

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 12 MARCH 2024

**PLANNING APPLICATION – LAND AT DRUMMOND PARK FARM, LITTLE BRECHIN,
BRECHIN, DD9 6RQ**

GRID REF: 357738 : 762521

REPORT BY SERVICE LEADER – PLANNING & SUSTAINABLE GROWTH

1. ABSTRACT

- 1.1 This report deals with planning application No. [23/00671/FULL](#) submitted on behalf of J & M Mackie for the erection of a general purpose agricultural storage building and ancillary works on land at Drummond Park Farm, Little Brechin, Brechin, DD9 6RQ. This application is recommended for conditional approval.

2. RECOMMENDATION

- 2.1 It is recommended that the application be approved for the reason and subject to the conditions given in Section 10 of this report.

3. INTRODUCTION

- 3.1 Full planning permission is sought for the erection of a 1040sqm general purpose agricultural storage building and ancillary works on land at Drummond Park Farm, Little Brechin, Brechin. A plan showing the location of the site is provided at Appendix 1.
- 3.2 The application site extends to around 1545sqm. It comprises a mixture of agricultural land currently used for arable purposes and a hardstanding area associated with the farm complex at Drummond Park Farm. There are modern agricultural buildings to the north, a hardstanding area which is used for general agricultural purposes to the east, the U416 public road to the south, and agricultural land to the west. There are a number of residential properties located to the south on the southern side of the U416. The landform in the site slopes gently downwards from north to south towards the public road.
- 3.3 The proposed agricultural storage building would have a footprint of around 1040sqm. The rectangular plan building would have a ridged roof orientated on an east/west axis and would measure 6.4m to its eaves and around 10m to its ridge. The roof and external walls would be constructed from juniper green coloured composite cladding to match the existing buildings to the north. Vehicular access doors would be formed on the north and east facing elevations with pedestrian doors formed on the north, east and west facing elevations. Emergency lighting would be fitted at the pedestrian access doors. The site would be accessed from an existing road way to the east which connects to the public road to the south. The application form indicates that SuDS would be provided to manage surface water connecting to existing field drainage to the south.
- 3.4 The application has been subject of statutory publicity and consultation in accordance with relevant regulations.

4. RELEVANT PLANNING HISTORY

- 4.1 There are a number of planning applications which have been approved for agricultural buildings at Drummond Park Farm, the most recent of which is [17/00711/FULL](#) which provided for the erection of a general purpose agricultural storage building which was approved subject to conditions on 1 November 2017.

5. APPLICANT'S CASE

- 5.1 The following supporting information has been submitted and can be viewed in [Public Access](#) but are summarised as follows:-

Supporting Statement: -

- The proposal is required to enable the continued growth of the applicant's business.
- The proportions, colour of cladding, eaves and ridge height of the proposed building would coordinate with the existing agricultural building which lies to the immediate north of the site.
- The proposed building has been sited in a location which would allow for the natural extension of the farm complex, utilising existing vehicular access around the buildings, and minimising the development on cultivated agricultural land.
- Surface water drainage would connect to existing infrastructure and the proposal would not attract any additional vehicular parking on the site.

Response to Inveresk Community Council objection: -

- The main crops which are grown are potatoes and cereals and that production has not increased for several years and that there is no intention to increase production.
- Two of the existing sheds at Drummond Park Farm are utilised for grading and palletising potatoes which contain permanent plant/ machinery. The remainder of the sheds are utilised to store potatoes or empty potato boxes.
- For the last 15 years, agricultural buildings have been rented at Lochty Farm, Careston, Battledykes Farm, Forfar and Parknook Farm, Arbroath to store agricultural machinery.
- Vehicles movements between Drummond Park Farm and the 3 aforementioned locations varies from month to month depending on the season. The agricultural machinery is stored at the 3 satellite locations and is brought back to Drummond Park Farm to be utilised/maintained/service before being returned to the 3 offsite locations. Trailers and cultivation machinery are required at daily intervals which results in multiple trips every working day.
- The proposed building would enable agricultural machinery to be stored at Drummond Park which would reduce vehicle movements and reduce our carbon footprint. Traffic through Little Brechin would be reduced because there would not be the requirement to transport agricultural machinery and vehicles between Drummond Park Farm and the 3 aforementioned locations.

