



**THIS PAPER RELATES TO
ITEM 5a
ON THE AGENDA**

Kilncraigs Greenside Street Alloa FK10 1EB Tel: 01259 450 000 Fax: 01259 217 451 Email: planning@clacks.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100076039-004

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

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:

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

First Name: * Building Name:

Last Name: * Building Number:

Telephone Number: * Address 1 (Street): *

Extension Number: Address 2:

Mobile Number: Town/City: *

Fax Number: Country: *

Postcode: *

Email Address: *

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Gibsley Farm"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="Saline"/>
Company/Organisation	<input type="text" value="AKI Smith Ltd"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Dunfermline"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KY12 9UF"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

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

Please identify/describe the location of the site or sites

Northing	<input type="text" value="695293"/>	Easting	<input type="text" value="297871"/>
----------	-------------------------------------	---------	-------------------------------------

Description of Proposal

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

Erection of 1 no. house at Harrylayock, Forestmill, Clackmannanshire FK14 7NE

Type of Application

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

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

What does your review relate to? *

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

Statement of reasons for seeking review

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

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

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

Refusal states 'there is insufficient evidence to indicate that livestock on the farmland at Harrylayock cannot be adequately managed from the applicant's existing farmhouse at Gibsley.' The refusal does not fully account for the Labour report contained within the application documents which demonstrates a requirement for 5.2 full time units (ie 6 persons) to operate the farm system at Gibsley & Harrylayock. Harrylayock represents 25% of the combined land area of Gibsley & Harrylayock

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

Yes No

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

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

Location Plan, Labour report, farmland plan, Supporting Statements (x2)

Application Details

Please provide details of the application and decision.

