge Farm and is responsible for the considerable renewable energy activities at the farm along with other day to day activities.

The Large Wind turbine is connected by fiber optic cable to a computer situated at Balhall Lodge where the turbine is essentially monitored and controlled. The applicant has full control over the turbine from this computer which will be relocated into the new dwelling house. Planning approval has been granted on appeal for a second wind turbine which will be constructed within the next 9 months and also monitored and controlled by the applicant. From his computer, all safety and performance aspects of the turbine is monitored and the turbine can be switched off and disconnected from the Grid in the event of a problem occurring. Regular meter readings are required for both SSE and for OFGEM and daily visual checks on the turbine, transformers, metering equipment and very importantly the security of the turbine and equipment also form part of the turbine management programme.

The Biomass heating system is also monitored from the office by CCTV link to the fuel feeding process which will also be extended and moved to the new dwelling house. Daily checks and services have to be performed on the boiler and fuel feed system and the fuel hopper has to be filled up using a tractor with loader each week and up to every 4 days during winter. The fuel is collected either from Balhall forestry or Rosehill Timber at Edzell Woods.

In the last 12 months the applicant has processed approximately 200 tonnes of fuel including approximately 100 tonnes from Balhall woodland. This process is a full time commitment and combined with the onsite monitoring it is essential that the applicant is available on the farm.

The applicant is solely responsible for harvesting the timber, processing, drying and fuelling the biomass system. Timber harvested from Balhall woodland is left to season for 24 months from felling and then chipped in bulk into the large fuel store. The moisture content of this fuel is anything between 35 and 45%. The fuel is then moved from the large store into the dryer at approximately 5 tonnes per cycle where it is tested for moisture content and then force air dried until the moisture content is between 20 and 25%. It is essential that the moisture content is measured and regulated as too high a moisture content results in either non burn or excess tar in the boiler and ultimately boiler failure or even more serious if the fuel is not tested daily and over dried then the fire in the boiler system will back up the feed auger and ultimately could result in a major fire in the fuel feed and storage system.

A fire safety system is fitted to counteract dry fuel but the system is not infallible and daily checks on the moisture content are essential for the safe running of the system.

Forestry management is a time consuming part of the applicants work and any spare time during work hours is spent managing and harvesting timber.

Timber is collected by the applicant in bulk using a Tractor and Trailer from Rosehill Timber (approximately 6 tonnes per load) to supplement the timber harvested at Balhall. Depending on the time of year and weather conditions at the time, this wood chip can be anything up to 60% moisture content and simply will not burn under any circumstances. This wood chip has to be force dried in the same process as described above in order to turn the wet wood chip into biomass fuel.

Additional duties include routine maintenance of the farm including general repairs and maintenance of Balhall Lodge and out buildings, gardening / grass cutting / hedge cutting/ fencing and management of the farm land and water supplies, winter snow clearance etc.

The applicant also now (due to Mr P. Basford being away from home for approximately 6 months of the year) has financial control over the day to day running of the business and spends many hours each week in the office.

HOUSE DESIGN:

The house design was discussed with the planning officer and agreed it would be possible to re-design the house to reflect the rural character of the surrounding area. As this was not the main reason for refusal this option was not taken up but would have been reflected in a future application or can be conditioned if an appeal were upheld.

The policies relating to house design can be easily addressed in a revised house design. It is proposed an "eco-house" be designed in consultation with Angus Council Planning Department and connected to the existing bio-mass heating system.

Balhall Farm is a progressive example of good renewable energy provision. The new house design would look to incorporate sustainable features including wind energy, solar energy, bio-mass and energy efficient materials in keeping with guidance contained in both the Angus Council Local Plan and Scottish Planning Policy and in keeping with the ethics of the farm.

ATTACHMENTS:

- MyHousePrice.comProfessional – Search Page 1 of 3
- MyHousePrice.comProfessional – Search Page 2 of 3
- MyHousePrice.comProfessional – Search Page 3 of 3
- Perthshire Biofuels letter of support
- Notes of support from Planning Application Comments – 2 pages

5 BALHALL CRESCENT, MENMUIR, BRECHIN, ANGUS, DD9 7RR - Sale Price: £73,050

1m from the centre of DD9 7RR

Classification: **Residential**
 Application Date: **06-09-2012**
 Application Number: **12ANG07951**
 Application Type: **DW**
 Entry Date: **05-09-2012**
 Deed Codes: **11 20**
 Title Number: **ANG9002**
 Property Type: **Semi-detached**
NEW☆

Buyer Names:
MARIANNE DALY EVANS
 Seller Names:
BARRY RONALD CUMMING, JILLIAN LOUISE CUMMING
 County of Registration:
ANGUS

Notes:

Right To Buy: **No** New Build: **No**

Accommodation: Semi-Detached House - 3 Bedrooms, 1 Bathroom, 1 Public Room, Unspecified Central Heating, Built in 1955

Top 3 of 5 Rentals for 'DD9 7R' powered by Citylets

Meadowburn**5 bed Detached House, £1200/month** (Aug, 2013)Meadowburn**5 bed Detached House, £1200/month** (Jul, 2013)4 Balhall Crescent**3 bed Semi Detached House, £550/month** (Jun, 2012)**6 BALHALL CRESCENT, MENMUIR, BRECHIN, ANGUS, DD9 7RR - Sale Price: £98,000**

7m away

Classification: **Residential**
 Application Date: **20-06-2012**
 Application Number: **12ANG05189**
 Application Type: **DW**
 Entry Date: **01-06-2012**
 Deed Codes: **11 20**
 Title Number: **ANG31289**
 Property Type: **Semi-detached**
NEW☆

Buyer Names:

