

FAO The Development Manager
Development Management
Falkirk Council
Abbotsford House
Davids Loan
Falkirk
FK2 7YZ



Ref: **Planning Application P/15/0129/VRC**

6th April 2015

Dear Sir,

We are writing to object to the proposed deletion of Condition 12 of Planning Permission P/11/0595/FUL (relating to occupation of new dwelling house at Drumbroider Farm).

In October 2011 we objected to the original application for the construction of a new 1.5 storey, 5 bedroom farmhouse with 3 large agricultural buildings on various grounds, but primarily that we did not believe it met at least 2 of the 4 criteria in Policy SC3. I have attached our original letter detailing the individual points, but in summary, we believe the level of livestock farming carried out at Drumbroider does not justify a new dwelling house. We concluded by expressing the following concern:-

"We do have a concern that this new farmhouse and associated outbuildings could be granted planning permission on the basis of agricultural need, and then could be sold on within a few years as a desirable residence in a rural location. Business plans do not always come to fruition and in the event of a further downturn in the economy, the sale of such a property would certainly help contain the undoubtedly high cost of the expansion of the main retail business. This would most definitely not be in accordance with Policy SC3, but is unfortunately one of the few reasons that we can think of for building a new farm so far away from the existing one. Is the Council able to take any steps to ensure that SC3 is not circumvented in such a way?"

Falkirk Council were persuaded that the application was in accordance with Policy SC3, but imposed condition 12 "to ensure control over the agricultural occupancy of the dwelling in association with Drumbroider Farm", which obviously addressed our concern above.

In a letter we received from Ian Dryden on 18th October 2012, it was stated

"In regard to the new property and associated outbuildings to the south of the farm, these would still be operationally tied to this main unit, but would allow more livestock operations to take place in the southern farmland, without the need to cross livestock as often over the B825. Therefore, both the main farm unit and proposed unit will operate together, with the reorganisation allowing a better overall layout of the main unit to separate visiting members of the public from the farm operations."

This is a clear statement that the planning permission was granted on the basis of the farming activity (and not the saddlery or feedstore business). We note that since the original application over 3 years ago, most of the time the land appears to have either been rented out, left empty or used for grazing horses and our concerns have not lessened.

Condition 12 is therefore a perfectly reasonable condition to ensure compliance with the Council's Local Plan and we strongly urge the Council to reject this application to remove it.

Yours faithfully

Howard & Sarah Perkins

Heatherstalks
Avonbridge
Falkirk
FK1 2LD

FAO The Development Manager
Development Management
Falkirk Council
Abbotsford House
Davids Loan
Falkirk
FK2 7YZ

COPY OF ORIGINAL
OBJECTION.

Ref: **Planning Application P/11/0595/FUL**

16th October 2011

Dear Sir,

The above application covers various developments at Drumbroider Farm, including a new retail store, a wind turbine and relocation of the farm. It is the latter that we wish to lodge a formal objection to.

The proposal is for a new 1.5 storey, 5 bedroom farmhouse with 3 large agricultural buildings, to be located within 250m of the wildlife site at Candie Mire (NS927 738). We also believe it is within the Avon Valley "Area of Great Landscape Value" and we would be grateful if the Council could please confirm this.

According to the Falkirk Local Plan (section 4.13), Policy SC3 only permits housing in the countryside in certain circumstances. We believe this application does not meet these criteria as follows:-

SC3 HOUSING DEVELOPMENT IN THE COUNTRYSIDE

Housing development in the countryside will only be permitted in the following circumstances:

Policy Statement	Comment on Compliance
<i>(1) Housing essential to the pursuance of agriculture, horticulture or forestry, or the management of a business for which a countryside location is essential. In these instances, the applicant must demonstrate all of the following:</i>	Drumbroider's business interests are split between retail (saddlery and feed store) and farming (livestock). Whilst it is essential for livestock farming to be located in the country, it is not essential for a retail store. We therefore contend that the criteria for building a new dwelling house should be met solely on the basis of the livestock business.
<ul style="list-style-type: none"><i>The operational need for the additional house in association with the business;</i>	We have lived adjacent to the site for the last 22 years during which time the retail side of the business has flourished and the livestock side has been scaled back. Currently the land is rented out to another farmer who has his cattle on the land. Given the proposed expansion of the retail store (which will presumably require increased management focus), we do not believe a new farmhouse is now suddenly necessary to support the diminished livestock business. This criterion is not met.
<ul style="list-style-type: none"><i>That no existing dwelling which might have served that need has been sold or otherwise alienated from the holding;</i>	No comment.

<ul style="list-style-type: none"> <i>That there are no reasonable opportunities for reusing or converting redundant buildings rather than building a new dwellinghouse; and</i> 	<p>The move of the retail business into the new development will release two existing barns that could return to farming use instead of building new barns around a new farmhouse in a green-field location.</p> <p>We believe that the existing farm buildings provide a reasonable opportunity to continue any livestock business and that the wholesale migration of the farm is not justified.</p> <p>This criterion is not met.</p>
<ul style="list-style-type: none"> <i>That the business as a whole is capable of providing the main source of income for the occupant;</i> 	<p>Mr Mark Baird (who we understand will be the occupant) is heavily involved in the feed store part of the retail business, which we would expect to generate significantly more income than that raised by either farming or letting the grazing land.</p> <p>We are not in a position to accurately assess this criterion but think it is unlikely to be met solely from the livestock business, since as far as we are aware the land is rented to other farmers.</p> <p>We assume the applicant's business plan contains sufficient financial information to convince Falkirk Council that this criterion has been met based solely on the livestock business (it being the only one where a rural location is essential). We would request that the Council confirm this is the case.</p>

The application states that the relocation of the traditional livestock operations to the southern field is for "health and security purposes". Given that the majority of the grazing land is to the north of the B825, can the Council please advise what these are as we are unable to comment on or challenge such a vague and ambiguous statement?

The proposed new farm would introduce noise and disturbance resulting from its use and generate additional traffic that isn't present at the moment. The new farm would be around 100m from our house – making it the closest building to our property by a long way.

We believe the Council should reject the proposal to create a new farm in a green-field location in line with the published policies in the Local Plan.

It is worth noting that we have no objection to the development of the retail business and would have no objection to an additional dwelling house around the existing barns (that will be vacated by the move of the retail business). In fact the applicant's submission even states that the proposed design returns the existing farmhouse to be the central focus of the steading. We imagine this could be done in a way to comply with the other sections within policy SC3.

We understand that SC3 is intended to allow development where it can be demonstrated that the location is essential to support agriculture. Should the council take a different view to us on whether this proposal meets this policy; are there any constraints on how long the "operational need" should persist for?

We do have a concern that this new farmhouse and associated outbuildings could be granted planning permission on the basis of agricultural need, and then could be sold on within a few years as a desirable residence in a rural location. Business plans do not always come to fruition and in the event of a further downturn in the economy, the sale of such a property would certainly help contain the undoubtedly high cost of the expansion of the main retail business. This would most definitely not be in accordance with

Heatherstalks

Policy SC3, but is unfortunately one of the few reasons that we can think of for building a new farm so far away from the existing one. Is the Council able to take any steps to ensure that SC3 is not circumvented in such a way?

On the subject of the proposed Wind Turbine, the extent of any adverse effects is not clear at this time. Having spoken to your department last week, we were advised that any comment or objections received prior to the actual planning hearing scheduled for 22nd November 2011 would be taken into account. On that basis, we may write to you again in the near future on this subject.

Yours sincerely

Howard & Sarah Perkins