What is the application reference number? *

18/00029/PPP

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

14/02/2018

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

09/04/2018

Review Procedure

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

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

Yes No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

Remains of previous building on site

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

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

Yes No

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

Yes No

Checklist – Application for Notice of Review

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

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

Yes No

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

Yes No

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

Yes No N/A

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

Yes No

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

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

Yes No

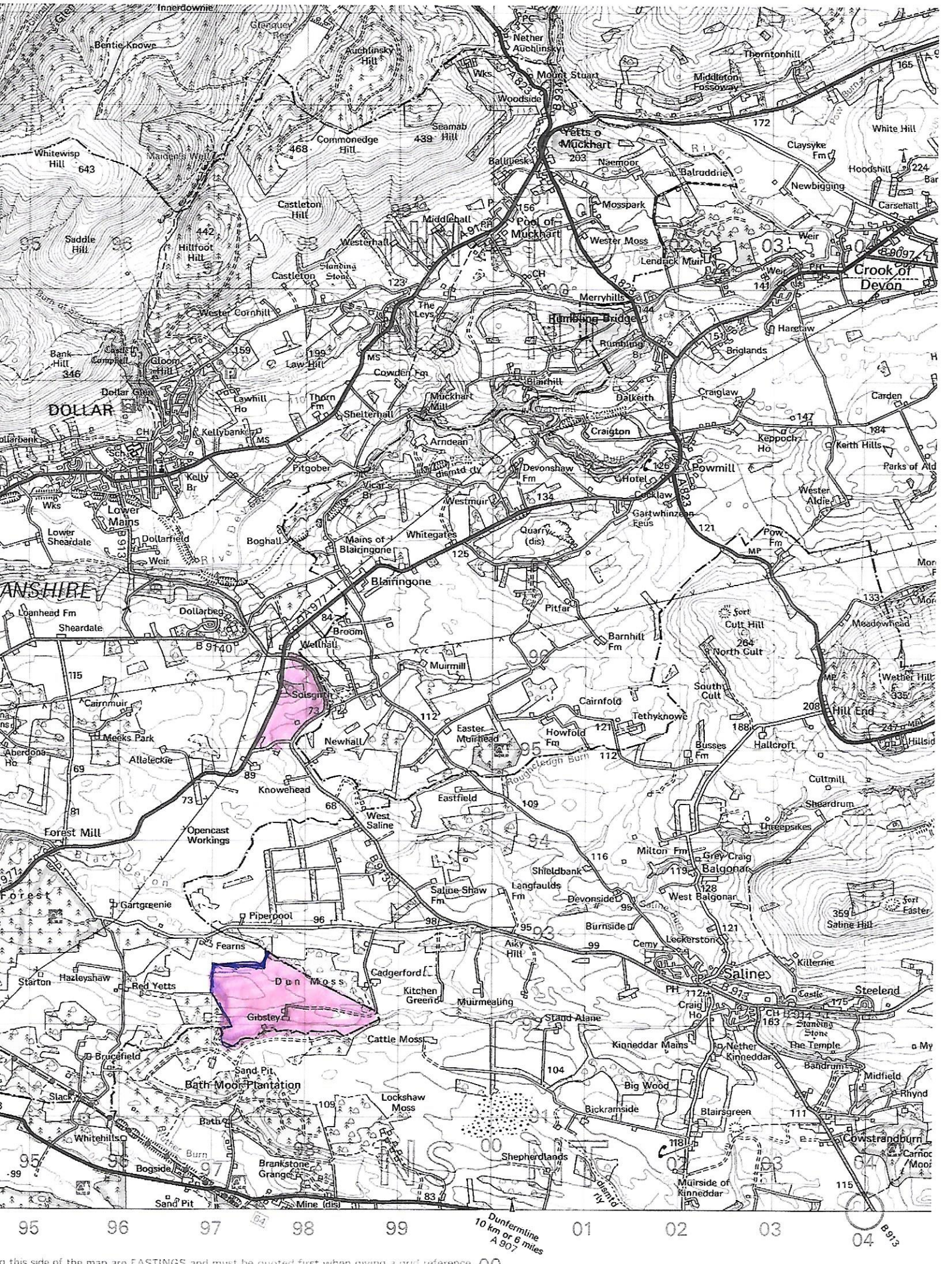
Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number,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

Declare – Notice of Review

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

Declaration Name: Mr Scott Strachan

Declaration Date: 27/06/2018



On this side of the map are FASTINGS and must be quoted first when giving a grid reference

