

Perth and Kinross Council  
Development Management Committee – 19 February 2014  
Report of Handling by Development Quality Manager

Renewal of planning consent (10/00983/IPM) for development of 114ha of unheated and heated polytunnels (in principle) at Binn Farm, Glenfarg, Perth PH2 9PX

Ref No: 13/02084/IPM  
Ward No: 9 – Almond & Earn

**Summary**

This report recommends approval of an application for the renewal of an extant planning in principle consent 10/00983/IPM for the development of 114ha of unheated and heated polytunnels at Binn Farm, Glenfarg, Perth. The proposal is in accordance with the Development Plan and there will be no adverse impact on the environment as a result of the development.

**BACKGROUND AND DESCRIPTION**

- 1 This is for a renewal of planning consent on an application site which comprises a 114 ha area of open agricultural land at Binn Farm which is situated 3km to the south west of Abernethy and 3km to the north east of Glenfarg and accessed eastwards off the A912. The site is situated within a topographical 'bowl' with Binn Wood to the west, Glen Wood to the east and a southerly ridge at Balvaird. Binn Hill provides containment to the north. Balvaird Castle (Scheduled Ancient Monument and Category A Listed Building) lies approximately 1km to the south of the site.
- 2 In December 2010 the Council granted planning permission in principle for a major proposal for the development of an area of 114ha of unheated and heated of polytunnels at Binn Farm within the wider context of the existing recycling, waste management and heat recovery processes at Binn Farm and also within the future expansion of the site as a wider Eco-Park. Existing heat recovery is available from landfill gas and there will be future heat recovery available from the anaerobic digestion plant and an energy from waste facility operated by SITA which has a current planning consent.
- 3 This application seeks to renew application 10/00983/IPM for the development of 114ha of unheated and heated polytunnels (in principle) at Binn Farm, Glenfarg. The description of development remains unchanged and is outlined below.
- 4 An Indicative Layout provides for a provisional phasing and layout of polytunnels and will be based on the actual phasing of heat sources at the Eco- Park. The density of cover by the polytunnels is estimated at around 40-50%. Uncovered areas will fall within general agricultural production and will include cropping, grazing or biodiversity spaces including wild flower meadows to encourage insect diversity for pollination purposes. The description of the development outlined in the Supporting Statement is described below.

- 5 The flattest areas will be utilised for the development of heated spaces as these are more suited to more level sites in comparison to the more flexible unheated polytunnels which due to their design and construction can withstand sloping sites.
- 6 The agricultural development is intended to be developed over a period of 8 years in 4 distinct phases. The phased development of the site is intended to take advantage of the forecast heat production that is planned for the wider site.

<u>Phase</u>	<u>Development</u>	<u>Timescale</u>	<u>Heat Use</u>
Phase 1	1 hectare space for research facility (0.25 ha) and heated growing space (0.75 ha)	2014 -2015	1 MW
Phase 2	8-12 Blocks of 0.25 ha heated poly houses	2015-2016	2-3 MW
Phase 3	Development of unheated poly tunnel systems	2016-2021	0
Phase 4	20 – 40 Blocks of 0.25 ha heated poly houses	2017-2022	5 -10 MW

- 7 The heated growing space will be occupied by stand-alone polyhouses. These structures will stand approximately 6.3 m to the ridge. The units will be composed of high thermal insulating polythene with a galvanised steel frame. All polyhouses will be fitted with rainwater capture and irrigation systems.
- 8 The proposed structure of the cold polytunnels will be that of the evolving best practice in energy efficient design for the commercial growing of crops. This would be in the form of a 2.75m high and 6 m wide galvanised steel tubing/framing covered with polythene to form a series of tunnel type constructions.
- 9 There are no firm details put forward at this stage about the research facility, however it is anticipated it will be a growing (glasshouse type) structure and may have a small lab and storage space which would be covered but part of the same structure. It will be a fairly small facility to start with.
- 10 The applicant's aim for the facility is to make it the predominant hydroponics development research facility in Scotland with a commercial research focus.
- 11 It is proposed that the research facility functions will include the following:
  - Optimisation of thermodynamic efficiency in respect of evolving facility design (types of glasshouses)
  - Refinement of thermodynamic heat flows in the specific situation of the Binn for different facility options.

- Study of growing media options – coir / bark / recovered waste substrates.
- Evaluation of nutrient flow connectivity to anaerobic digestate to improve plant nutrient quality, reduce water use and plant nutrient costs.
- Study of artificial low energy growing lights.
- Development of new crop growing techniques.
- Development of three dimensional plant growing systems.