6. CONSULTATIONS

- 6.1 **Angus Council – Roads** – has offered no objection.

- 6.2 **Archaeology** – has offered no objection.

- 6.3 **Inveresk Community Council** – objects to the proposal, raising concerns that the building may increase the volume of heavy goods vehicles and tractors using the roads in the local area which are in a poor state of repair and contain high volumes of traffic. It is also suggested that the proposal may not reduce the carbon footprint of the agricultural business. *The full comment is available to view on the council's [Public Access](#) website.*

6.4 **Angus Council – Environmental Health** – has offered no objection in relation to the proposal subject to conditions to mitigate potential impacts from noise and artificial light.

7. REPRESENTATIONS

7.1 One letter of representation has been received offering support to the proposal. The letter is provided at Appendix 2 and is available to view on the council's [Public Access](#) website.

7.2 The following matters are raised in support: -

- Economic investment in the agricultural business, who employ a lot of local people
- Would contribute to local food security

8. PLANNING CONSIDERATIONS

8.1 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.

8.2 In this case the development plan comprises: -

- [National Planning Framework 4](#) (NPF4) (Published 2023)
- [Angus Local Development Plan](#) (ALDP) (Adopted 2016)

8.3 The development plan policies relevant to the determination of the application are reproduced at Appendix 3 and have been taken into account in preparing this report. Scottish Government's Planning Advice Note 39 sets out general advice on the siting and design of farm and forestry buildings, and the council's advice note 1 provides general advice on the siting and design of farm buildings. Those documents have also been considered in the preparation of this report.

8.4 The ALDP was adopted in September 2016 while NPF4 was adopted on 13 February 2023. Planning legislation indicates that where there is any incompatibility between the provision of the national planning framework and the provision of a local development plan, whichever of them is the later in date is to prevail.

8.5 The application site is not allocated or otherwise identified for development in the ALDP. ALDP Policy DS1 indicates that outwith development boundaries proposals will be supported where they are of a scale and nature appropriate to their location and where they are in accordance with relevant policies of the ALDP. The policy promotes the redevelopment of brownfield land in preference to greenfield sites. NPF4 Policy 9 indicates that proposals on greenfield sites will only be supported where the site is allocated for development, or the proposal is explicitly supported by policies in the LDP.

8.6 NPF4 seeks amongst other things to promote rural revitalisation by encouraging sustainable development in rural areas, recognising the need to grow and support rural communities. It offers encouragement to rural economic activity, innovation and diversification whilst seeking to ensure that the distinctive character of the rural area, natural assets and cultural heritage are safeguarded and enhanced. The strategy of the ALDP seeks amongst other things to provide opportunities for appropriate diversification of the rural economy while also seeking to safeguard amenity and the environment. NPF4 Policy 29 is supportive of development proposals that contribute to the viability, sustainability and diversity of rural communities and the local rural economy including development on farms where use of good quality land is minimised; where proposals involve diversification of existing businesses; or the

proposal is for production and processing facilities for local produce or local food production. ALDP Policy TC15 indicates that proposals for employment development outwith development boundaries will only be supported where the scale and nature of the development is in keeping with the character of the local landscape and pattern of development; and where the development represents rural diversification and is to be used for agriculture or uses which by their nature are appropriate to the rural character of the area. Both NPF4 and the ALDP only allow development on prime quality agricultural land in limited circumstances, including development which is linked to a farm or other rural business and where the design and layout would minimise the land required for development.