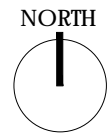
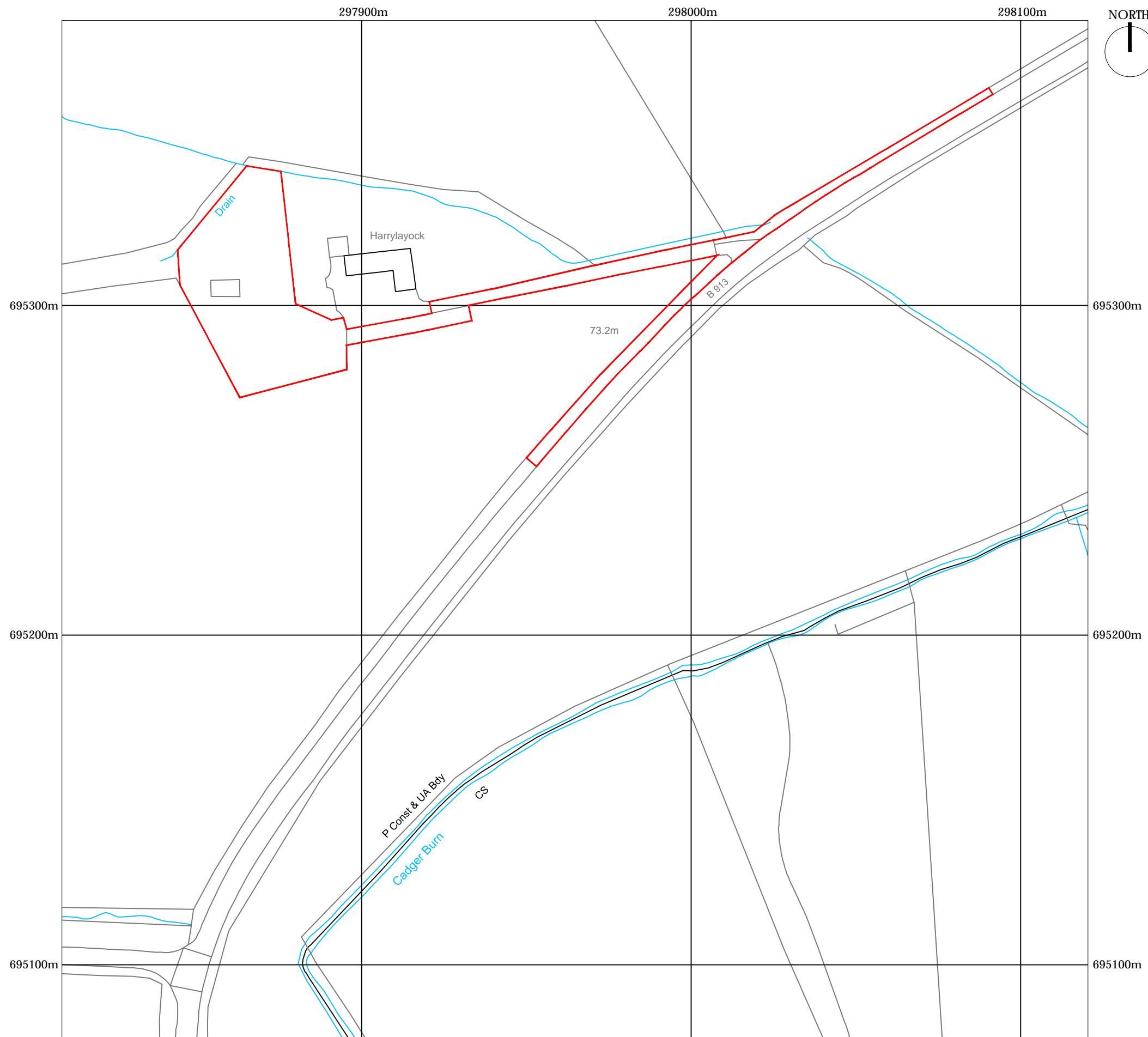


Building Standards
Approved Certifier



The Scottish
Government

NOTES
ALL DIMENSIONS TO BE VERIFIED ON SITE.
IF IN DOUBT CHECK WITH ARCHITECT.



REV.	DATE	DESCRIPTION
A.	12.2.18	BOUNDARY LINE REVISED

<input type="checkbox"/> SKETCH PROPOSAL	<input type="checkbox"/> CLIENT APPROVAL
<input checked="" type="checkbox"/> PLANNING	<input type="checkbox"/> BUILDING WARRANT
<input type="checkbox"/> BILLING	<input type="checkbox"/> TENDER
<input type="checkbox"/> CONSTRUCTION	<input type="checkbox"/> AS-BUILT

SCOTTSTRACHANARCHITECT
 THE HURST, OLD PERTH ROAD, MILNATHORT,
 KINROSS KY13 9YA
 T. 01577 862694 - M. 07872 318785
 scott@scottstrachan.co.uk

PROJECT
 PROPOSED NEW FARM WORKER DWELLING,
 HARRYLAYOCK FARM, SOLSGIRTH

CLIENT
 AKI SMITH LTD

DRAWING TITLE
 LOCATION PLAN

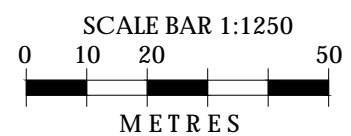
DATE
 15 NOV 2017

SCALE
 1:1250 @ A3

DRAWING NO.
 17/367/PI/ 001 REVISION A

LOCATION PLAN
 1:1250

© CROWN COPYRIGHT AND DATABASE RIGHTS 2017 OS 100019980



Planning Proposal Justification

Prepared for: AKI Smith Ltd
Gibsley
Saline
Fife
KY12 9UF

Prepared by: SAC Consulting

Contact: James Buchanan
Sandpiper House
Ruthvenfield Road
Inveralmond Industrial Estate
Perth PH1 3EE