12 In support of the application the following reports have been submitted:

- Planning Statement
- Water Resources Study
- Recycled Rainwater Assessment
- Flora & Fauna Survey Report

## **Procedural Matters**

### **Environmental Impact Assessment**

13 A Screening Opinion under the Environmental Impact Assessment (Scotland) Regulations 1999 was issued to the applicant dated 3 March 2010 stating that the proposal does not require an Environmental Impact Assessment, as the proposal is agricultural in nature being carried out on agricultural land. It was considered however that the main impacts on the environment were those on local ecology and the water regime. The site characteristics or the surrounding environs have not become any more or less sensitive to the development which is proposed since it was originally approved and it is still considered that the proposal does not require an Environmental Impact Assessment.

### **Pre-application Consultation (PAC)**

14 As a Major Application, a Pre-Application Consultation was completed including a Public Meeting and Consultation prior to the submission of the original application as required under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008. The original application was advertised on the 2 July 2010 as a development which may affect the setting of a Listed Building.

## **National Policy and Guidance**

### **The Scottish Planning Policy 2010**

15 This SPP is a statement of Scottish Government policy on land use planning and contains:

- the Scottish Government's view of the purpose of planning,
- the core principles for the operation of the system and the objectives for key parts of the system,

- statutory guidance on sustainable development and planning under Section 3E of the Planning etc. (Scotland) Act 2006,
- concise subject planning policies, including the implications for development planning and development management, and
- the Scottish Government's expectations of the intended outcomes of the planning system.

16 Of relevance to this application are

- |                        |                              |
|------------------------|------------------------------|
| ▪ Paragraphs 45 – 51   | Economic Development         |
| ▪ Paragraphs 92 - 97   | Rural Development            |
| ▪ Paragraphs 125 – 148 | Landscape & Natural Heritage |
| ▪ Paragraphs 182 -195  | Renewable Energy             |
| ▪ Paragraphs 196 – 211 | Flooding & Drainage          |
| ▪ Paragraphs 212 – 224 | Waste Management             |

### **National Waste Plan 2003**

17 The National Waste Plan (NWP 2003) established a major commitment by the Scottish Government to drastically improve Scotland's performance with regards to waste reduction, recycling, composting and recovery.

18 The plan sets ambitious targets for the diversion of waste away from landfill and stresses the importance of an integrated approach to waste management in Scotland. The plan established the waste hierarchy as the central tenant of waste management and identifies the importance of managing non-municipal waste as well as municipal and established the proximity principal (i.e. that waste should be dealt with as close to the source of that waste as possible) as a central concern.

### **Development Plan**

19 The Development Plan for the area comprises the approved TAYPlan 2012 and the Adopted Local Development Plan 2014.

### **TAYplan Strategic Development Plan 2012**

20 The principal relevant policies are:-

#### **Policy 6: Energy and Waste/Resource Management Infrastructure**

21 This Plan seeks to reduce resource consumption through provision of energy and waste/resource management infrastructure in order to contribute to Scottish Government ambitions for the mitigation of and adaptation to climate change and to achieve zero waste. It also aims to contribute towards greater regional energy self-sufficiency. This requires us to use less energy and to generate more power and heat from renewable sources and resource recovery; and, to consider waste from start to finish; becoming better at resource management.

## **PERTH AND KINROSS COUNCIL LOCAL DEVELOPMENT PLAN 2014**

- 22 The most relevant policies are summarised below.
- 23 The application site lies partly within an area designated for Waste Management Uses and partly within the landward area of the Proposed Local Development Plan 2012.

### **ED3: Rural Business and Diversification**

- 24 The Council will give favourable consideration to the expansion of existing businesses and the creation of new ones in rural areas.

### **HE1: Scheduled Monuments and Non Designated Archaeology**

- 25 There is a presumption against development which would have an adverse effect on the integrity of a Scheduled Monument and its setting, unless there are exceptional circumstances. The Council will seek to protect areas or sites of known archaeological interest and their settings.

### **NE3: Biodiversity**

- 26 The Council will seek to protect and enhance all wildlife and wildlife habitats, including grasslands, wetlands and peat-lands and habitats that support rare or endangered species. The Council will apply the principles of the Tayside Biodiversity Partnership Planning Manual and will take account of the Tayside Local Biodiversity Action Plan (LBAP) when making decisions about all applications for development. Proposals that have a detrimental impact on the ability to achieve the guidelines and actions identified in these documents will not be supported unless clear evidence can be provided that the ecological impacts can be satisfactorily mitigated.

### **EP3C: Surface Water Drainage**

- 27 All new development will be required to employ Sustainable Urban Drainage Systems (SUDS).

### **EP9: Waste Management Infrastructure**

- 28 There will be a presumption in favour of retention of the key waste management sites identified in the Plan which support the delivery of Zero Waste.

### **TA1: Transport Standards and Accessibility Requirements**

- 29 All development proposals that involve significant travel generation should be well served and easily accessible by all modes of transport, with a main aim being reducing travel demand by car.

