

Development Management Sub Committee

Wednesday 31 July 2019

Application for Planning Permission 18/10372/FUL At West Bonnington Farm, Bonnington, Kirknewton Erection of farmhouse in connection with agricultural use (as amended).

Item number

Report number

Wards

B02 - Pentland Hills

Summary

The applicant has provided sufficient supporting information to show compliance with policy Env 10. The proposed farmhouse is essential for the agricultural use proposed and it will have no adverse impact on the landscape quality and rural character of the surrounding area. Subject to a legal agreement tying the new farmhouse to agricultural use, the development is acceptable.

Links

[Policies and guidance for this application](#)

LDPP, LEN10, LDES01, LDES03, LDES04, LTRA02, LTRA03, LEN03, LEN21, NSG, NSGCGB, NSGD02,

Report

Application for Planning Permission 18/10372/FUL At West Bonnington Farm, Bonnington, Kirknewton Erection of farmhouse in connection with agricultural use (as amended).

Recommendations

1.1 It is recommended that this application be Granted subject to the details below.

Background

2.1 Site description

The application sites lies on the west side of Edinburgh in a countryside area surrounded by agricultural uses. The site extends to 1.18 hectares and previously included de-commissioned piggery buildings, which comprised a number of low-rise sheds, tanks and silos. These have now been demolished and the rubble and debris from this demolition remains on site. Existing agricultural buildings which are being retained are also included - these consist of large barns. There is currently no agricultural activity on the site.

The site is bounded by a mixture of stone dyke, post and wire fence and open boundaries. There is tree planting outwith but adjacent to the west and north east boundaries of the site. The site is located to the west of the village of Bonnington and is accessed via a private road from the B7030 to the east, which also provides a secondary access to Bonnington House to the west of the site.

West Bonnington Farm is a working farm, predominantly engaged in arable farming. The applicant currently farms approximately 391 hectares of land within the Bonnington area.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

It is proposed to erect a farmhouse for a farm manager. The applicant wishes to re-introduce cattle into the operations at West Bonnington Farm, making use of the currently underutilised cattle shed within the site. The total floor area of the house (excluding garage) is 244.1 sqm. The size is dictated by a requirement to provide an office in the house for administration/management of the farm and external meetings. The provision of the office, with access without entering the living accommodation, and a boot room are non-typical requirements which have informed the ground floor layout.

The house is of a traditional design with a two storey central section containing a kitchen/dining room, study, farm office, boot room and four bedrooms. The living room is contained within a single storey side section and on the other side there is a two car garage. The materials are stone, dry dash render, timber cladding, slate roof and timber windows and doors.

Access to the proposed farmhouse will be provided through the existing agricultural access through the stone dyke from the private road running along the north of the site. The driveway and parking area will be compacted gravel hard standing.

The proposals include the integration of roof mounted PV solar panels and ground source heat pump.

Scheme 1

The total floor area of the house (excluding garage) has been reduced from 322.7 sqm to 244.1 sqm. This reduction has been achieved by removing the secondary living room above the garage and reducing the width of the two storey element by 1.8m. This has also resulted in the height of the garage element reducing by approximately 1m and no longer suitable for living accommodation.

Supporting Documentation

The following documents have been submitted in support of the application:

- Planning statement
- Design statement
- Operational needs assessment
- Accountant's letter

The first three documents are available to view on the Planning and Building Standards Portal. However, due to commercial confidentiality, Appendix 3 of the Operational Needs Assessment and the accountant's letter have not been placed online.

3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

3.3 Assessment

To address these determining issues, the Committee needs to consider whether:

- a) the principle of a farmhouse in this location is acceptable;
- b) the design, form and mass detract from the landscape quality and/or rural character of the area;
- c) other material planning matters have been addressed; and
- d) any comments have been addressed.

a) Principle of Development

The site lies within a countryside policy area and Policy Env 10 (Development in the Green Belt and Countryside) states that development will only be permitted where it meets one of the four criteria and would not detract from the landscape quality and/or rural character of the area. In this case, criteria a) applies and this states the development should be:

For the purposes of agriculture, woodland and forestry, horticulture or countryside recreation, or where a countryside location is essential and provided any buildings, structures or hard standing areas are of a scale and quality of design appropriate to the use.