JAMES ALEXANDER ISAAC ALLAN, EMMA MARIE ALLAN

Seller Names:

CHRISTINA ELIZABETH BROUGHTON, EILEEN BURROWS, VALERIE THOMPSON

County of Registration:

ANGUS

Notes:

Right To Buy: **No** New Build: **No**

Accommodation: House - 2 Floors, 3 Bedrooms, 1 Bathroom, 1 Public Room, Electric Central Heating,

Top 3 of 5 Rentals for 'DD9 7RR' powered by Citylets

Meadowburn**5 bed Detached House, £1200/month** (Aug, 2013)Meadowburn**5 bed Detached House, £1200/month** (Jul, 2013)4 Balhall Crescent**3 bed Semi Detached House, £550/month** (Jun, 2012)**BALHALL LODGE, MENMUIR, BRECHIN, ANGUS, DD9 7RW - No Consideration**

467m away

Classification: **Residential**
 Application Date: **25-02-2013**
 Application Number: **13ANG01693**
 Application Type: **TP**
 Entry Date: **14-11-2012**
 Deed Codes: **40**
 Title Number: **ANG61123**
 Property Type: **Unallocated**
NEW☆

Buyer Names:

HARMONY ENERGY WINDS LIMITED

Seller Names:

PAUL BASFORD, MANDY BASFORD

County of Registration:

ANGUS

Notes:

Right To Buy: **No** New Build: **No**

Top 3 of 5 Rentals for 'DD9 7RW' powered by Citylets

Meadowburn**5 bed Detached House, £1200/month** (Aug, 2013)Meadowburn**5 bed Detached House, £1200/month** (Jul, 2013)4 Balhall Crescent**3 bed Semi Detached House, £550/month** (Jun, 2012)**BOGTON COTTAGE, BALHALL, MENMUIR, BRECHIN, DD9 7RS - Sale Price: £157,250**

1,061m away

Classification: **Residential**
 Application Date: **12-06-2009**

Buyer Names:

WILLIAM MCKENZIE REID, ILONA MARGARET WHIELDON

Seller Names:

ANDREW MACPHERSON, CAROL MACPHERSON

Application Number: **09ANG04759** County of Registration: **ANGUS**
 Application Type: **DW** Notes:
 Entry Date: **28-05-2009** Right To Buy: **No** New Build: **No**
 Deed Codes: **11 20**
 Title Number: **ANG18083**
 Property Type: **Detached**
NEW ☆

Top 3 of 5 Rentals for 'DD9 7RS' powered by Citylets

Meadowburn Meadowburn
5 bed Detached House, £1200/month (Aug, 2013) **5 bed Detached House, £1200/month (Jul, 2013)**
4 Balhall Crescent
3 bed Semi Detached House, £550/month (Jun, 2012)

1 BALFOUR COTTAGES, MENMUIR, BRECHIN, DD9 7RN - No Consideration

1,313m away

Classification: **Residential** Buyer Names: **CLAIRE ELIZABETH GLAISTER**
 Application Date: **07-10-2010** Seller Names: **CLAIRE ELIZABETH GLAISTER, ALISON SUSAN GOLDIE**
 Application Number: **10ANG10108** County of Registration: **ANGUS**
 Application Type: **FA** Notes:
 Entry Date: **06-09-2010** Right To Buy: **No** New Build: **No**
 Deed Codes: **11**
 Title Number: **ANG2725**
 Property Type: **Unallocated**
NEW ☆

Top 3 of 5 Rentals for 'DD9 7RN' powered by Citylets

Meadowburn Meadowburn
5 bed Detached House, £1200/month (Aug, 2013) **5 bed Detached House, £1200/month (Jul, 2013)**
4 Balhall Crescent
3 bed Semi Detached House, £550/month (Jun, 2012)

COWFORD COTTAGE, MENMUIR, BRECHIN, ANGUS, DD9 6SF - Sale Price: £287,500

1,682m away

Classification: **Residential** Buyer Names: **GARY ALEXANDER DUNCAN OGILVIE, LUCINDA SUSAN DAVINIA OGILVIE**
 Application Date: **19-12-2012** Seller Names: **ALLEN CARTNEY, CARIANNE CARTNEY**
 Application Number: **12ANG12100** County of Registration: **ANGUS**
 Application Type: **DW** Notes:
 Entry Date: **05-12-2012** Right To Buy: **No** New Build: **No**
 Deed Codes: **11 20**
 Title Number: **ANG19261**
 Property Type: **Unallocated**
NEW ☆

Top 3 of 5 Rentals for 'DD9 6SF' powered by Citylets

Meadowburn Meadowburn
5 bed Detached House, £1200/month (Aug, 2013) **5 bed Detached House, £1200/month (Jul, 2013)**
4 Balhall Crescent
3 bed Semi Detached House, £550/month (Jun, 2012)

COWFORD COTTAGE, MENMUIR, BRECHIN, ANGUS, DD9 6SF - £287,500 in respect of the subjects in this Title and other subjects

1,682m away

Classification: **Residential** Buyer Names: **GARY ALEXANDER DUNCAN OGILVIE, LUCINDA SUSAN DAVINIA OGILVIE**
 Application Date: **19-12-2012** Seller Names: **ALLEN CARTNEY, CARIANNE CARTNEY**
 Application Number: **12ANG12109** County of Registration: **ANGUS**
 Application Type: **DW** Notes:
 Entry Date: **05-12-2012** Right To Buy: **No** New Build: **No**
 Deed Codes: **11 20**
 Title Number: **ANG46296**
 Property Type: **Unallocated**
NEW ☆

Top 3 of 5 Rentals for 'DD9 6SF' powered by Citylets

Meadowburn Meadowburn
5 bed Detached House, £1200/month (Aug, 2013) **5 bed Detached House, £1200/month (Jul, 2013)**

