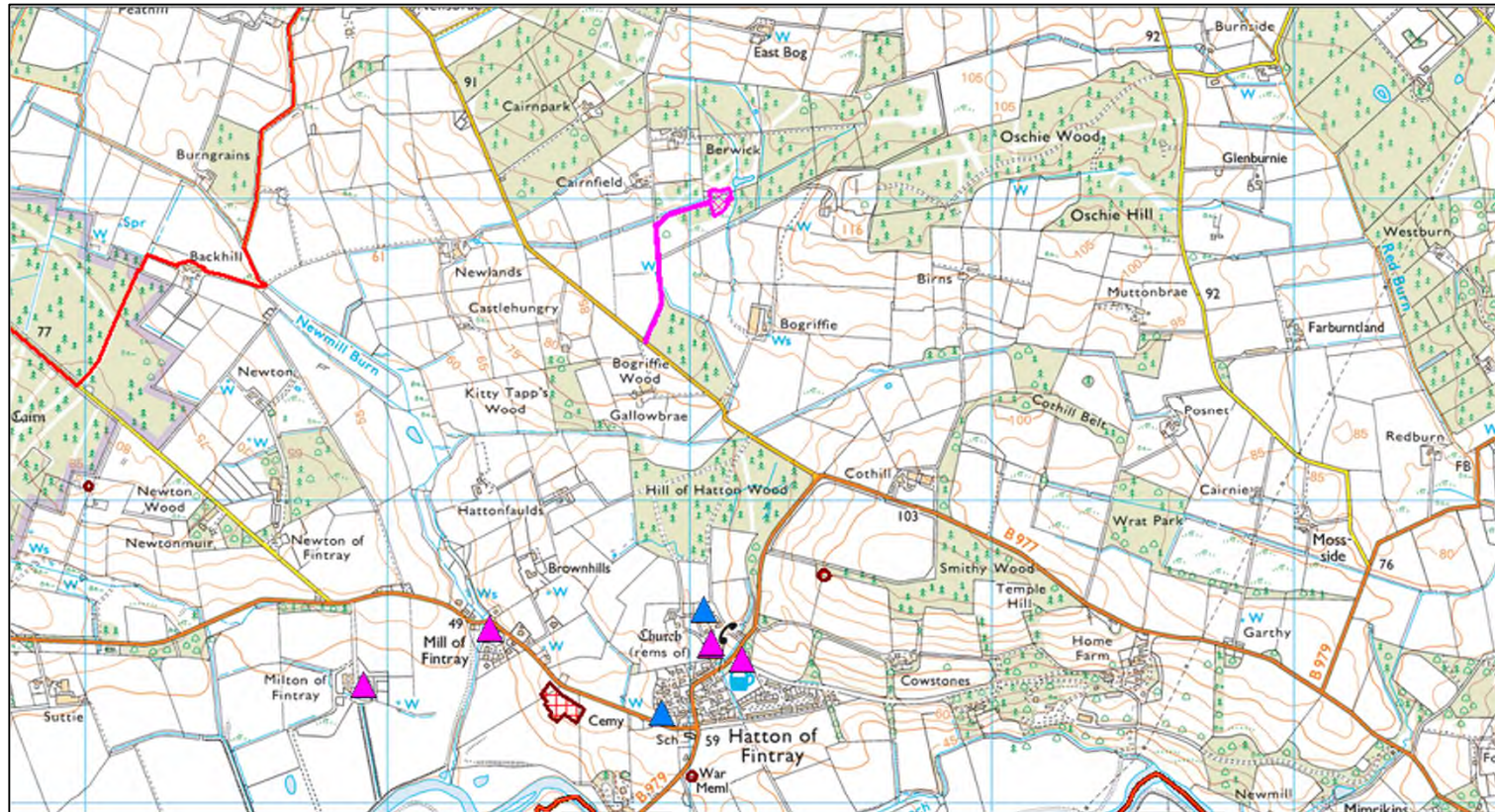


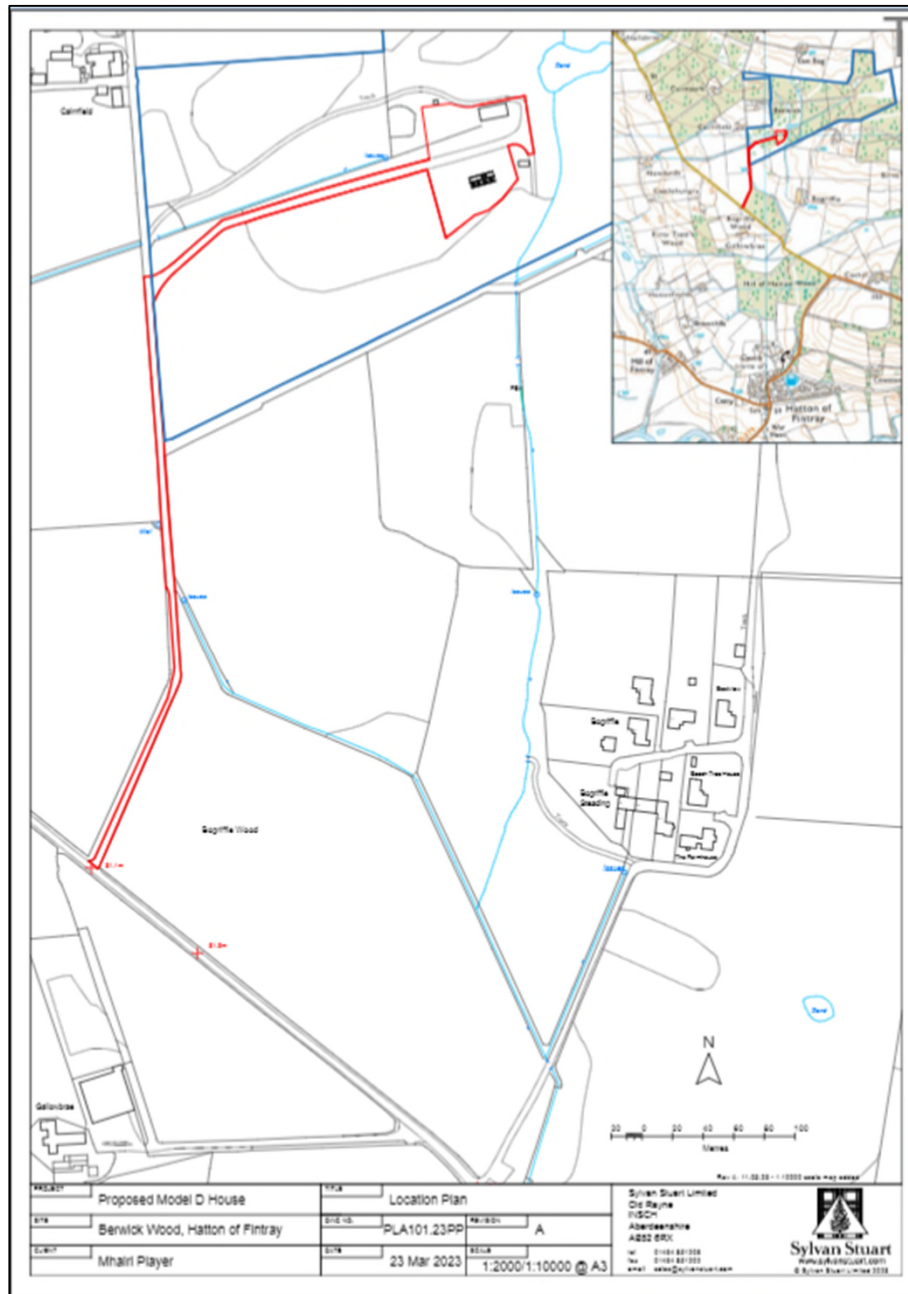


From mountain to sea

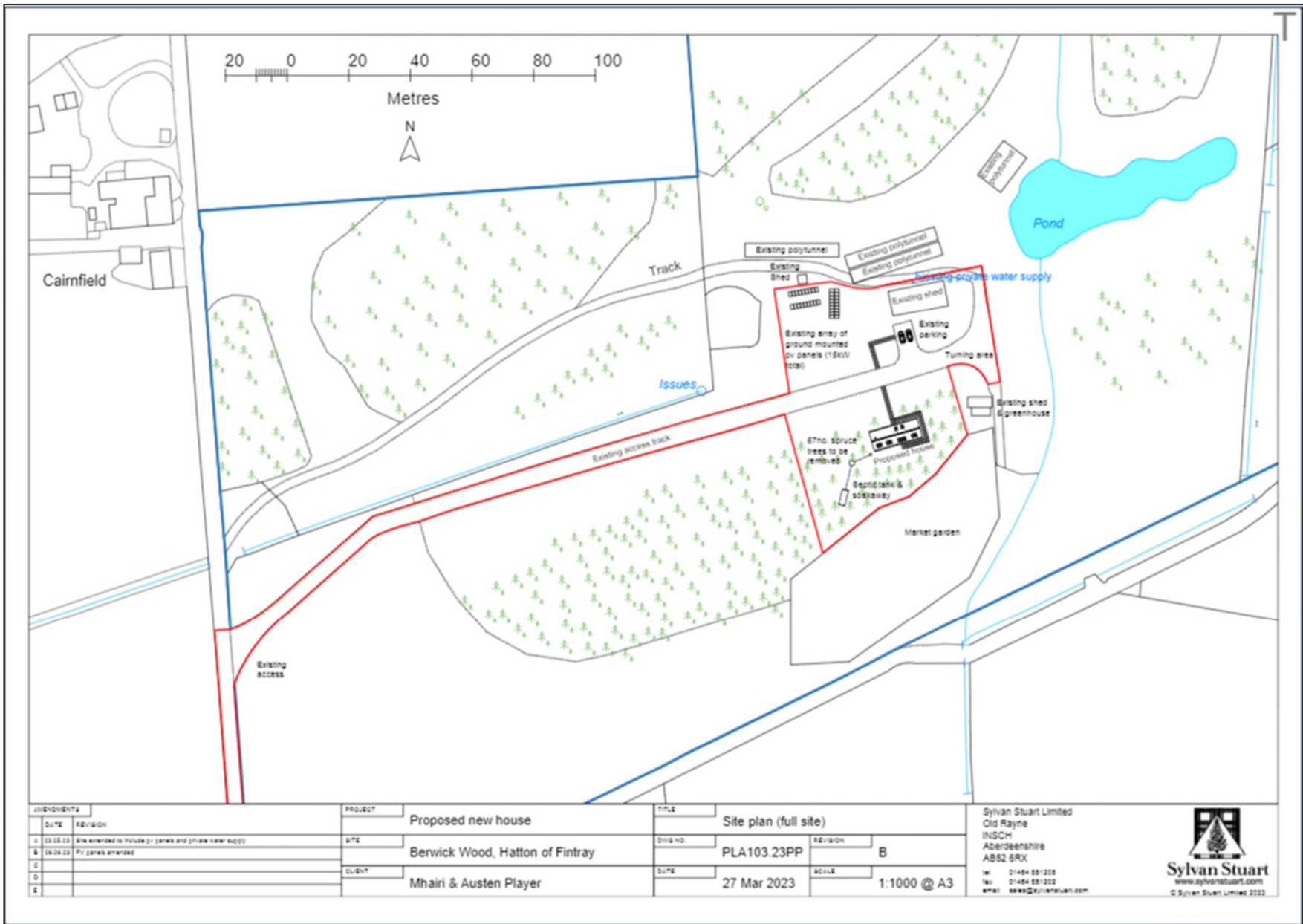
LRB 605 - APP/2023/0889

# Erection of Dwellinghouse and Retrospective Ground Based Solar Panels at Site at Berwick Wood, Hatton of Fintray

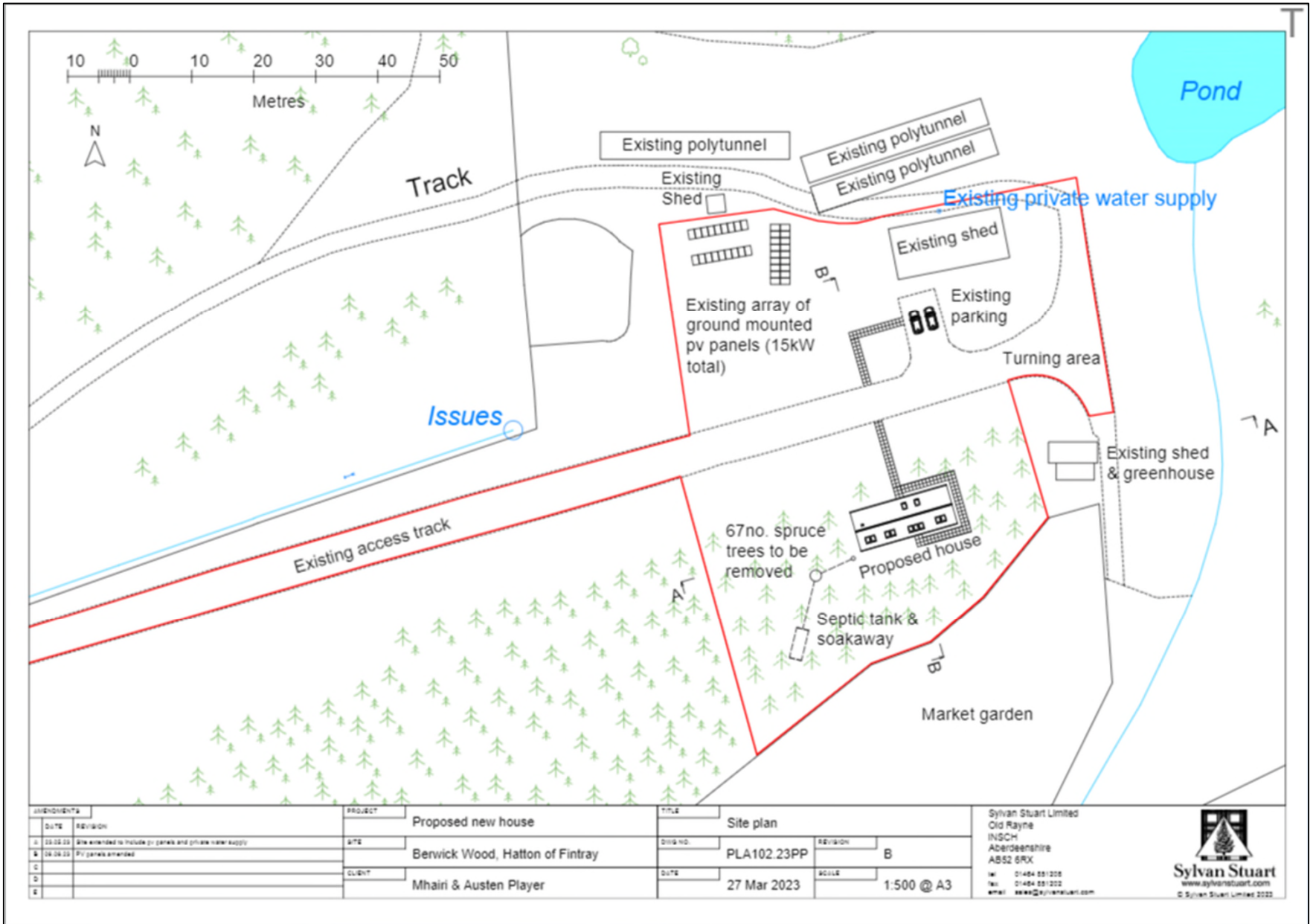




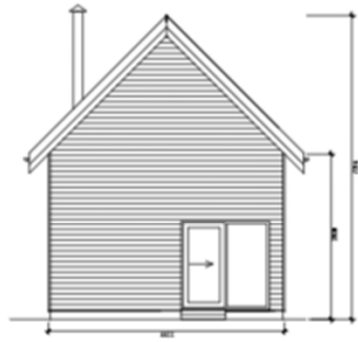
Refused Drawing



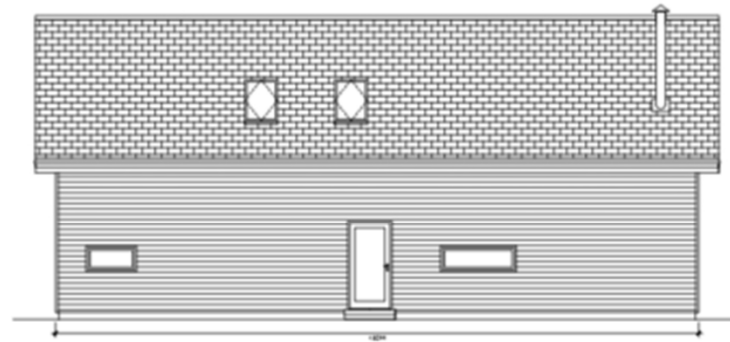




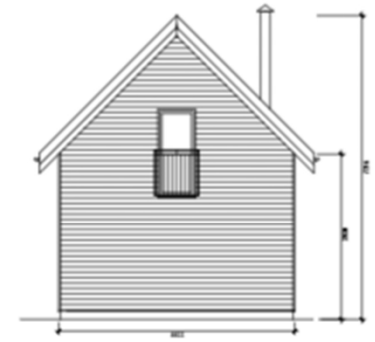
| <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>REVISION</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>23.02.23</td> <td>Site extended to include pv panels and private water supply</td> </tr> <tr> <td>B</td> <td>23.02.23</td> <td>Pv panels omitted</td> </tr> <tr> <td>C</td> <td></td> <td></td> </tr> <tr> <td>D</td> <td></td> <td></td> </tr> <tr> <td>E</td> <td></td> <td></td> </tr> </tbody> </table> |                                 | NO.   | DATE | REVISION | A | 23.02.23 | Site extended to include pv panels and private water supply | B | 23.02.23 | Pv panels omitted | C |  |  | D |  |  | E |  |  | <table border="1"> <tr> <td>PROJECT</td> <td>Proposed new house</td> </tr> <tr> <td>SITE</td> <td>Berwick Wood, Hatton of Fintray</td> </tr> <tr> <td>CLIENT</td> <td>Mhairi &amp; Austen Player</td> </tr> </table> | PROJECT | Proposed new house | SITE | Berwick Wood, Hatton of Fintray | CLIENT | Mhairi & Austen Player | <table border="1"> <tr> <td>TITLE</td> <td>Site plan</td> </tr> <tr> <td>DWG NO.