## **Other Policies**

### **Tayside Area Waste Plan 2003**

- 30 This plan seeks to implement the recommendations of the National Waste Plan 2003 at the regional level with the aims of developing waste management systems that will control waste generation, reduce the environmental impacts of waste production, improve resource efficiency, stimulate investment and maximise the economic opportunities arising from waste.

### **31 Perth and Kinross Waste Management Plan 2010**

The Perth & Kinross Council Waste Management Plan has been developed to take account of Scotland's Zero Waste Plan and provides clear strategic direction for municipal waste management in Perth and Kinross over the next 15 years. The plan was approved by the Environment Committee on 24th November 2010.

## **SITE HISTORY**

- 32 In 1993 planning permission was granted for the development of a landfill site together with deposition of waste materials at Binn Farm (PK91/0650)
- 33 In 1995 planning permission was granted for amendments to the 1993 consent, including the extension of hours of operation and to permit the treatment of waste, the acceptance of sludges and liquid wastes, the working plan, details of composting of organic waste and constructional details. This consent was subject to a number of conditions including the ceasing of tipping of waste material by June 2009. (PK95/1041)
- 34 In 2000 modification of the existing landfill consent was granted for increasing capacity, revising final restoration and extending the period of tipping by 5 years. (Pk98/01377)
- 35 In 2001 planning permission was granted for a landfill gas powered electricity generating station located adjacent to the landfill site. (01/00395/FUL)
- 36 In 2001 planning permission was granted for the change of use of a cattle court and field to a waste recycling centre. (01/00464/FUL) This consent was modified to extend the site area around the cattle court and to include additional land to the north. The recycling centre comprises Binn Farm Skips and an materials reclamation facility which processes industrial and commercial waste.
- 37 In 2004 planning permission was granted for a leachate treatment scheme and holding tank at Binn Farm landfill site. (04/00378/FUL)
- 38 In 2005 planning permission was granted for the erection of a steel portal framed building for the storage of compost (05/00382/FUL)
- 39 In 2006 planning permission was granted for an extension to the existing landfill gas electricity generation station. (05/01224/FUL)

- 40 In 2007 planning permission was granted for an energy from waste plant together with a materials reclamation facility at Binn Farm (06/01427/FUL)
- 41 In 2009 planning consent granted for an anaerobic digester facility at Binn Farm (09/01310/FLL)
- 42 In 2010 Pre-Application Consultation for 114ha of unheated and heated polytunnels at Binn Farm completed. (09/00010/PAN)
- 43 In 2011 planning consent granted for a gasification facility at Binn Farm to replace the previously consented energy from waste plant. (10/01767/FLM)
- 44 In 2012 Installation of a wind turbine Application Withdrawn 11/02143/FLL
- 45 In 2012 Erection of an agricultural storage building Application permitted 12/00314/PN
- 46 In 2012 Proposed wind turbine was screened confirming an EIA was not required. 12/01004/SCRN
- 47 In 2012 Proposed new 7 acre storage slab was screened confirming an EIA was not required. 12/01925/SCRN
- 48 In 2013 Formation of hardstanding area for the storage of wood and associated engineering operations Application Permitted 12/02171/FLL
- 49 In 2013 Erection of an industrial building Application Withdrawn 12/02199/FLL

## **CONSULTATIONS**

### **Scottish Water**

- 50 No objections

### **SEPA.**

- 51 No objections subject to a suitable SUDS scheme being approved at the detailed stage.

### **Historic Scotland**

- 52 No objections, possible screening to the south near Balvaird Castle should be looked at, at the detailed planning stage.

### **Abernethy Community Council**

- 53 Objections on the following grounds:-

- Concern over water runoff
- Not appropriate to grow food beneath a landfill

- Proposal is incompatible with surrounding uses
- Contamination of soil and rainwater will affect food quality
- Growing non indigenous crops is a waste of energy
- Runoff and drainage arrangements does not comply with relevant legislation
- Contrary to the Development Plan
- Does not comply with national policy
- Traffic impact concerns and road safety
- Conflicts with more recent development at Binn Farm

### **Fife Council**

- 54 No objections received but under the previous application had no objection in principle however raised concern about wider landscape views particularly from the Lomond Hills Regional Park.

### **Archaeology**

- 55 No objections subject to an appropriate condition.

### **Environmental Health**

- 56 No objections.

### **SNH**

- 57 No objections subject to conditions.

### **REPRESENTATIONS**

- 58 One letter of objection from Abernethy Community Council has been received raising the issues stated above.

These issues are all raised in the Appraisal section of this report.

### **ADDITIONAL STATEMENTS**

59	Environment Statement	Not required
	Screening Opinion	Carried out as part of the 2010 application
	Environmental Impact Assessment	Not required
	Appropriate Assessment	Not required
	Design Statement / Design and Access Statement	None
	Report on Impact or Potential Impact	Flora and Fauna Survey, Recycled Rainwater Assessment, Water Resources Study, Planning Statement carried out as part of the 2010 application.