In addition to the statutory policy, the non-statutory Guidance on Development in the Countryside and Green Belt (February 2019) provides guidance on new build dwellings. This states the following criteria should be met:

- a) a functional need for the dwelling is established;*
- b) the need relates to one or more fulltime worker(s), or one who is employed primarily in agriculture, and does not relate to a part time requirement;*
- c) the unit and the rural activity/business are financially sound, and have a clear prospect of remaining so;*

d) the functional need could not be reasonably fulfilled by an existing building which is suitable and available for occupation by the workers concerned, either on the holding or nearby (this could be an existing dwelling or involve the conversion of a building currently in an alternative use); and
e) the design, scale and layout of the building accords with Local Development Plan and Edinburgh Design Guidance.

The proposal is the erection of farmhouse for a farm manager at West Bonnington Farm. West Bonnington Farm is a working farm, predominantly engaged in arable farming. The applicant currently farms approximately 391 hectares of land within the Bonnington area. These farming operations form part of a larger business which includes approximately 594 hectares in total across Bonnington, south east Edinburgh and East Lothian. It is the intention of the applicant to re-introduce cattle into the operations at West Bonnington Farm, making use of the currently underutilised cattle shed within the grounds. The location has an agricultural farm code and is classed as Grade 2 highly productive land. Maps of the land holdings have been provided and this shows the farm is on the western boundary of the farmed area. There is therefore potential for severance of this land from the wider farmed area.

The planning statement accompanying the application states - *West Bonnington Farm is the most appropriate location to introduce this operation, given the availability of existing infrastructure and available space to provide an associated isolation paddock and additional accommodation for a farm manager.*

It is accepted that the farmhouse would be for the purposes of agriculture but it also has to be established that this countryside location is essential and no other options are available. The applicant has submitted an Operational Needs Assessment to support the case and this is used to assess the proposals against the criteria in the non-statutory guidance.

Functional need and potential to use existing buildings

The Operational Needs Assessment demonstrates that there is insufficient housing available to accommodate the existing and future labour requirement from the operations, and optimise the full economic potential of the farm business. The existing farming operations at West Bonnington Farm have a standard labour requirement of 3.3. The total labour requirement for the whole farming business is 5. The business currently employs two staff plus the farm owner (the applicant).

Only one worker currently resides within the land associated with West Bonnington Farm at Clifton Cottage to the north of the Farm. This cottage is not suitable in terms of size or location for a farm manager. The other worker resides off site and the farm owner lives 12 miles away at West Edge Farm. Bonnington Cottage to the immediate north east of West Bonnington Farm is currently let out to a long-term tenant and is not available for an agricultural worker.

The re-introduction of livestock into West Bonnington Farm will increase the labour requirement from 3.3 to 4.6 at West Bonnington Farm and to 6.35 for the whole business. This will further exacerbate the lack of sufficient and appropriate accommodation for agricultural workers, specifically a farm manager.

The operational size of the business would justify a farm manager and in order to carry out the farming activities properly it is essential that this person lives on the farm. In order to comply Welfare of Farmed Animal Regulations, a sufficient level of labour is required and must be available quickly for animals in distress. West Bonnington is the most suitable location because it is within the largest arable area of the three farm holdings and it is where the proposed cattle enterprise will be located. The farmhouse will need to be of a suitable size for a farm manager and their family and include an office. There is no suitable property on the farm that meets this requirement.

Is it accepted that there is a functional need for the farmhouse and there are no other suitable buildings on the farm to meet this requirement. However, as stated above, as the farm lies on the western boundary of the wider farmed area, it could easily be severed from these activities and there could be pressure to change it from agricultural to residential use. A legal agreement is therefore required to ensure it stays in agricultural use.

Full time worker

The applicant has confirmed that the farm manager will be employed full time and solely in agricultural activities.

Financial position of the business

The Operational Needs Assessment confirms that the proposed cropping and stocking are profitable enterprises and there is a good outlook for the business financially. The business is one of the largest specialist cereal farms in Scotland which enhances its viability. Documentary evidence has been provided to show that the business is profitable and financially sound.

The business plan for the farm is to continue cropping with a mixture of winter and spring combinable crops but also introduce cattle into the farming system so utilising the cattle shed at Bonnington. The current building is approximately 2000 square metres and could accommodate at least 200 cattle.

Design and Layout

This is assessed below.