4 Balhall Crescent**3 bed Semi Detached House, £550/month (Jun, 2012)****COWFORD COTTAGE, MENMUIR, BRECHIN, DD9 6SF - Sale Price: £7,000**

1,712m away

| | | | |
|---------------------|-------------------|-------------------------|--|
| Classification: | Land | Buyer Names: | VALERIE ANNE MCLEOD |
| Application Date: | 05-11-2009 | Seller Names: | DOUGLAS WILLIAM PHILP, SANDRA ANN PHILP, G PHILP AND SON |
| Application Number: | 09ANG09988 | County of Registration: | ANGUS |
| Application Type: | FR | Notes: | 0.445 HA AT |
| Entry Date: | 07-09-2009 | Right To Buy: | No New Build: No |
| Deed Codes: | 326 | | |
| Title Number: | <u>ANG54622</u> | | |
| Property Type: | Detached NEW ☆ | | |

Top 3 of 5 Rentals for 'DD9 6SF' powered by Citylets

Meadowburn**5 bed Detached House, £1200/month (Aug, 2013)**Meadowburn**5 bed Detached House, £1200/month (Jul, 2013)**4 Balhall Crescent**3 bed Semi Detached House, £550/month (Jun, 2012)****ROSEBANK AT THE COE, MENMUIR, BRECHIN - Sale Price: £12,000**

1,756m away

| | | | |
|---------------------|----------------------|-------------------------|--|
| Classification: | Land | Buyer Names: | DUNCAN ANDREW MACKINTOSH, JULIE ANN MACKINTOSH |
| Application Date: | 31-08-2009 | Seller Names: | ALEXANDER DOUGLAS HENRY MORTIMER, MOIRA MORTIMER |
| Application Number: | 09ANG07504 | County of Registration: | ANGUS |
| Application Type: | FR | Notes: | Right To Buy: No New Build: No |
| Entry Date: | 18-08-2009 | | |
| Deed Codes: | 11 | | |
| Title Number: | <u>ANG54164</u> | | |
| Property Type: | Unallocated NEW ☆ | | |

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PH8 0BX
01350 723 313

info@perthshirebiofuels.co.uk

www.perthshirebiofuels.co.uk

20 February 2015

Angus Planning Authority

Dundee

Ref: Planning Application Cottage at Balhall Lodge, Menmuir, Brechin

Dear Sir/Madam

With reference to the above application, I am writing to support the proposal on the grounds that, as biomass installers who provided the biomass installation at Balhall, we are of the opinion that as this plant supplies all the properties on this site, an on-site person is required to supervise and maintain the biomass plant to ensure continuous operation.

I therefore recommend that accommodation is required for this purpose.

Yours faithfully

John Bryce

Biomass Engineer

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Planning » Application Comments

14/00983/FULL | Erection of Dwelling House | Land At Balhall Lodge Menmuir Brechin

- Total Consulted: 8
- Comments Received: 9
- Objections: 0
- Supporting: 8

[View All Comments](#)

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Mr Edward Wighton

Comment submitted date: Sat 03 Jan 2015

I would like to lodge my support for the application by Mr Jamie Basford to construct a new home on the land at Balhall Lodge. Jamie carries out many daily duties, and it would be him, and the farm that he be allowed to build this new home. Because of the many responsibilities Jamie has, including his role in the renewable energy systems, having this home proposed location would ensure Jamie is close at hand.

David Soutar

Comment submitted date: Mon 29 Dec 2014

See Document Tab at top of page

Mrs Joyce Whitehead

Comment submitted date: Thu 25 Dec 2014

I would like to register my support for Jamie for this application. Jamie is my Grandson and he works very hard at Balhall Lodge Farm especially as my Son in Law is away for half other business so Jamie looks after the Farm and the wind turbine etc. Jamie is a hard worker and it would be fantastic if he would be allowed to build this bungalow for him to settle farm.

Mr Marc Jacobs

Comment submitted date: Sun 21 Dec 2014

I would like to comment similarly as others that I register my support for Jamie Basford in this application for a new house at Balhall. Jamie is employed at the farm full time in the morning and in the farm's various renewable energy schemes, managing the wind turbine and the biomass systems, ensuring the efficient running and the safety of the operations. The new house is required for Jamie to be located on the farm and would enable Jamie to continue to live and work at Balhall with his new family in the coming years.

Mr David Taylor

Comment submitted date: Wed 17 Dec 2014

I would like to register my support for Jamie Basford in this application for a new house at Balhall. Jamie is a hard working employee at the farm and works full time on the running of the farm's various renewable energy schemes, managing the wind turbine and biomass systems ensuring the efficient running and the safety of the operation. The new house is for the new family to be located on the farm and to continue his good work there.

Mr Nicholas Smart

Comment submitted date: Wed 17 Dec 2014

I would like to register my support to this application. I know Jamie is involved in the day to day running of the family business and involved in the maintenance, security and upkeep, heating system and Wind Turbine. Having this house situated on the farm would enable Jamie to be on site which is essential for these things and continue to work at the farm.

Mr Peter Kavanagh

Comment submitted date: Wed 17 Dec 2014

I would like to register my support for Jamie Basford in this application for a new house at Balhall Lodge. As the owner of the Northern Power 100 Wind Turbine at Balhall Lodge, it is absolutely essential for someone to be on site to manage the Wind Turbine and monitor the performance and turbine computer on site at all times. Jamie is responsible for the day to day required at the site including daily visual health checks of the turbine, metering system and transformers and monitoring of the turbine computer situated at Balhall Lodge. The turbine system will be moved to the new Bungalow for Jamie to continue his role as manager of the turbine and operating systems.