## **Appraisal**

- 60 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. The Development Plan consists of the TAYplan 2012 and the Local Development Plan 2014.
- 61 Since the approval of the original application the new Local Development Plan 2014 has become a material consideration where the application falls partly within an area of ground designated for waste management uses at Binn Farm and partly within the landward area where agricultural/horticultural uses would be acceptable in principle.

## **Policy**

- 62 This is an application for a renewal of a previously consented proposal. The determining issues here are whether the proposals continue to comply with Development Plan policy or if there are other material considerations, which justify a departure from policy. The most relevant policies of the Development Plan are policy 1 where agriculture is an accepted use within the Landward Area subject to development criteria and policy 5 where the Council will support agriculture remaining as a major land use and source of employment in the plan area. In terms of the development criteria it is considered that the application site has a good landscape framework in a natural bowl which contains and screens the site to the wider landscape. The development represents the diversification of agricultural practice at Binn Farm and an intensification of this use through the provision of glass houses using nearby heat sources which will not cause any unacceptable adverse environmental impact. The existing road network will be capable of absorbing the development. A Green Travel Plan is required at the detailed stage to incorporate measures to encourage public transport, park and ride and shared car arrangements.
- 63 The new Local Development Plan 2014 further supports this proposal as part of the wider Eco-Park proposal at Binn Farm and it is considered that the principle of providing polytunnels for food production on agricultural land is acceptable and the relationship the proposal has with existing and proposed facilities, including a research facility will contribute towards the consolidation of the wider Eco-Park.

## **Economic Development and Employment**

- 64 National and regional planning policy encourages rural diversification and encourages local authorities to support a wide range of economic activity to ensure that Scotland maintains and develops a strong and diverse rural economy. Rural diversification is considered to be a central issue within the context of the wider Eco – Park development at Binn Farm. The development of commercially viable all year round produce using excess energy from the waste management facilities is an innovative approach and will contribute positively to the local economy through increasing food supply, as well as providing a model for improving the diversity and competitiveness of Scotland's agricultural production. The proposal aims to provide high quality food produce using, in so far as possible, organic growing techniques

and making maximum use of natural resources such as water through rainwater harvesting. The development is also intended to be at the forefront of development in using resources from organic wastes such as reclaimed energy. It is expected that the development will supply a modest number of full time jobs and a large number of seasonal jobs as expected in more intensive farm production.

### **Surface Water and Drainage**

- 65 One of the main issues associated with the development include that of surface water runoff and groundwater recharge as a result of covering a large area of currently permeable farmland with impermeable polythene and glass polytunnels. To meet legislative requirements it is necessary to ensure that the proposed development will not significantly disturb the drainage patterns and ecology of the Binn Burn and will not pose any flood risk on or off the site. The increase in the impermeable area across the site could reduce the recharge potential of the underlying water table. In order to mitigate the impact of the development to acceptable limits it is proposed that rainfall from the polytunnels roof areas drains to permeable 'leg row channels' which run along the line of the polytunnel leg stands and allows some recharge via infiltration. Excess rainfall during higher return period storm events should be conveyed along the channels to a network of swales sited outside of the vicinity of the polytunnels leading to an attenuation lagoon(s), located across the lower parts of each sub-catchment area of the site.
- 66 It is proposed that irrigation will be provided within the polytunnels but this will be absorbed by the plants and soil and will not result in an increase in runoff.
- 67 SEPA has no objections to the proposal in principle however further discussions with them should be carried out and a suitable SUDs scheme submitted as part of detailed design to determine whether a combination of rainwater harvesting and infiltration may be acceptable to aid sustainable water supply to the site and reduce some of the attenuation storage requirements.

### **Ecology and Biodiversity**

- 68 At the pre-application stage SNH were consulted and recommended the surveys which were required for the site. An ecology report was submitted in support of the original proposal based on SNH's recommendations. Field survey work included a JNCC Phase 1 Habitat Assessment, and assessment of suitability for a range of protected species including birds, badgers, bats, squirrels/pine martens, water vole, great crested newt.
- 69 It was concluded that the development of the site is unlikely to have any negative impacts on birds in the area or their habitat. Evidence of raptor kills during the survey however raise the need to undertake a specific raptor survey to assess the impact of the proposal on the populations of raptors in the area, as they are using the site for hunting and feeding.
- 70 The entire site was surveyed for the presence of badgers in accordance with SNH requirements. No badger setts, or any conclusive proof of badger utilisation of the site was observed.