- 8.7 The proposal is related to an existing agricultural business engaged in the production of potatoes and cereals. The proposal is for the erection of a general-purpose agricultural storage building in a rural area where agriculture is the predominant land use. The supporting information indicates that there is a need for an additional building at Drummond Park to enable the storage of agricultural equipment currently stored offsite due to shortage of space at Drummond Park. The information indicates that the additional storage would increase business efficiency and would reduce the number of miles it is necessary to travel to access the equipment.
- 8.8 Published maps indicate that agricultural land within the site is prime quality (class 2) although part of the site includes a hardstanding area which is used for agricultural purposes associated with the farm complex. There is no evidence to suggest that there is vacant brownfield land in the vicinity that could accommodate the proposal. The proposed building and associated hard standing area would be permanent features covering an area of around 1545sqm of prime land. However, this is a logical location to extend the farm complex as it is located directly adjacent to the existing farm building group and would utilise land between the complex and the public road. Parts of the site are not currently cultivated agricultural land and the proposed location would minimise loss of productive agricultural land. There is no evidence that the loss of this area of land would adversely affect the viability of the farm unit. Conversely, submitted information suggests that the proposal is likely to support the viability and efficiency of the farm business by removing the need to travel to access agricultural machinery stored offsite. The principle of developing agricultural land for an agricultural development in a predominantly agricultural area does not conflict with the intentions of the above policies. Agricultural and associated development in the rural area attracts some support from development plan policy.
- 8.9 The key consideration in relation to this proposal is whether it can operate without giving rise to unacceptable amenity, environmental or infrastructure impacts having regard to development plan policy and available environmental information.
- 8.10 Development plan policy requires consideration of landscape and visual impact. Policy also requires proposals to deliver a high standard of design and to be consistent with the six qualities of successful places, and that includes consideration of existing natural landscape and existing landforms. Published advice and good practice on the siting and design of new agricultural buildings seeks to ensure that new agricultural buildings are sited and designed to minimise landscape and visual impacts and encourages new buildings to relate well to existing building groups, avoid hillcrest or skyline locations, make use of landform and build close to groups of trees. Planning Advice Note 39 requires consideration to be given to siting and visual impact as well as the operational requirements of the building.
- 8.11 The site is not located in an area designated as being of particular landscape value or sensitivity and the main issue is whether the proposal can be accommodated in the existing landscape and whether associated visual impacts are acceptable. The site falls within a landscape type described as Broad Valley Lowlands. This landscape character type is characterised by a dominance of arable agricultural land uses, large modern agricultural buildings, estates and historic houses. The Tayside Landscape

Character Assessment (TLCA) acknowledges that changes in agricultural practices have resulted in a number of very large modern sheds which are often visible over a considerable distance. The TLCA landscape guidelines discourage the loss of field boundaries or field boundary trees and encourage the use of planning control to influence the design and location of new farm buildings and to ensure development incorporates new planting.

- 8.12 The design, scale, and external appearance of the proposed building would be similar to existing buildings at Drummond Park. While the development would result in the introduction of a large agricultural building close to the adjacent public road, it would be sited and designed such that it would be similar to, and viewed in the context of, existing large modern agricultural buildings. Agricultural buildings of this scale, including those located close to public roads, are commonplace in the surrounding rural area and landscape and visual impacts associated with the development proposed would not be particularly significant. The site would benefit from screen planting on its south (roadside) boundary to enhance the landscape framework in which the farm building complex sits, and planning conditions are proposed to secure that. The siting and design of the proposed building is generally consistent with relevant guidance provided in Planning Advice Note 39 and the council's advice note 1. It also makes operational sense to locate the building adjacent to other buildings in the group which perform a similar function for the business. The nature of the development is such that the magnitude and significance of impact would reduce with distance and therefore the apparent extent of landscape impact would be reasonably localised. The proposal does not give rise to significant issue with relevant design or landscape protection policies provided by the development plan and does not give rise to significant conflict with the council's design quality and placemaking supplementary guidance.
- 8.13 Development plan policy requires consideration of the impact of proposals on amenity. There would be additional traffic and activity in and around the site during the construction of the development, but such impact would be relatively short term. Operationally, the shed would be used for agricultural purposes in keeping with activities which are currently carried out with the farm building complex. The building would be accessed from the east which is where other farm buildings within the group are accessed from and it would occupy an area where there is existing agricultural activity, including external storage. The closest residential property is Burnbank, which is located around 30m to the south, on the south side of the public road. There are other residential properties to the southwest and southeast which are at a greater distance from the proposed building. Environmental health has considered the proposal and has offered no objection subject to conditions to mitigate potential impacts from artificial light and requiring the submission of a noise management plan. They have also requested a condition to prevent fixed plant or machinery being installed in the building without planning permission, to ensure that impacts associated with the use of such equipment could be assessed. Amenity impacts associated with the development would not be unacceptable subject to the proposed planning conditions and would not be greatly different to those currently experienced by neighbouring property.
- 8.14 Development plan policy seeks to ensure that proposals do not give rise to unacceptable impacts on infrastructure, including the road network. The application is supported by information which suggests that the proposal would enable a reduction in vehicle movements associated with the operation of the farm by enabling equipment to be stored on site rather than at satellite locations. While that may be the case, that is not something which can reasonably be controlled by the planning system. The roads service has been consulted and has offered no objection in relation to road traffic and pedestrian safety. It is satisfied that the surrounding road network is operating well within its notional capacity. While some of the roads in the area are narrow, it is not unusual or uncommon for roads of this nature to be used by agricultural vehicles. Vehicle movement associated with agricultural activity is commonplace on the road network throughout rural Angus. There is no evidence to suggest that the proposal would result in any unacceptable impacts on the surrounding road network.