Mr Lloyd Garvie

Comment submitted date: Wed 17 Dec 2014

I would like to register my support for Jamie Basford in this application for a new house at Balhall. Jamie is employed at the farm full time in the running of the farm and in the farm's renewable energy schemes, managing the wind turbine and the biomass systems, ensuring the efficient running and the safety of the operations. The new house is required for Jamie to be located on the farm and would enable Jamie to continue to live and work at Balhall with his new family in the coming years.

on idox  solution

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APPLICATION FOR PLANNING PERMISSION

Town and Country Planning (Scotland) Act 1997
The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please refer to the accompanying Guidance Notes when completing this application
PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS
ELECTRONICALLY VIA <https://eplanning.scotland.gov.uk>

| 1. Applicant's Details | | 2. Agent's Details (if any) | |
|--|-------------------------------------|-----------------------------|---------------------------|
| Title | Mr | Ref No. | |
| Forename | J. | Forename | A |
| Surname | Basford | Surname | Craig |
| Company Name | Balhall Farm | Company Name | A. Craig Arch. Consultant |
| Building No./Name | Balhall Lodge | Building No./Name | 6 |
| Address Line 1 | Menmuir | Address Line 1 | Clerk Street |
| Address Line 2 | | Address Line 2 | |
| Town/City | Brechin | Town/City | Brechin |
| Postcode | DD9 7RW | Postcode | DD9 6AE |
| Telephone | | Telephone | 01356 625500 |
| Mobile | | Mobile | 07836 692314 |
| Fax | | Fax | 01356 625572 |
| Email | | Email | adc@adcraig.co.uk |
| 3. Postal Address or Location of Proposed Development (please include postcode) | | | |
| Balhall Lodge Menmuir By Brechin DD9 7RW | | | |
| NB. If you do not have a full site address please identify the location of the site(s) in your accompanying documentation. | | | |
| 4. Type of Application | | | |
| What is the application for? Please select one of the following: | | | |
| Planning Permission | <input checked="" type="checkbox"/> | | |
| Planning Permission in Principle | <input type="checkbox"/> | | |
| Further Application* | <input type="checkbox"/> | | |
| Application for Approval of Matters Specified in Conditions* | <input type="checkbox"/> | | |
| Application for Mineral Works** | <input type="checkbox"/> | | |
| NB. A 'further application' may be e.g. development that has not yet commenced and where a time limit has been imposed a renewal of planning permission or a modification, variation or removal of a planning condition. | | | |
| *Please provide a reference number of the previous application and date when permission was granted: | | | |
| Reference No: | N/A | Date: | |

**Please note that if you are applying for planning permission for mineral works your planning authority may have a separate form or require additional information.

5. Description of the Proposal

Please describe the proposal including any change of use:

Proposed Erection of Dwelling House for an Essential Worker

Is this a temporary permission? Yes No

If yes, please state how long permission is required for and why:

N/A

Have the works already been started or completed? Yes No

If yes, please state date of completion, or if not completed, the start date:

Date started:

Date completed:

If yes, please explain why work has already taken place in advance of making this application

N/A

6. Pre-Application Discussion

Have you received any advice from the planning authority in relation to this proposal? Yes No

If yes, please provide details about the advice below:

In what format was the advice given? Meeting Telephone call Letter Email

Have you agreed or are you discussing a Processing Agreement with the planning authority? Yes No

Please provide a description of the advice you were given and who you received the advice from:

Name: Date: Ref No.:

Justification and supporting documentation for an essential workers dwelling would be required

7. Site Area

Please state the site area in either hectares or square metres:

Hectares (ha): Square Metre (sq.m.)

8. Existing Use

Please describe the current or most recent use:

Field Access

9. Access and Parking

Are you proposing a new altered vehicle access to or from a public road? Yes No

If yes, please show in your drawings the position of any existing, altered or new access and explain 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 and explain 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?

N/A

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

6

Please show on your drawings the position of existing and proposed parking spaces and specify if these are to be allocated for particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, etc.)

10. Water Supply and Drainage Arrangements

Will your proposals require new or altered water supply or drainage arrangements? Yes No

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

Yes, connecting to a public drainage network
No, proposing to make private drainage arrangements
Not applicable – only arrangement for water supply required

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 show more details on your plans and supporting information

What private arrangements are you proposing?

Treatment/Additional treatment (relates to package sewer treatment plants, or passive sewage treatment such as a reed bed)
Other private drainage arrangement (such as a chemical toilets or composting toilets)

Please show more details on your plans and supporting information.

Do your proposals make provision for sustainable drainage of surface water? Yes No

Note:- Please include details of SUDS arrangements on your plans

Are you proposing to connect to the public water supply network? Yes No

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

11. Assessment of Flood Risk

Is the site within an area of known risk of flooding? Yes No

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

If yes, briefly describe how the risk of flooding might be increased elsewhere.

N/A

12. Trees

Are there any trees on or adjacent to the application site? Yes No

If yes, please show on drawings any trees (including known protected trees) and their canopy spread as they relate to the proposed site and indicate if any are to be cut back or felled.

13. Waste Storage and Collection

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

If yes, please provide details and illustrate on plans.

If no, please provide details as to why no provision for refuse/recycling storage is being made:

N/A

14. Residential Units Including Conversion

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

If yes how many units do you propose in total?

1

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

15. For all types of non housing development – new floorspace proposed

Does your proposal alter or create non-residential floorspace? Yes No

If yes, please provide details below:

Use type:

If you are extending a building, please provide details of existing gross floorspace (sq.m):

Proposed gross floorspace (sq.m.):

Please provide details of internal floorspace(sq.m)

Net trading space:

Non-trading space:

Total net floorspace:

16. Schedule 3 Development

Does the proposal involve a class of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008?