Date: October 2017



Contents

	Page
Introduction	3
Summary & Conclusions	4
Background Information	5
Labour Requirements at Gibsley Farm.....	6
The Need for On-Site Accommodation	8
 Appendix I Labour Profile	

DRAFT

Introduction

This report has been prepared at the request of Mr & Mrs Smith the owners of AKI Smith Ltd which owns the land at Gibsley and Harrylaylock farms to supplement a planning application for the construction of a dwelling house for an agricultural worker at Harrylaylock Farm.

Information was gathered by James Buchanan, SAC Consulting, Perth in discussion with Mr Stan Smith one of the directors in the business.

Data for enterprise labour requirements is based on the standard labour figures published by Defra in a UK Farm Classification Document (October 2014).

The need for the justification for the additional dwelling house is based around the existing agricultural business at Gibsley and Harrylaylock. The applicant AKI Smith Ltd own and operate the existing farming business at Gibsley and Harrylaylock Farms.

DRAFT

Summary & Conclusions

Gibsley and Harrylaylock extends to approximately 150ha (371 acres) of owned land. Additional land is taken on a seasonal basis and is not included in the justification. The main agricultural business on the farm consists of a suckler cow enterprise selling fat cattle and a breeding ewe flock producing fat lambs.

AKI Smith Ltd is a family farming business which is owned and run by the Smith family with the third generation of the family now working in the business since the family moved to the area many years ago.

The business owns one farmhouse sited at Gibsley where the business director and company secretary live.

Given that the owned land is split over two sites it is recommended that the additional house is built at Harrylaylock where there is currently no dwelling house owned by the business. There is 96 acres (38.9ha) of land attached to this site. An essential worker living on this large area of owned land will help deter anyone with ill intent from entering the farm steading due to the presence of house and farm worker living and working on this site. Harrylaylock is in area of high rural crime with sheep and machinery thefts reported in recent years.

This report shows that there is justification for an additional dwelling house for AKI Smith Ltd located at Harrylaylock.

Background Information

The business is split in to two locations. The Gibsley unit has 275 acres (112.3ha) of land and Harrylaylock has 96 acres (38.9ha). Gibsley is accessed off the unclassified Forestmill to Saline Road. Harrylaylock is accessed off the main Saline to Blairngone road the B913. The Main A977 Kincardine to Kinross road is on the western boundary of the block of land at Harrylaylock. This area of Clackmannanshire has been the subject of thefts and burglaries in recent years.

Although the main farm address has a Fife postal code both the areas of land which are farmed by the business are in Clackmannanshire.

The farm is currently all in grass. The ground that the business owns is restricted with heavy wet soils which limit the opportunities to grow cereal crops. The land is better suited to grass, utilised as grazing and silage. Approximately 100 acres (40ha) of silage is taken as 1 cut.

The livestock enterprises consist of a 90 cow suckler herd which produce young stock for breeding replacements with the male calves and any females not required for breeding sold as prime fat cattle at 2 to 2.5 years old. The breeding sheep flock of 600 ewes produce fat lambs which are sold throughout the year.

The distance to travel between Gibsley farm house and Harrylaylock is just over 6 kilometres (3.7 miles). Due to the nature of the farm roads and the rural council roads this journey can take 10 -15 minutes to travel between the two units. As livestock can require (24 hours/day, 7 days/week, 52 weeks/year) supervision, care and attention from farm staff who are on call at all times. This currently means that there is a travel requirement at any time of day or night.

Siting the dwelling house for the essential worker at the Harrylaylock farm will reduce the need for the Smith family to make this journey at unsociable hours as the essential worker will be living on site and have the ability to take care of the livestock outside normal working hours.