In conclusion, the principle of the farmhouse is acceptable provided it would not detract from the landscape quality and/or rural character of the area.

b) Impact of Landscape Quality/Rural Character

LDP Policy Des 1 (Design Quality and Context) requires new development to be of a high standard of design, and to create or contribute to a sense of place. In addition, LDP Policy Des 4 (Development Design -Impact on Setting) requires new development to have a positive impact on its surroundings, including surrounding landscape and townscape character, and impact on existing views. This includes in terms of height and form, scale and proportions, positioning of buildings, and materials and detailing.

A design statement has been submitted with the application.

In terms of the immediate surroundings, the new house will be built on the site of the former piggeries of Bonnington Farm which have now been demolished. These consisted of low rise sheds, tanks and silos. The new house will be partly two storey and so higher than the piggery sheds but lower than the adjacent barn and around the same height as the previous silos. The new house will be surrounded by generous garden ground and a large isolation paddock will be formed between the new house and the large barn and livestock barn. It will be of a traditional design with slate roof and stone/render walls and will fit with the rural aesthetic of the area and in particular Bonnington Village to the east. Its mass will be significantly less than the piggery buildings which previously filled the site and it will lie adjacent to the road this respecting the ribbon form of development along the access road.

The site at West Bonnington Farm lies to the south of the private road leading west from Bonnington Village to Bonnington House and the 'Jupiter Artland' sculpture park. To the north, south and east is agricultural land which is also under the ownership of the applicant. The surrounding rural landscape has an open aspect, with views towards the Forth Bridges and the Lomond and Ochil hills to the north, and to the Pentland hills to the south. The site lies on a slight ridge running east to west, and although the surrounding farmland is undulating, the existing cottage and barns are clearly visible from the north, south and east. The mature woodland around Bonnington House and its sculpture park screens the site when viewed from the west.

Although the site is visible from the B7030 Bonnington Road/Cliftonhall Road, the new house would be screened by the existing barn. However, it will be visible from the north but looking out over the landscape there are a number of two storey farmhouses and other buildings and so this development will blend in well and have a minimal impact on the rural character of the surrounding area.

Views from the A71 to the south will be largely unaffected with the large barn remaining the predominant feature.

Overall the design is of good quality and will contribute positively to the farm complex and surrounding rural landscape. It is compatible with the rural character of the area in terms of height, form, mass, design and materials and there will be no adverse impacts on landscape quality.

The proposals comply with policies Des 1 and Des 4.

c) Other Planning Considerations

Setting of adjacent listed buildings

Policy Env 3 (Listed Buildings -Setting) seeks to protect the setting of listed buildings.

The category A listed Bonnington House lies to the west of the site. However, it is screened from the site by an extensive tree belt so there will be no impact on its setting. The nearest listed building is the lodge of Bonnington House but this is sufficiently distant from the site and there would be no impact.

Parking and Road Safety

Policies Tra 2 (Private Car Parking) and Tra 3 (Cycle Parking) set out the relevant requirements. The proposals include a two car garage and surface parking with adequate space for cycle storage. These policies are complied with.

Flooding and Drainage

DP Policy Env 21 (Flood Protection) requires that development does not result in increased flood risk on or off site. SEPA flood maps do not indicate that the site is in an area at risk of flooding, either pluvial or fluvial. There is no known risk to flooding on the site.

Policy RS 6 (Water and Drainage) also requires appropriate water supply and sewerage arrangements to be available to grant planning permission. It is proposed that the farmhouse will utilise the existing foul drainage via a private septic tank located in the adjacent field to the east of Bonnington Cottage. Connections required into this system will be within the site boundary. Hard surfaces proposed will comprise porous surfaces.

The proposals comply with policies Env 21 and RS 6.

Occupancy Restrictions and Rural Housing

The Scottish Government issued a letter on 4 November 2011 titled Occupancy Restrictions and Rural Houses. This letter set out Scottish Government's concerns over the use of planning conditions or legal restrictions on the occupancy of rural houses through the planning process. This includes tying houses to businesses such as farming. The letter states that the Scottish Government believes that occupancy restrictions are rarely appropriate and should generally be avoided.