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in your area. Your planning authority will do this on your behalf but may charge a fee. Please contact your planning authority for advice on planning fees.

17. Planning Service Employee/Elected Member Interest

Are you / the applicant / the applicant's spouse or partner, a member of staff within the planning service or an elected member of the planning authority? Yes No

Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority? Yes No

If you have answered yes please provide details:

N/A

DECLARATION

I, the applicant/agent certify that this is an application for planning permission The accompanying plans/drawings and additional information are provided as part of this application. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

I, the applicant/agent hereby certify that the attached Land Ownership Certificate has been completed

I, the applicant/agent hereby certify that requisite notice has been given to other land owners and /or agricultural tenants Yes No N/A

Signature:

Name:

Date:

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

LAND OWNERSHIP CERTIFICATES

Town and Country Planning (Scotland) Act 1997
Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland)
Regulations 2013

CERTIFICATE A, B, C, D OR CERTIFICATE E MUST BE COMPLETED BY ALL APPLICANTS

CERTIFICATE A

Certificate A is for use where the applicant is the only owner of the land to which the application relates and none of the land is agricultural land.

I hereby certify that -

- (1) No person other than the applicant was owner of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the application.
- (2) None of the land to which the application relates constitutes or forms part of agricultural land.

Signed:

On behalf of:

Date:

CERTIFICATE B

Certificate B is for use where the applicant is not the owner or sole owner of the land to which the application relates and/or where the land is agricultural land and where all owners/agricultural tenants have been identified.

I hereby certify that -

- (1) I have served notice on every person other than myself who, at the beginning of the period of 21 days ending with the date of the application was owner of any part of the land to which the application relates. These persons are:

| Name | Address | Date of Service of Notice |
|------|---------|---------------------------|
| | | |

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

or

- (3) The land or part of the land to which the application relates constitutes or forms part of agricultural land and I have served notice on every person other than myself who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are:

APPLICANT

A CRAIG
ARCHITECTURAL
CONSULTANT

6 CLERK STREET, BRECHIN, ANGLUS DD9 6AE
Tele: (01356) 625500 Fax: (01356) 625572

DO NOT SCALE DRAWINGS. USE WRITTEN DIMENSIONS ONLY.

THIS CONTRACTOR IS RESPONSIBLE FOR CHECKING ALL SIZES PRIOR TO STARTING ANY WORKS

PROPOSED DWELLING: HOUSE

of
BALHALL LODGE
MENMUIR

By BRECHIN
for
MR

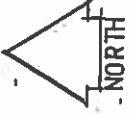
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SD 100913

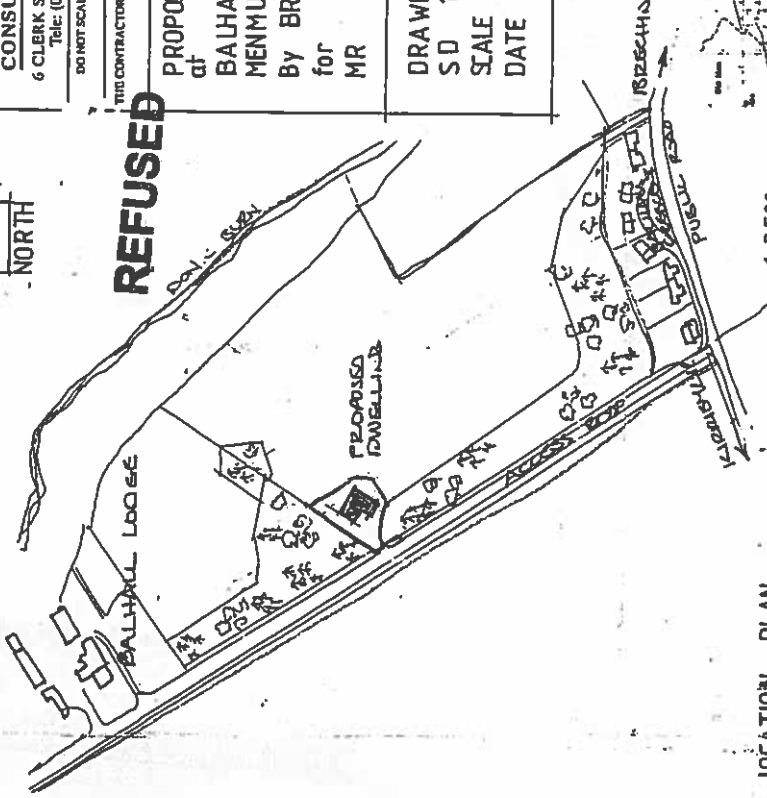
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DATE NOVEMBER 2014

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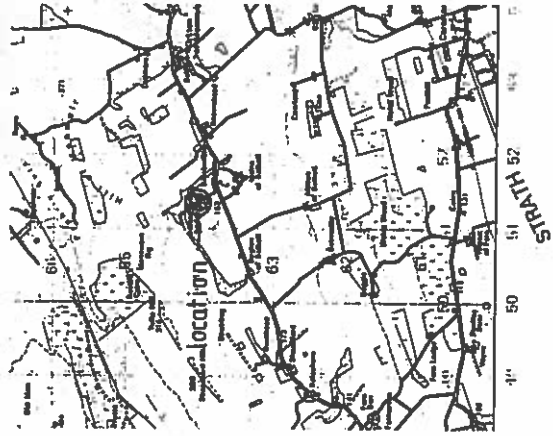
REFUSED