- 8.15 There are unlikely to be any other significant impacts on infrastructure resulting from the proposal. The proposal does not require a water supply or foul drainage connection and would not impact on Scottish Water infrastructure. The application form indicates that surface water from the development would be managed using sustainable drainage, but the plans show limited information relating to those arrangements other than to suggest that water would discharge to existing field drains to the south. A planning condition could secure appropriate SuDS to manage surface water from the development. The site is not located in an area identified as being subject to flood risk on SEPA flood maps.
- 8.16 Development plan policy seeks to safeguard natural and cultural heritage interests, including designated nature conservation sites, protected species, scheduled monuments, listed buildings, historic or designed landscapes, conservation areas and sites of archaeological interest. The site is not designated for any natural or cultural heritage reason and there is no evidence to suggest that any site designated for natural or cultural heritage value would be indirectly affected by the development proposal.
- 8.17 The site comprises a mixture of agricultural land currently used for arable purposes and a hardstanding area which is used for general agricultural purposes adjacent to the farm complex. The land on which the building would be located has little biodiversity value. Some trees and hedging along or adjacent to the southern site boundary appear to have been removed and replacement planting would be necessary to secure biodiversity enhancement and (as discussed earlier) to help integrate the development into the landscape. Planning conditions are proposed to address this matter. The proposal does not give rise to any significant conflict with those development plan policies that seek to safeguard natural, built, or cultural heritage interests.
- 8.18 NPF4 Policy 1 gives significant weight to the global climate and nature crises. Policy 2 requires proposals to be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and requires that proposals are designed to adapt to current and future risks from climate change. Policy 3 indicates that proposals will only be supported where it can be demonstrated the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. It requires regard to be given to the existing characteristics of the site, to provide nature-based solutions, include an assessment of potential negative effects and mitigation measures, and provide biodiversity enhancement measures.
- 8.19 In respect of those policies, the submitted information indicates that the proposed building is required for business efficiency and could reduce the number of miles that agricultural machinery would travel. Planning conditions are proposed to ensure appropriate sustainable surface water management and to secure biodiversity enhancement through new planting. The development would generate greenhouse gas emissions during its construction and operation, but that would be the case with any proposal of this nature. Balanced against that, the development may reduce carbon emissions associated with food miles. The site comprises a mixture of cultivated agricultural land and a hardstanding area and accordingly it has limited biodiversity value. In circumstances where the proposal generally accords with detailed policies and does not give rise to unacceptable impacts, it is compatible with the general and overarching policies and with the general spatial principle of rural revitalisation.
- 8.20 The proposal does not give rise to significant issues in terms of other development plan policy.
- 8.21 As with any proposal, the proposal attracts support from some development plan policies and is not entirely compatible with others. However, when those matters are balanced and considered in the round, the proposal is in general compliance with the development plan. In relation to material considerations, it is relevant to have regard

to the planning matters that have been raised in the letter of representation and in the community council consultation responses. The substantive issues raised in those letters have been discussed above in relation to relevant policy.

- 8.22 Matters relating to the suitability of the local road network to accommodate development traffic are addressed earlier in this report. While the applicant has suggested the development may result in a reduction of traffic using surrounding roads, that cannot reasonably be controlled by the planning system. The proposal would use public roads which are in reasonable condition and are typical of roads found throughout rural Angus which are routinely used by agricultural and forestry related traffic and HGVs. Available information suggests that roads in the surrounding area are operating well within their notional capacity, and this is a logical location to build a new agricultural building. While the concerns relating to road safety matters are noted, and vehicle activity associated with the proposal may fluctuate, expert advice from the roads service suggests that the proposal would not result in any unacceptable impacts on road traffic and pedestrian safety. The public comment offers support in respect of the contribution of the development to food security and the benefits of investment in farming. As set out earlier in the report, development plan policy is supportive of appropriate rural development which contributes to local food production.
- 8.23 In conclusion, the proposal provides for improved infrastructure for an existing rural business. The new building would form part of the established building group and would be sited such that it does not give rise to unacceptable landscape or visual impact. While any proposal of this nature will give rise to some impact on the wider area, expert advice suggests that those impacts should not be unacceptable subject to the proposed planning conditions. The proposed development complies with the development plan subject to the proposed planning conditions. There are no material considerations that justify refusal of the application.