Attracting a good agricultural worker is difficult for any agricultural business. When you are looking for a worker to live in a tied house it is essential that the business has the quality of accommodation on offer which is going to attract the right worker and his family to this business.

Labour Requirements at Gibsley

The labour profile is shown in Appendix I. The Standard Work Capacity is taken as 1900 hours/man/year. This is calculated on the assumption that one person would work 39 hours per week and takes illness, public holidays, etc into account.

The calculation shows that the current farming system operated by AKI Smith Ltd has the justification for 5.2 full-time labour units.

This calculation is viewed as a modest assessment of the labour needed because no allowance has been made for the ever increasing administrative tasks that all farmers now face.

Contractors have been used in an ad-hoc fashion however the business has the equipment to carry out all tasks if the weather allows them the opportunity.

Currently the farm operates with just family labour and occasional help from casual labour and contractors.

The Need for On-Site Accommodation

Business Control

The business has been in operation at Gibsley and Harrylaylock for a number of years and the third generation of the family is now employed by the business. The business needs to employ an essential worker to take on some of the working responsibilities currently carried out by the family who own and run the business. It is essential that key personnel can live on the farm to be easily accessible for assistance with the day to day running and decision making processes involved in running an agricultural business.

Efficiency

Farming regularly involves working long, anti-social hours and on-farm accommodation is essential to sustain the working regime and will save time and money. This is especially pertinent when a farm business is operating between the two units.

Security

The farm is located close to significant urban populations and with rural crime on the increase security is a major concern. Staff living on or close to site helps prevent or deter theft of valuable livestock, and stored supplies.

Cattle are of considerable value worth in excess of £1000 per animal. The theft of these animals is increasing and the business cannot afford to risk these animals being stolen due to the lack of supervision or staff on site to act as a deterrent to the potential thieves. Sheep are also at risk of theft and dog worrying is on the increase as well. The threat of this will be reduced with the presence of a farm worker living on site.

Animal Welfare and Biosecurity

Farmers provide excellent welfare conditions for their animals. Cattle and sheep are prone to sudden illness and injuries and there is a genuine need for a knowledgeable person to be on call and on hand to carry out regular checks both day and night. The continuous movement of cattle and sheep requires a robust bio-security plan to be in order to prevent the occurrence and spread of disease and this requires staff to live on site to see that it is enforced. Residential workers ensure that there is always someone available at short-notice to control the delivery of farm supplies and manage the constant cycle of loading and unloading, checking, weighing, vaccinating, medical treatment, registering and tracking of livestock on and off the farm. To ensure excellent animal welfare and for general ease of management it is essential for a farm worker to reside permanently on their place of work in the countryside.

Health and Safety

Unexpected events often occur when handling livestock. Gibsley and Harrylaylock are bisected by public roads and livestock have escaped from adjacent fields and farm buildings. When this happens it is vital for staff to be able to respond quickly to round up the livestock immediately to limit damage to themselves, to property and the general public. Visitors to farms sometimes arrive unannounced and it is essential someone is on hand at all times to supervise them within operational areas if invited or divert them away if not.

Farming Future and Sustainability

Farming businesses in Scotland and the rest of the UK are under ever increasing social and economic pressures. The opportunities for new entrants into agriculture have been restricted in the past. This business has overcome these restrictions and is coming to a stage where there is a need to employ an agricultural worker and continue to grow the business.

Summary

It is essential that accommodation is available in order to ensure that the livestock and the farm is managed and the business is run successfully.

Each of the mentioned potential hazards will be kept to an absolute minimum by the permanent residence of a full time worker. This ensures that essential knowledge of the daily operations is always available on site and that the business can operate under safe guidelines and best practise.

Appendix I

Labour Profile

DRAFT

Source: Using Standard Labour Data for Agricultural and Horticultural Activities, sourced from Defra UK Farm Classification Document (October 2014), and information on existing land areas and livestock numbers farmed by the business, the labour profile for the farming enterprises at Gibsley and Harrlaylock.