LOCATION PLAN

1:500

SITE PLAN



LOCATION PLAN

1: 50000

A CRAIG
ARCHITECTURAL
CONSULTANT

6 CLERK STREET, BRECHIN, ANGUS DD9 6AE
Tele: (01356) 625500 Fax: (01356) 625572

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IF IN DOUBT REFER TO A CRAIG

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STARTING ANY WORKS

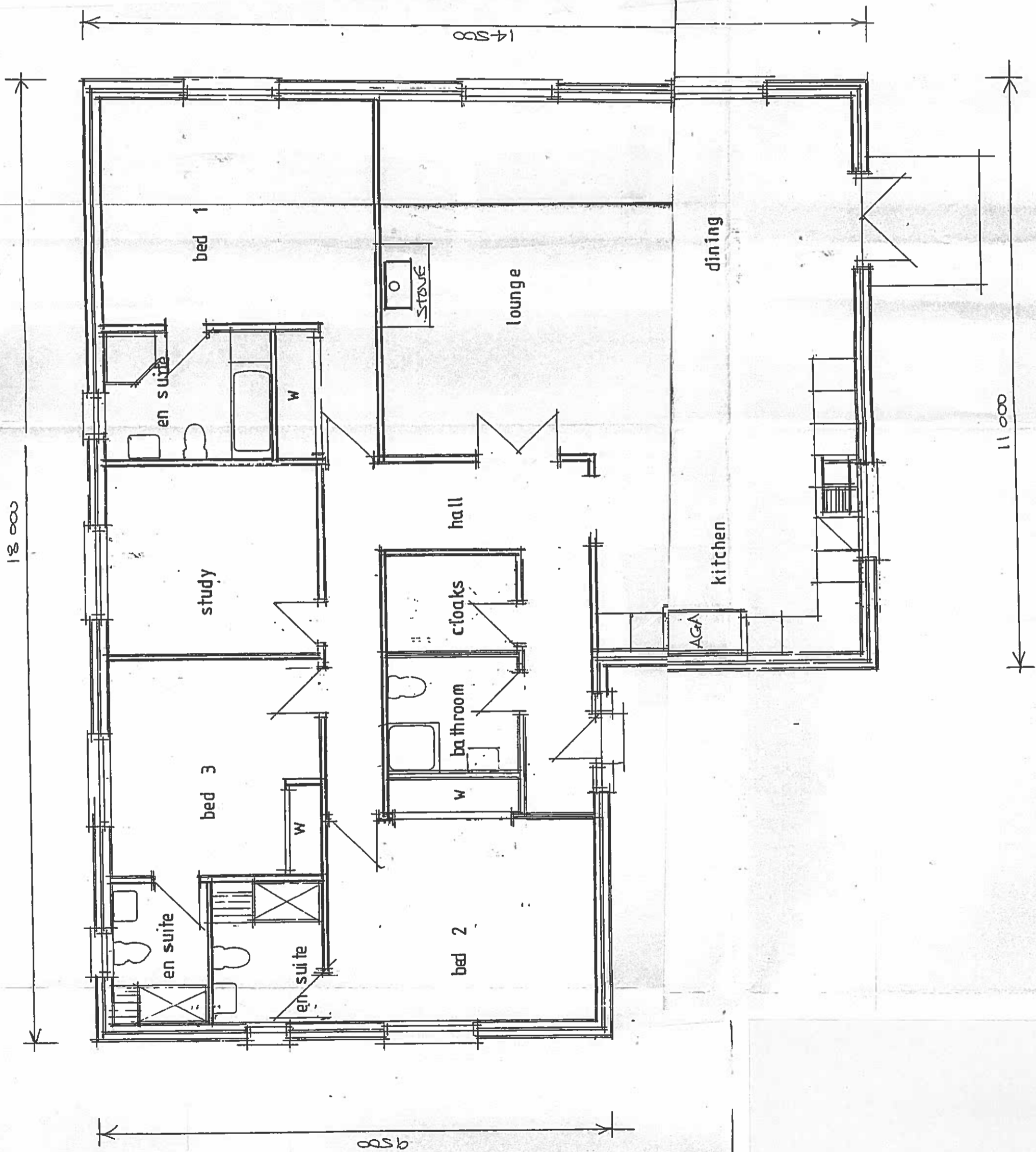
PROPOSED DWELLING HOUSE

of
BALHALL LODGE
MENMUIR
By BRECHIN
for
MR

DRAWING N° 391114 - 2/3
SD 100913
SCALE 1:50
DATE NOVEMBER 2014

14/00983 / FULL

REFUSED APPLICANT



ACRAIG
 ARCHITECTURAL
 CONSULTANT
 6 CLERK STREET, BRECHIN, ANGLUS DD9 6AE
 Tel: (01354) 635500 Fax: (01354) 625772
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 IF NECESSARY REFER TO A CLIENT

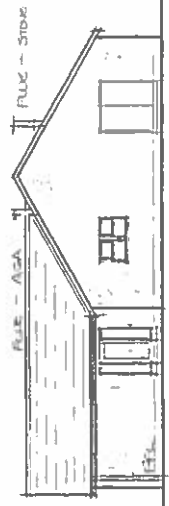
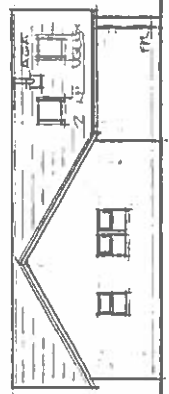
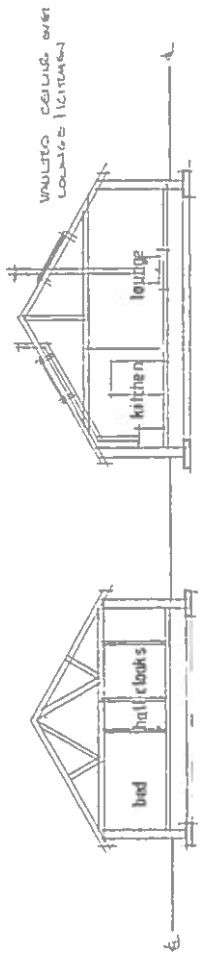
THE CONTRACTOR IS RESPONSIBLE FOR CHECKING ALL BEARS PERIOD TO PERIOD FOR ANY SINKS