Whilst the applicant has provided a good case for compliance with policy Env 10, there is no guarantee that the cattle farming business will be successful and the need for a farm manager's house may no longer be required. In addition, the location of the farm on the western side of the business could make severance a possibility. The applicant has agreed to a legal agreement restricting the occupancy to agricultural use and it is proposed that this is applied in this case although it is not encouraged by the Scottish Government.

d) Public Comments

Material Comments - Support:

One support comment was received from Ratho and District Community Council. This is on the understanding that the need for the proposed dwelling-house is purely for agricultural purposes and that planning conditions will be set to satisfy the requirements of LDP Policy Env 10.

Conclusion

In conclusion, the applicant has provided sufficient supporting information to show compliance with policy Env 10. The proposed farmhouse is essential for the agricultural use proposed and it will have no adverse impact on the landscape quality and the rural character of the surrounding area. Subject to a legal agreement tying the new farmhouse to agricultural use, the development is acceptable.

It is recommended that this application be Granted subject to the details below.

3.4 Conditions/reasons/informatives

Conditions:-

1. Development shall not commence until details of a Sustainable Urban Drainage Schemes (SUDS) have been submitted to and approved in writing by the Planning Authority. Details must comply with Advice Note 3 'Wildlife Hazards'. The submitted Plan shall include details of:
 - Attenuation times
 - Profiles and dimensions of water bodies
 - Details of marginal planting

No subsequent alterations to the approved SUDS scheme are to take place unless first submitted to and approved in writing by the Planning Authority. The scheme shall be implemented as approved.

2. i) Prior to the commencement of construction works on site:
 - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
 - b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
- ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

Reasons:-

1. To avoid endangering the safe movement of aircraft and the operation of Edinburgh Airport through the attraction of birds and an increase in the bird hazard risk of the application site.
2. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.

Informatives

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement has been concluded restricting the occupancy of the new farmhouse to agricultural employees only.
2. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
3. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
4. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
5. **Cranes**
Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

Equalities impact

6.1 The equalities impact has been assessed as follows:

The application has been assessed and has no impact in terms of equalities or human rights.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

One support comment was received from the community council.

A number of late support comments were also received.

Background reading/external references

- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

Statutory Development

Plan Provision

The site is situated within the designated Countryside of the adopted Edinburgh Local Development Plan (2016) (LDP).

Date registered

14 December 2018

Drawing numbers/Scheme

01, 02B, 03A, 04A, 05A,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Nancy Jamieson, Team Manager

E-mail:nancy.jamieson@edinburgh.gov.uk Tel:0131 529 3916

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Env 10 (Development in the Green Belt and Countryside) identifies the types of development that will be permitted in the Green Belt and Countryside.

LDP Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) supports development where it is demonstrated that existing and potential features have been incorporated into the design.

LDP Policy Des 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

LDP Policy Env 21 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

Relevant Non-Statutory Guidelines

Non-statutory guidelines DEVELOPMENT IN THE COUNTRYSIDE AND GREEN BELT, provide guidance on development in the Green Belt and Countryside in support of relevant local plan policies.

Non-Statutory guidelines Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

Appendix 1

Application for Planning Permission 18/10372/FUL At West Bonnington Farm, Bonnington, Kirknewton Erection of farmhouse in connection with agricultural use (as amended).

Consultations

Road Authority

No objections

Archaeology

The site lies within an area of archaeological interest occurring adjacent to the site of the historic 19th century Wester Bonnington Steading. As no historic farm buildings are known from this site and given recent ground disturbance it has been concluded that there are no known archaeological implications regarding this application.

Flood Planning

Whilst the applicant has not submitted a self-certification certification and all the information usually required to support an application as this is a single dwelling we are prepared to accept the application and allow it to proceed to determination.

The application notes the proposal is to drain surface water to a soakaway. Usually we request that the applicant either confirm the ground's suitability to act as a soakaway prior to determination or to develop an alternative location to drain surface water to. In this instance however there is adequate land available around the property to construct a soakaway that results are not required prior to determination but should still be undertaken as part of the applicant's design process to determine the size of soakaway required.

Edinburgh Airport

The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to the conditions detailed below:

Submission of SUDS Details

Development shall not commence until details of the Sustainable Urban Drainage Schemes (SUDS) have been submitted to and approved in writing by the Planning Authority. Details must comply with Advice Note 3 'Wildlife Hazards'. The submitted Plan shall include details of:

- Attenuation times*
- Profiles and dimensions of water bodies*

- Details of marginal planting

No subsequent alterations to the approved SUDS scheme are to take place unless first submitted to and approved in writing by the Planning Authority. The scheme shall be implemented as approved.