</td> <td>PLA102.23PP</td> </tr> <tr> <td>DATE</td> <td>27 Mar 2023</td> </tr> </table> | TITLE | Site plan | DWG NO. | PLA102.23PP | DATE | 27 Mar 2023 | <table border="1"> <tr> <td>REVISION</td> <td>B</td> </tr> <tr> <td>SCALE</td> <td>1:500 @ A3</td> </tr> </table> | REVISION | B | SCALE | 1:500 @ A3 | <p>Sylvan Stuart Limited<br/>         Old Rayne<br/>         INSCH<br/>         Aberdeenshire<br/>         AB52 6RX</p> <p>TEL: 01484 851205<br/>         FAX: 01484 851202<br/>         EMAIL: <a href="mailto:enquiries@sylvanstuart.com">enquiries@sylvanstuart.com</a></p> <p><b>Sylvan Stuart</b><br/> <a href="http://www.sylvanstuart.com">www.sylvanstuart.com</a><br/>         © Sylvan Stuart Limited 2022</p> |
|---|---------------------------------|---|------|----------|---|----------|---|---|----------|-------------------|---|--|--|---|--|--|---|--|--|--|---------|--------------------|------|---------------------------------|--------|------------------------|---|-------|-----------|---------|-------------|------|-------------|---|----------|---|-------|------------|--|
| NO.   | DATE                            | REVISION  |      |          |   |          |   |   |          |                   |   |  |  |   |  |  |   |  |  |  |         |                    |      |                                 |        |                        |   |       |           |         |             |      |             |   |          |   |       |            |  |