Appendix 1 Labour Justification

Area/Number (ha)	Enterprise	Proposed coefficient (hours per ha or head per year)	Total Hours
	Land		
10	Rough Grazing	1.5	15
0	Cereals	18	-
140	Permanent Grazing	3.1	434
0	Temporary Grass	3.1	-
40	Silage (One Cut)	12	480
	Livestock		
			-
90	Suckler Cows	26	2,340
180	Other Cattle	12	2,160
600	Breeding Sheep	5.2	3,120
900	Other Sheep	1.45	1,305
	Total Hours Justified		9,854
	Standard Labour Unit (hours per annum)		1,900
	Number of standard labour units justified		5.2



12 February 2018

Clackmannanshire Council
Kilncraigs
Greenside Street
ALLOA
FK10 1AB

Dear Sirs,

**NEW DWELLING FOR FARM WORKER AT
HARRYLAYOCK FARM, SOLSGIRTH DOLLAR FK14 7NE**

SUPPORTING STATEMENT

An application for Planning Permission In Principle is sought for the erection of a new dwelling for a farm worker at Harrylayock Farm, near Solsgirth.

As a new dwelling in the countryside the key policies on which this application will be assessed are:-

- Policy SC23 - Development in the Countryside (General Principles)
- Policy SC24 - Residential Development in the Countryside

Policy SC23

In order to satisfy policy SC23 the proposal requires to demonstrate the requirement for a countryside location. An agricultural labour requirement report has been prepared by SAC Consulting and is attached to this application demonstrating the requirement for a new dwelling in this location.

In addition the proposal requires to be on a suitable site adjacent to existing buildings where new build could be sympathetically integrated with existing buildings. Whilst there are no existing building groups in the proximity of Harrylayock Farm under the applicant's control the existing neighbouring property and adjacent area of uncultivated land identified on the location plan provide a suitable setting & established topographical & landscaped enclosure to meet this criteria in close proximity to the labour demands at Harrylayock Farm.



The existing dwelling house 'Harrylayock' and associated garden ground which includes the application site, is jointly owned by Stan & Heather Smith of Gibsley Farm, Saline. This property was purchased by them, along with a resident tenant and long term tenancy agreement. The applicant is AKI Smith Ltd, the farm business with a lease interest in the farmland at Harrylayock Farm. The existing dwelling house at Harrylayock is not available to the applicant for accommodating a resident farm worker/ manager due to the pre-existing tenancy arrangements, although the garden ground which forms the application site is available.

The remaining criteria within policy SC23 relating to scale, design & siting can be more appropriately demonstrated in a further application for Approval of reserved matters, subject to Planning Permission In Principle being granted.

Policy SC24

In order to satisfy policy SC24 the proposal requires to be integral to, and necessary for, the full time management of an existing and well established countryside business or activity. The attached labour report from SAC Consulting demonstrates this requirement due to the proximity of the farmland at Harrylayock Farm and the labour requirement to manage this farmland.

Access

It is proposed that vehicular access to the new dwelling would be the existing access road so that both the new dwelling and the adjacent property use a shared access road. The land at the roadside at either side of the junction with the public road is under the applicant's ownership and as such safe visibility splays can be achieved in both directions.

Topography

The application site is an unused area of garden ground associated with the existing dwelling at Harrylayock. The site is not currently used for agricultural purposes but is surrounded by farmland. There is established landscaping to the West of the site which distinguishes it from the adjacent farmland making it an appropriate location for a new farm worker dwelling.



SUPPORTING STATEMENT - LOCAL REVIEW BODY

NEW DWELLING FOR FARM WORKER AT HARRYLAYOCK FARM, SOLSGIRTH DOLLAR FK14 7NE

This statement is provided in support of a submission to the Local Review Body to review the refusal of Planning Permission In Principle application 18/00029/PPP for the erection of a new dwelling for a farm worker at Harrylayock Farm, near Solsgirth.