- 71 There are no buildings extant in the survey area, and only the woodland on the hillside beside the A912 provides suitable foraging and roosting potential for bats. Bats may use the Binn Burn and the ditch bisecting the separate section of hillside as commuting routes, but the general lack of connectivity across the site (there are no hedgerows, field boundaries are delineated by fences) would indicate that bats do not heavily use the site. However, due to the timing of the site visit in January 2010 (daylight, and outwith the survey season), actual use was impossible to determine. The large areas of mature plantation woodland near the site would provide good foraging at the woodland edges, but only one such edge is part of the site boundary.
- 72 No red squirrel or pine marten activity was observed on site during the survey. No water vole activity or holes, tracks etc. was observed on the site. Suitable habitat for a viable great crested newt (GCN) population exists just off site in the form of standing water and adjacent habitat for foraging and hibernation. The survey period recommended for presence/absence surveys is mid-March to mid-June, although this is determined for further south in England, and can be adjusted slightly to account for the change in latitude in Scotland. GCN are widespread but local in Scotland. No newts were identified during the survey but it is recommended that a more detailed newt survey is conducted on the site prior to any site works being progressed in the area of the pond or surrounding grasslands, as the site is well within 500m of the possible breeding pond.
- 73 This ecological survey indicated that the habitat that comprises most of the site is of low botanical value. The Binn Burn and bankside vegetation within the site hold moderate conservation importance as they provide good habitat for certain species of nesting birds and invertebrates. Further surveying during the breeding season is recommended to confirm any activity at those times.
- 74 Any development affecting the site should be sympathetically planned and timetabled to cause as little impact as possible to flora and fauna on site, particularly during the breeding bird season (1st March – 31st August). An ecological management plan is recommended at the detailed planning stage. As the site is of relatively low ecological value it is not considered that the ecological character of the site has changed significantly since the original consent, however it is recommended that an updated ecological survey is submitted with any detailed application.

### **Visual Impact and Landscaping**

- 75 The topography of the site is such that it lies within a natural bowl feature centred in the Binn Burn valley and is generally visually contained in the wider landscape. The proposed polytunnels would be sited on the inward facing slopes of the bowl. There are no national or regional landscape designations on the site, it is not visible from any public roads and is considered therefore, that it will not have any adverse impact on the character or appearance of the wider landscape around Binn Farm. Whilst Historic Scotland do not object to the principle of the proposal however they did not consider it was clear to what degree the polytunnels at the southern end of the site will be visible from elevated views from Balvaird Castle. This is noted and should be dealt with at the detailed stage in determining the layout/positioning of the proposal and possible screening.

- 76 Although Fife Council previously have had no objections in principle to the proposal, it has raised concerns about the visual impact of the polytunnels from the Lomond Hills from recreational users. The views available from the Lomond Hills are extensive, covering as far afield as the Lothians. It is considered that given the favourable topography of the proposal site, with scope to site the polytunnels in the most appropriate locations at the detailed stage, and to provide screening to any sensitive edges if required, that it will not have a significantly adverse visual impact from the Lothian Hills.

### **Residential Amenity**

- 77 As a diversification of existing agricultural use on this land the proposed polytunnels will not pose any significantly greater impact on any nearby residential amenity in terms of noise, dust, odours or public health in general due to the distances involved to the nearest residences. Concerns were raised about the overall management of the wider waste management site at Binn Farm in recent years, however these are not considered to be relevant in the assessment of the current agricultural proposal.

### **Design and Layout**

- 78 This is a proposal in principle and the design and layout, along with the phasing of the development will be confirmed at the detailed stage. The indicative layout and phasing however is considered to be acceptable.

### **Cultural Heritage**

- 79 Four historic building sites are potentially affected by the proposals: Binn Farm (Category C(S)); Catochill Farmhouse (Cat. B) and steading (Cat. C(S)); Balvaired Farmhouse (Cat. C(S)) and Balvaired Castle (Scheduled Ancient Monument and Cat. A).
- 80 The areas for potential development are well-contained within the natural bowl-like form of the valley and the polytunnels would all be located on the inward-facing slopes. The development will not therefore have any visual impact on Balvaired Castle, particularly from the public road where it is viewed most of all and minimal visual impact on Balvaired Farmhouse. The detailed siting of the structures would be dealt with as matters through condition if consent is granted.
- 81 The settings of Binn Farm and the Catochill group are already substantially affected by the existing waste management facility and associated developments, and will be further affected by the approved energy from waste plant. Given that the polytunnels will be developed only in association with the approved plant, forming part of the overall site development as an Eco-Park, and will occupy a maximum of 50% of the 114ha distribution applied for, the proposals will not cause substantial further harm to their setting. The well enclosed site also helps prevent visual damage to more sensitive historic buildings and landscape over a wider area.
- 82 Few archaeological sites are known within the development area, however this may be because systematic surveys have not taken place and therefore this baseline information is limited. Upland farms in the Ochils and North Fife Hills are considered to have archaeological potential for upstanding remains, usually traces of post-

medieval landuse but occasionally from earlier periods. The development area is in proximity to two Scheduled Monuments – Balvaird Castle and Abernethy Law fort – and may be visible from these nationally significant monuments. The impact of the development on the setting of these Scheduled Monuments needs to be assessed. It is recommended therefore that a programme of archaeological works in accordance with a written scheme of investigation is carried out and submitted at the detailed planning stage for the approval of the Council.