9. HUMAN RIGHTS IMPLICATIONS

- 9.1 The recommendation in this report for grant of planning permission, subject to conditions, has potential implications for neighbours in terms of alleged interference with privacy, home or family life (Article 8) and peaceful enjoyment of their possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying this recommendation in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. The conditions constitute a justified and proportional control of the use of the property in accordance with the general interest and have regard to the necessary balance of the applicant's freedom to enjoy his property against the public interest and the freedom of others to enjoy neighbouring property/home life/privacy without undue interference.

10. CONCLUSION

- 10.1 It is recommended that the application be approved for the following reason, and subject to the following condition(s):

Reason(s) for Approval:

The proposal provides for a new agricultural building to support an existing rural business in a manner that complies with the development plan as it is compatible with locational criteria for rural development and as it does not give rise to any unacceptable impacts on amenity, natural, built and cultural environment, road safety or other infrastructure, subject to conditions. There are no material considerations that justify refusal of planning permission contrary to the provisions of the development plan.

Conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of its grant.

Reason: In order to clarify the duration of this permission in accordance with the requirements of the Town and Country Planning (Scotland) Act 1997 (as amended) and to ensure that it will lapse if not implemented within that period.

2. That no development in connection with the planning permission hereby approved shall take place until the following has been submitted to and approved in writing by the planning authority:-

(i) detailed proposals for the management of surface water which shall be formed using sustainable urban drainage systems. Thereafter the drainage infrastructure shall be provided in accordance with the approved details before the development is brought into use.

(ii) a scheme of planting to be provided along the southern site (roadside) boundary. The specification of new planting shall include the quantity, size, species, and positions or density of all trees or hedgerow to be planted, how they will be protected from grazing mammals, and the proposed timescale for planting. Any planting which, within a period of 5 years from the date of planting is removed, uprooted, destroyed or dies or becomes, in the opinion of the planning authority, seriously damaged or defective, shall be replaced with the same size and species as that originally planted and at the same place within the first planting season following the removal, uprooting, destruction or death of the original tree.

(iii) a Noise Management Plan (NMP). The NMP shall include all sources of noise from the use of the building and yard (including equipment & machinery to be used, number of vehicle movements, times of any deliveries to and from the site etc). Once all sources of noise have been identified the plan shall include measures on how noise will be minimised and controlled and incorporate a complaint investigation procedure. The NMP shall be reviewed following receipt of a justified complaint or changes in practices or equipment/machinery. Once the NMP has been approved, it shall be fully implemented for the lifetime of the development.

Reason: In order to ensure that surface water from the development is managed using sustainable drainage methods and to minimise the risk of pollution from the development entering nearby watercourses; in order to enhance the landscaping of the site in the interests of amenity and to enhance the biodiversity value of the site; and in order to ensure that the development is planned and operated in a way to minimise impacts on the amenity of nearby noise sensitive premises.

3. All external lighting shall be sited and sufficiently screened and aligned to ensure that there is no direct illumination of neighbouring land and that the light spill from the light source shall not exceed 5 Lux, as measured flat on the glazing at the centre of the windows of any habitable room in any residential property so as to not adversely affect the amenity of the neighbouring properties.

Reason: To ensure that light pollution associated with the development is minimised.

4. Notwithstanding the provisions of any development order, no ventilation, heating or refrigeration plant shall be installed in or on the agricultural building hereby approved unless otherwise approved through the grant of planning permission on application to the planning authority.

Reason: To ensure that noise impacts associated with the development are limited to those described in the application because additional equipment may generate noise emissions which have not been assessed.

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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APPENDIX 1: LOCATION PLAN

APPENDIX 2: LETTERS OF REPRESENTATION

APPENDIX 3: DEVELOPMENT PLAN POLICIES