PROPOSED DWELLING HOUSE
 at
BALHALL LODGE
 MENMUIR
 By BRECHIN
 for
 MR

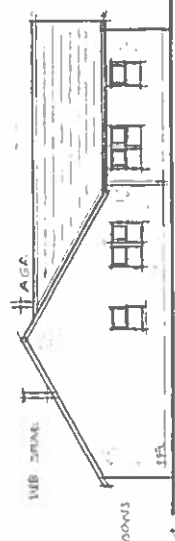
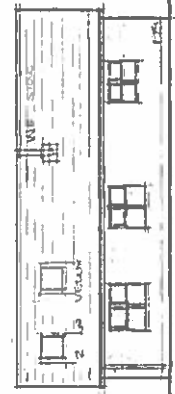
DRAWING NO 391114 - 3/3
 SD 100978
 SCALE 1:100
 DATE NOVEMBER 2014

NOTE:
 WALL BOOF AND MATERIAL
 FINISH TO BE CHOSEN IN
 CONSULTATION WITH
 ANGLUS LOCAL PLANNING
 BOARD. TREATMENT IN
 CONSULTATION WITH
 ANGLUS COUNCIL PLANNING
 DRAINAGE. ARRANGEMENT
 TO BE CONSULTATION WITH
 SDPA AND RELEVANT
 STANDARDS

Refused



SLATED BOOF FINISH
 2. W. RAFTER BRACKETS
 2. W. FASCIA
 ROUGHCAST
 HW DOOR + WINDOWS



HW WINDOWS

14/008027/FULL

APPLICANT

PROPOSED ERECTION OF A SINGLE DWELLING HOUSE

at

BALHALL LODGE

MENMUIR

BY BRECHIN

DD9 7RW

REFUSED

PLANNING APPLICATION - SUPPORTING STATEMENT

NOVEMBER 2014

ACRAIG ARCHITECTURAL CONSULTANT
6 CLERK STREET
BRECHIN DD9 6AE

Contents

Section 1: Proposals

Section 2: Site Description

Section 3: Access

Section 4: Services

Section 5: Site Conditions

Section 6: Conclusion

Section 7: Letter of Support

Proposals:

Permission is sought in principle for the erection of a dwelling house on an area of land situated adjacent to the access track leading to Balhall Lodge from the public Brechin to Kirriemuir road.

The arable farmland is owned by Mr P. Basford who resides at Balhall Lodge and is known as Balhall Farm, Menmuir. - Holding number: 091/0010.

An additional house is now required and is intended as the main residence of Mr J. Basford, son of Mr P. Basford, who works within the family business.

Site Description:

The site is located approximately 7 miles to the north-west of Brechin.

The site is bounded on the north-west by a post and wire fence to woodland, at the south-west by the access leading to Balhall Lodge and the south again by a post and wire fence to woodland.

The north-east and south-east boundaries by a proposed post and wire fence.

The site area is approximately 1240 sq. m

Access:

Access is gained via an existing gate between areas of established woodland and enters the plot directly from the tarred access road leading to Balhall Lodge from the public road.

The access and visibility splays can be provided to satisfy Angus Council Road Department requirements.

Services:

Services are all readily available on site.

Surface water will be taken to a soak-away and foul to a separate soak-away via a septic tank.

Site conditions:

The site does not fall within the Flood Risk Area of the SEPA flood map. No trees are on site. The site is bounded on 3 sides by existing and historic features.

Considerations:

The proposals have been prepared giving consideration to a Pre-Application Letter dated 7 November 2013 Ref: 13/00577/PREAPP and discussions with both Mr P. Christison and Mr J. Wright of the planning department.

Policies having been considered are:

Policy SC4: No existing houses exist on the landholding which could be utilised.

Policy SC5: No buildings suitable for conversion exist

Policy SC6: The proposals accord to "part d" of the policy and Schedule 2 Criteria.

- a) The site is mainly self-contained and will not set a precedent for further similar applications
- b) The plot size is in line with requirements of Cat 2 RSU
- c) Does not form ribbon development
- d) Does not result in a building group
- e) Designed to be in keeping with the various designs in the surrounding area such as Balhall Lodge, Balhall Lodge Cottage, Balhall Crescent and Balhall Stables.
- f) The proposals provide a good residential environment
- g) Will improve the cumulative effect of development on the local community infrastructure
- i) Does not take access through a farm courtyard
- j) Access arrangements satisfy this point
- k) Affordable Housing is not applicable in this case

Policy SC7: The proposals are for an essential worker and in accordance with the following:

- a) No alternatives exist and the only option is a new house
- b) No plots or houses have been sold off from the landholding in the past 5 years
- c) A letter of support for the proposals is attached to the report
- d) The site forms part of the landholding where the worker is employed

Conclusion:

This location has been selected for a single house on an access to an existing field. The field is also accessed from another 3 locations.

The proposed development will not affect the amenity of the existing properties or result in unacceptable visual impact.

The site area is in keeping with Angus Council guidelines.

The access arrangements, road layout and parking meet the requirements of Angus Council, Roads Department.

Landscaping and boundary treatment to be agreed with the Planning Department.

The site is located out with a flood risk area and all drainage will be designed in accordance with SEPA and Angus Council Building Standards requirements.