### **Traffic and Road Safety**

- 83 This existing access serves all the associated development activity at Binn Farm and in consultation with the Council's Transport Planners it is confirmed that this route and the existing junction design meets the requirements for the proposed agricultural development. Whilst there are bus services which give access to the A912, in terms of public transport it is considered more appropriate for the applicant to provide a shared car arrangement service, or a central park and ride service to transport farm workers between central Perth and Binn Farm. These issues require more detailed discussion at the detailed planning stage and a condition requiring the submission of a Green Travel Plan is recommended.

### **Sustainability**

- 84 It is considered that the approach adopted in this proposal and the wider development concept of Binn Farm as a future Eco-Park is in a manner which is in accordance with the goal of sustainable development. Local food production reduces transport costs and the harnessing of renewable sources of heat and solar energy is in accordance with sustainability principles. The proposal will not have any adverse impact on ecology or the cultural or historic landscape. The promotion of public transport use and car sharing to the site and the proposed submission of a Green Travel Plan is also a sustainable approach towards development.

### **Legal Agreements**

- 85 Not required.

### **Direction by Scottish Ministers**

- 86 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, regulations 30 – 32 there have been no directions by the Scottish Government in respect of an Environmental Impact Assessment screening opinion, call in or notification relating to this application.

### **Conclusion and Reasons for Recommendation**

- 87 As an application in principle for the diversification and intensification of agricultural production on agricultural land the proposal is considered to be acceptable. The main impacts relate to the change in the nature of surface runoff because of the impermeable polytunnels and how this can be mitigated to protect the Binn Burn catchment. SEPA were consulted on this and have no objection in principle subject to a suitable SUDS scheme being agreed at the detailed stage. Other concerns from

third parties and consultees included the visual impact of the proposals and the impact on historic buildings in the vicinity of the application site. It is considered that the proposals will not have a detrimental visual impact on the landscape or any nearby historic interest due to the topography of the site. The siting and design of the polytunnels will be agreed at the detailed stage, where any visually sensitive edges can be either avoided or screened. It is considered that the proposal represents a sustainable approach to rural diversification which will contribute positively to the local economy and is in accordance with the Development Plan and in particular policy support is given through the Local Development Plan 2014 for the wider Eco-Park at Binn Farm and the proposal will not have any adverse environmental impacts as assessed through the consultation process and by way of mitigating conditions. The proposal for renewal is therefore recommended for approval.

### **Recommendation**

#### **A Approve the application subject to the following conditions:**

- 1 Application for the approval required by a condition imposed on this Planning Permission in Principle shall conform with the requirements of Regulation 12 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 and of Section 59 (2) and (3) of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning etc. (Scotland) Act 2006 and, in particular, must be made before whichever is the latest of the following:
  - (i) the expiration of 3 years from the date of the grant of the planning permission in principle,
  - (ii) the expiration of 6 months from the date on which an earlier application for the requisite approval was refused, or
  - (iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed.
- 2 The development shall not commence until the following matters have been approved by the Planning Authority:-

The siting, design, height, layout and external appearance of the development, phasing, the landscaping of the site, including all planting and means of enclosure, the car parking and means of access to the site.
- 3 No development shall take place within the development site as outlined in red on the approved plan (10/00983/2) until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by Perth and Kinross Heritage Trust, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with Perth and Kinross Heritage Trust.

- 4 The applicant shall submit at the detailed planning stage a fully detailed Sustainable Urban Drainage Scheme in accordance with best management practices for the approval of the Planning Authority.
- 5 The applicant shall submit a fully detailed Green Travel Plan to accompany any detailed planning application for the site, including a requirement to monitor travel patterns which will aim to reduce private car use and encourage more sustainable modes of travel, all to satisfaction and approval of the Planning Authority.
- 6 At the detailed planning stage and in accordance with the recommendations of the Flora & Fauna Survey by Andrew Taylor a specific raptor survey should be undertaken and submitted for the approval of the Planning Authority, as there is evidence that they are using the application site for hunting and feeding.
- 7 At the detailed planning stage and in accordance with the recommendations of the Flora & Fauna Survey by Andrew Taylor a Great Crested Newt Survey shall be carried out between March and June and submitted for the approval of the Planning Authority to determine the presence or absence of Great Crested Newts in the pond in the wooded area to the east of Catochil.
- 8 Any development on the site should be planned and timetabled to cause as little impact as possible to flora and fauna on the site, particularly during the bird breeding season from 1<sup>st</sup> March to 31 August.
- 9 At the detailed planning stage the applicant shall submit an Ecological Management Plan and an updated Ecological Survey Report for the site for the approval of the Planning Authority.
- 10 At the detailed planning stage and in accordance with the recommendations of the Flora & Fauna Survey by Andrew Taylor a detailed bat survey shall be submitted for the site for the approval of the Planning Authority.