The refusal notice states that:-

'the need for the proposed house to be located in the countryside has not been satisfactorily demonstrated. There is insufficient evidence to indicate that livestock on the farmland at Harrylayock cannot be adequately managed from the applicant's existing farmhouse at Gibsley, some 6km away. In addition an existing house adjoining the application site was previously owned by the farm business and appears to still be in the control of the applicants, and could adequately serve the adjoining farmland, if required'

It is our view that the need for the proposed house to be located in the countryside has been satisfactorily demonstrated in the content of the labour justification report submitted with the application. Furthermore the existing house adjoining the application site was not previously owned by the current farm business. The house, whilst now owned privately by Stan & Heather Smith as landlords to a long standing and inherited tenant, is not available for occupation by a farm worker as a result of the inherited tenancy arrangements.

Notwithstanding the availability of the existing house at Harrylayock, the labour report identifies the requirement for 5.2 units of labour (5 full time + 1 part time personnel) to run the combined farm business at Gibsley & Harrylayock.

At present the farm business is run from one farmhouse at Gibsley Farm occupied by Stan & Heather Smith. Stan works full time on the farm and Heather is part time. Their son and his family also live at the farmhouse in temporary lodgings and he works full time on the farm.

The total labour provided by farm workers residing at Gibsley is therefore 2.5 units and there is a requirement for a further 2.7 units of full time labour to adequately manage the farm business. This demonstrates justification for at least two new farm worker dwellings. Even if the existing house at Harrylayock were available for a farm worker to occupy there would still be a full time labour shortfall which demonstrates justification for an additional farm worker dwelling.

An additional house for a farm worker is essential to the ongoing success of the farming business. The physical separation of the two farmland areas, the current farmhouse at Gibsley and the suitability of the site at Harrylayock present an ideal opportunity to secure appropriate farm worker housing at Harrylayock. House prices in nearby Saline are cost prohibitive to both prospective farm workers and the farm business and a new farm worker dwelling represents the only way of attracting additional full time labour.



Whilst not excessive, the 6km separation of the distinct farmland areas presents numerous logistical issues which affect the ability of the farm business to operate efficiently, as well as presenting significant issues with security. A farm worker dwelling at Harrylayock would ensure that both sites can be quickly reached from either location. Indeed if there is a problem it is imperative that it is solved quickly given the locality of the A977 to the fields. Rural crime in the West Fife area (where Giblesley farm is located) is a constant threat to the farm & the business receive weekly correspondence warning of theft, hare coursing, poaching etc.. The situation is no less of an issue in the Solsgirth locality.

Background to farm business and land holding at Harrylayock

For clarification of the background we would confirm the following:-

The farm business ' Andrew K I Smith and Son' ceased trading in 2005 when Mr and Mrs Smith senior retired from the business, the Solsgirth house and land were retained by them and the title split. AKI Smith Ltd was incorporated in 2005 and Stan is the Director and Secretary of this Company. AKI Smith Ltd have rented back the land each year in order to farm. Mr Smith senior died 2 and half years ago and the farmland only was passed on to Stan. Mrs Smith senior has since moved to Dollar. Through a mixture of gifting and purchasing Stan and Heather bought Harrylayock house from Mr & Mrs Smith senior, however there was and is a longstanding tenant in the house.

The location of the proposed new dwelling is within the **garden** of Harrylayock house but this area of the land would be split off and added to the title incorporating the fields under Stan's name. Indeed there are still the remains of the original farmhouse on this site in the garden.

The farm lands are solely in Stan's name to safeguard the future of a family farming business which goes back generations.

Conclusion

Due to the labour requirements to adequately manage Giblesley & Harrylayock farm it is our view that at least one new dwelling for a farm worker is fully justified in this instance. The availability of the garden ground at Harrylayock and the absence of any farm worker residing at Harrylayock represents the best opportunity to create a new farm worker dwelling for the farm business to attract additional full time labour.