Reason: To avoid endangering the safe movement of aircraft and the operation of Edinburgh Airport through the attraction of Birds and an increase in the bird hazard risk of the application site. For further information please refer to Advice Note 3 'Wildlife Hazards' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>) We would also make the following observations:

Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)

It is important that any conditions requested in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Edinburgh Airport, or not to attach conditions which Edinburgh Airport has advised, it shall notify Edinburgh Airport, and the Civil Aviation Authority and the Scottish Ministers as specified in the Safeguarding of Aerodromes Direction 2003.

Waste Planning

Compliance with Waste Strategy (Domestic Waste Only)

The provision of a full recycling service is mandatory in Scotland, so developers must make provision for the full range of bins (either individual containers for each property, or communal bins for multiple properties). These must be stored off street at all times, except on the day of collection (in the case of individual bins).

The waste collection teams will require safe and efficient access to these from the earliest occupation, and therefore cognisance must be taken of my comments below in relation to operational viability.

It is usually most appropriate for townhouses to have individual kerbside collections. This provides each property with landfill (140 litres); mixed recycling (240 litres), glass (box), food bin and kitchen caddy. Garden Waste is a subscription service, but space should be allowed for this 240L wheelie bin too. All of these must be presented on the day of collection before a specified time and removed thereafter. They must otherwise be stored off street at all times, so space should be provided within the curtilage of the properties for three wheelie bins, and two boxes.

Developers can either source their own bins in line with our requirements, or can arrange for us to do so and recharge the cost - this will probably be most convenient for them.

Waste Management Responsibilities

The Waste and Cleansing Services will be responsible for managing the waste from households and any Council premises only. I am assuming this would include this development.

Although there are no details of any commercial aspect, for completeness, it would be the responsibility of any third party commercial organisations using the site to source their own trade waste uplifts. Architects should however note the requirement for trade waste producers to comply with legislation, in particular the Waste (Scotland) Regulations which require the segregation of defined waste types to allow their recycling. This means there would need to be storage space off street for segregated waste streams arising from commercial activities.

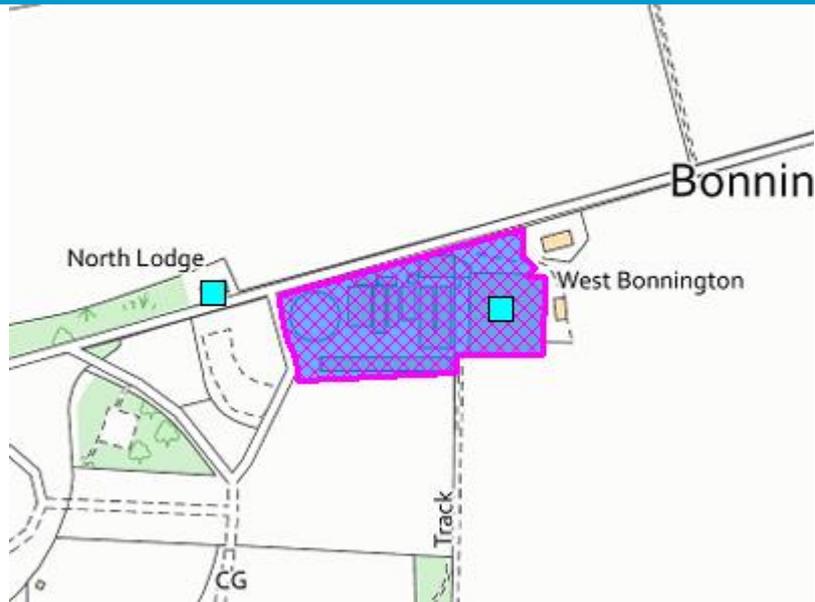
Any appointed waste collection contractors, appointed to manage commercial waste, could be expected to have similar requirements to the Council in terms of their need to be able to safely access waste for collection.

Operational Viability

Developers need to ensure that services are accessible so that our collection crews can provide the service in a safe and efficient manner, taking account of turning circles, length and width of vehicles, distance bins must be pulled, surfaces, slopes and so on. Although this is a private road, existing properties are currently serviced so I would assume this would continue, with bins being presented for collection on the roadside.

Initial information on the requirements for waste services is available in the Architect's Instructions, which can be provided for reference.

Location Plan



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