**Reasons:-**

- 1 In accordance with the terms of Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning etc (Scotland) Act 2006.
- 2 This is a Planning Permission in Principle under Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning etc. (Scotland) Act 2006.
- 3 In the interests of archaeological heritage.
- 4 In order to reduce flood risk.
- 5 In the interest of sustainable transport and road safety.
- 6 To assess the impact of the application on the raptor population.
- 7 To assess the impact of the application on Great Crested Newts.

- 8 In order to protect flora and fauna on the site.
- 9 In order to protect the ecology on the site.
- 10 To assess the impact of the application on bats.

**B JUSTIFICATION**

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure therefrom.

**B PROCEDURAL NOTES**

None.

**C INFORMATIVES**

This development will require the ‘Display of notice while development is carried out’, under Section 27C(1) of the Town and Country Planning Act 1997, as amended, and Regulation 38 of the Development Management Procedure(Scotland) Regulations 2008. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. According to Regulation 38 the notice must be :

- Displayed in a prominent place at or in the vicinity of the site of the development
- Readily visible to the public
- Printed on durable material.

Background Papers: 1 letter of representation  
Contact Officer: Mark Williamson – Ext 475355  
Date: 30 January 2014

**Nick Brian**  
**Development Quality Manager**

If you or someone you know would like a copy of this document in another language or format, (On occasion only, a summary of the document will be provided in translation), this can be arranged by contacting the  
Customer Service Centre  
on  
01738 475000