| A   | 23.02.23                        | Site extended to include pv panels and private water supply |      |          |   |          |   |   |          |                   |   |  |  |   |  |  |   |  |  |  |         |                    |      |                                 |        |                        |   |       |           |         |             |      |             |   |          |   |       |            |  |
| B   | 23.02.23                        | Pv panels omitted   |      |          |   |          |   |   |          |                   |   |  |  |   |  |  |   |  |  |  |         |                    |      |                                 |        |                        |   |       |           |         |             |      |             |   |          |   |       |            |  |
| C   |                                 |   |      |          |   |          |   |   |          |                   |   |  |  |   |  |  |   |  |  |  |         |                    |      |                                 |        |                        |   |       |           |         |             |      |             |   |          |   |       |            |  |
| D   |                                 |   |      |          |   |          |   |   |          |                   |   |  |  |   |  |  |   |  |  |  |         |                    |      |                                 |        |                        |   |       |           |         |             |      |             |   |          |   |       |            |  |
| E   |                                 |   |      |          |   |          |   |   |          |                   |   |  |  |   |  |  |   |  |  |  |         |                    |      |                                 |        |                        |   |       |           |         |             |      |             |   |          |   |       |            |  |
| PROJECT   | Proposed new house              |   |      |          |   |          |   |   |          |                   |   |  |  |   |  |  |   |  |  |  |         |                    |      |                                 |        |                        |   |       |           |         |             |      |             |   |          |   |       |            |  |
| SITE  | Berwick Wood, Hatton of Fintray |   |      |          |   |          |   |   |          |                   |   |  |  |   |  |  |   |  |  |  |         |                    |      |                                 |        |                        |   |       |           |         |             |      |             |   |          |   |       |            |  |
| CLIENT  | Mhairi & Austen Player          |   |      |          |   |          |   |   |          |                   |   |  |  |   |  |  |   |  |  |  |         |                    |      |                                 |        |                        |   |       |           |         |             |      |             |   |          |   |       |            |  |
| TITLE   | Site plan                       |   |      |          |   |          |   |   |          |                   |   |  |  |   |  |  |   |  |  |  |         |                    |      |                                 |        |                        |   |       |           |         |             |      |             |   |          |   |       |            |  |
| DWG NO.   | PLA102.23PP                     |   |      |          |   |          |   |   |          |                   |   |  |  |   |  |  |   |  |  |  |         |                    |      |                                 |        |                        |   |       |           |         |             |      |             |   |          |   |       |            |  |
| DATE  | 27 Mar 2023                     |   |      |          |   |          |   |   |          |                   |   |  |  |   |  |  |   |  |  |  |         |                    |      |                                 |        |                        |   |       |           |         |             |      |             |   |          |   |       |            |  |
| REVISION  | B                               |   |      |          |   |          |   |   |          |                   |   |  |  |   |  |  |   |  |  |  |         |                    |      |                                 |        |                        |   |       |           |         |             |      |             |   |          |   |       |            |  |
| SCALE   | 1:500 @ A3                      |   |      |          |   |          |   |   |          |                   |   |  |  |   |  |  |   |  |  |  |         |                    |      |                                 |        |                        |   |       |           |         |             |      |             |   |          |   |       |            |  |