The site is not on contaminated land and no known protected species will be affected by the proposals.

The above points are all in accordance with Angus Council Schedules 1: Development Principles, Schedule 2: Countryside Housing Criteria and meets the criteria of Policy SC6. In addition the final design will be carried out in accordance with Angus Council Advice Notes 5 & 14.

The merits of approving this dwelling far out-way any reasons for refusal.



Rural Centre – West Mains,
Inglisston Newbridge,
Midlothian EH28 8LT

T 0131 472 4000
F 0131 472 4010

15 September 2014

Mr Paul Basford
t/a Balhall Farm
Balhall Lodge
Menmuir
Brechin DD9 7RW

Dear Mr Basford,

Erection of Dwelling House

Please use this letter in support of the application for the erection of a dwelling house at Balhall Farm, Menmuir, Holding number 091/0010.

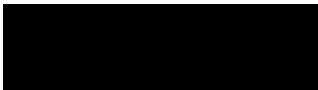
Scottish Planning Policy, Planning for Rural Development, recognises that “the planning system has a significant role in supporting sustainable economic growth in rural areas. By taking a positive approach to new development, planning authorities can help create the right conditions for rural businesses and communities to flourish”. Rural Scotland needs to become more confident and forward looking both accepting change and benefiting from it, providing for people who want to continue to live and work there.

The proposed development at Balhall Farm for a dwelling house will help to secure the future of the existing farm business by allowing Mr Basford’s son to reside on the property. Mr Basford’s son is a key player in a number of the renewable enterprises on the farm which need to be closely monitored, in particular a biomass boiler needing regularly fuelled with woodchips. All in all the enterprises on this farm will be reducing carbon emissions and assist the Scottish Government in reaching their Renewable targets.

This development is consistent with one of the primary purposes of the Scottish Government that is to increase sustainable economic growth. The Scottish Government recognises that planning decisions are critical if Scotland is to improve its growth rate so that it is comparable to other similar countries. Planning should be an enabler to economic development rather than an obstacle.

NFU Scotland sympathises considerably with our member in this situation and asks that the Council heed Scottish Government Planning Policy and its suggestion that there is a need for a more positive and aspirational planning vision for rural Scotland.

Yours sincerely

A solid black rectangular box used to redact the signature of the sender.

Kate Maitland
Regional Manager

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



PLANNING PERMISSION REFUSAL
REFERENCE 14/00983/FULL

To **Mr J Basford**
c/o A D Craig
6 Clerk Street
Brechin
DD9 6AE

With reference to your application dated 8 December 2014 for planning permission under the above mentioned Acts and Regulations for the following development, viz.:-

Erection of Dwelling House at Land At Balhall Lodge Menmuir Brechin for Mr J Basford

The Angus Council in exercise of their powers under the above mentioned Acts and Regulations hereby **Refuse Planning Permission (Delegated Decision)** for the said development in accordance with the particulars given in the application and plans docquetted as relative hereto in paper or identified as refused on the Public Access portal.

The reasons for the Council's decision are:-

- 1 That the application is contrary to Policy SC7 of the adopted Angus Local Plan Review 2009 because it has not been demonstrated that there is a functional and essential requirement for the person to live at their place of work, nor has it been demonstrated that all alternatives have been shown to be inappropriate and a new house is the only option.
- 2 That the application is contrary to Policy SC7, Schedule 2 and S3 of the adopted Angus Local Plan Review 2009 because the design of the proposed dwellinghouse is urban in form and has not had regard to the rural character of the surrounding area.
- 3 That the proposal would be contrary to Policy S1 criterion (b) of the adopted Angus Local Plan Review 2009 because it fails to be compatible with other policies of the local plan, namely policies S3, SC7 and Schedule 2 Countryside Housing Criteria.

Amendments:

The application has not been subject of variation.

Dated this 31 July 2015



Iain Mitchell - Service Manager
Angus Council
Communities
Planning
County Buildings
Market Street
FORFAR
DD8 3LG

**FURTHER
REPRESENTATIONS**

David Soutar
5 Potters Park Crescent
Forfar
Angus
DD8 1HH

8 October 2015

Angus Council
Planning Department
Orchardbank
Forfar
DD8 1AN

Dear Sirs

Re Application No 14/00983 Full

With reference to the above and your letter dated 5 October 2015, I would comment that as immediate past president of Forfar Golf Club in my experience it is important that there is someone on site to monitor and keep the biomass system running as unfortunately these systems are not as robust or reliable as the manufacturers claim. They also need a regular supply of raw materials to keep them running .In my opinion It would also be dangerous to have these systems unattended for extended periods of time.

I have a knowledge of the biomass system at Balhall Lodge and am aware that Mr Basford has had, and continues to have issues with the system in terms of reliability as it breaks down and needs ongoing repairs and maintenance.

I am of the firm opinion that it is essential that someone is on site and on hand to keep the biomass system running, as it is unreliable and potentially dangerous if left unattended.

Yours truly



D M Soutar

DW
RECEIVED

12 OCT 2015

PLANNING & PLACE
COUNTY BUILDINGS

1m

SCANNED

13 OCT 2015

ForsythSL

From: Jacobs Marc (NHS TAYSIDE - STA20) <marc.jacobs@nhs.net>
Sent: 12 October 2015 15:53
To: ForsythSL
Subject: Application No 14/00983/FULL

Dear Sarah Forsyth,

I would like to give a further opinion on the above application.

I am very aware of the heating system the Basford family are running. Unfortunately, it is run on wood chips which sounds great but this involves a lot of technical parts. This has led to several risky situations. To me it is clear that having someone who knows how to work this kind of heating system is more than mandatory. I hope you can understand the need for this.
Kind regards
Marc Jacobs

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