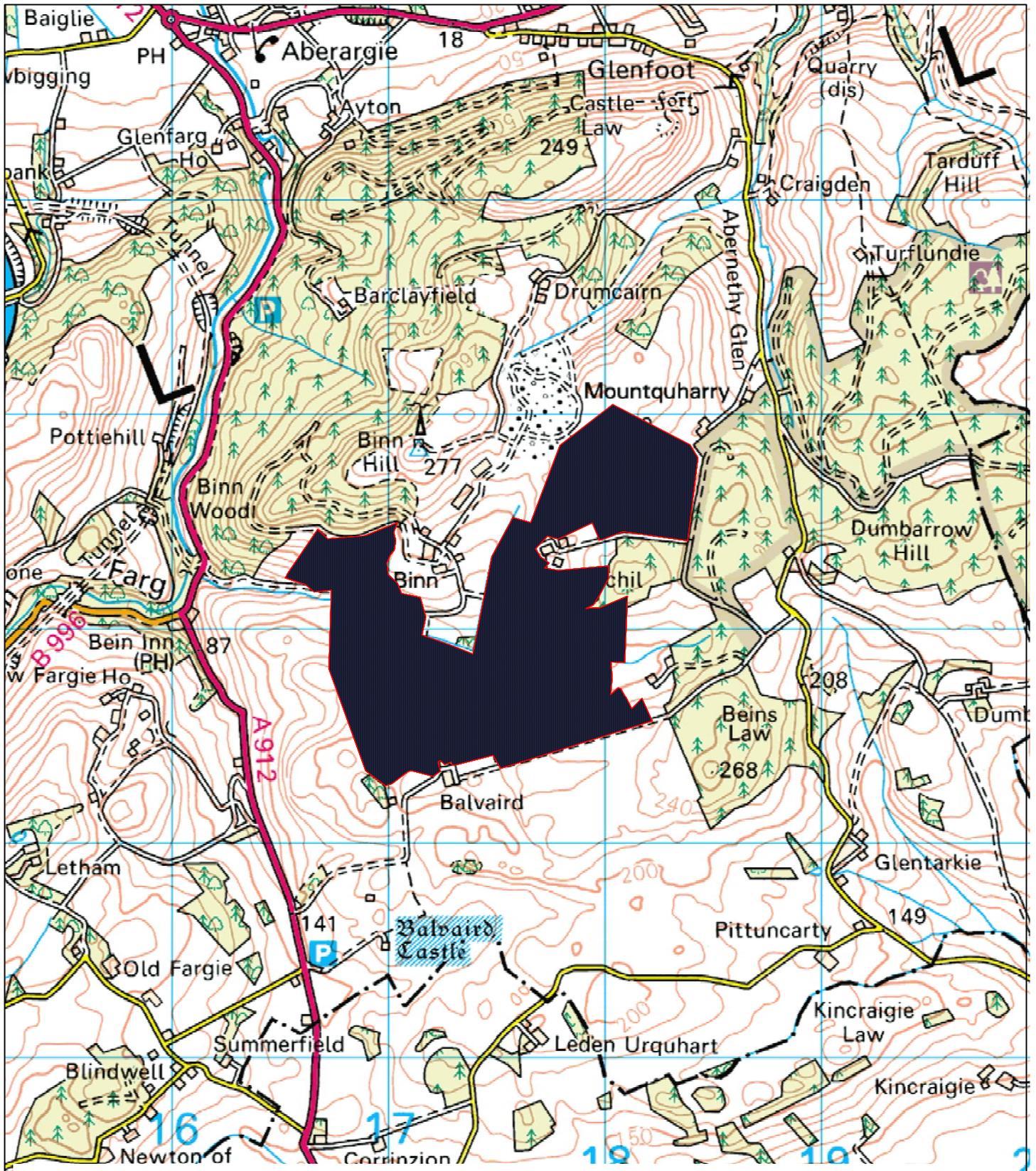
Council Text Phone Number 01738 442573

# Perth & Kinross Council

## 13/02084/IPM

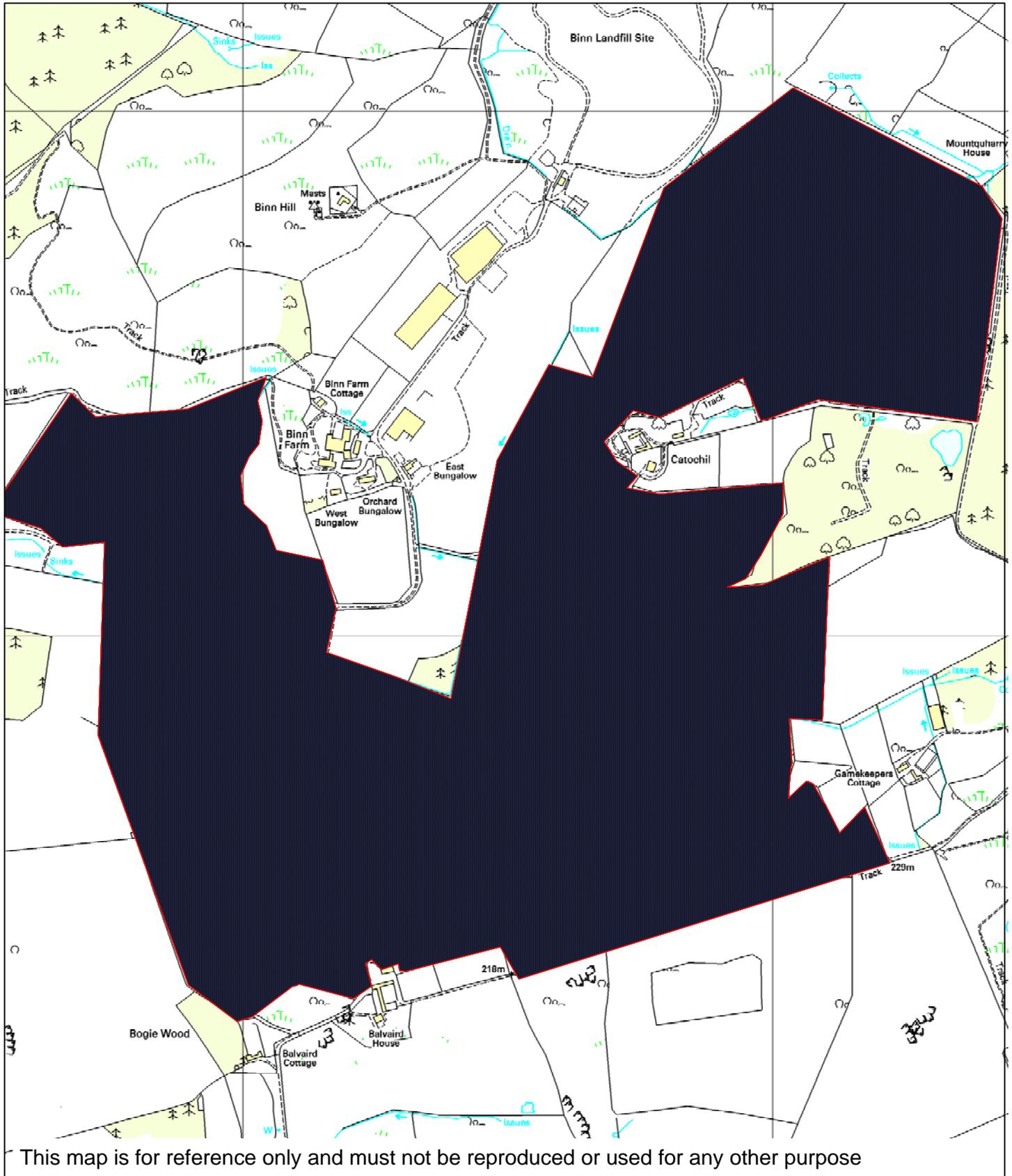
### Binn Farm, Glenfarg - Renewal of planning consent

(10/00983/IPM) for development of 114ha of unheated/heated polytunnels (in principle)



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↑ Scale  
1:25000



↑ Scale  
1:10000