West elevation



North elevation



East elevation

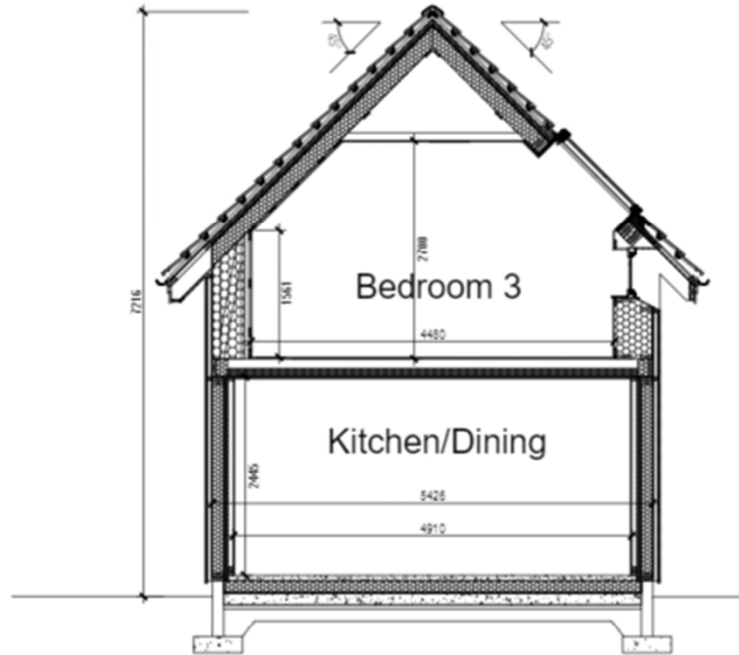
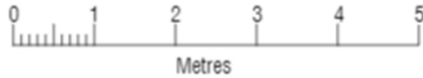
- External finishes**  
 Grey concrete tiles  
 Larch horizontal timber cladding  
 Anthracite grey windows and doors  
 Velux rooflights  
 Stainless steel flue  
 Lindab galvanized steel rainwater goods



South elevation



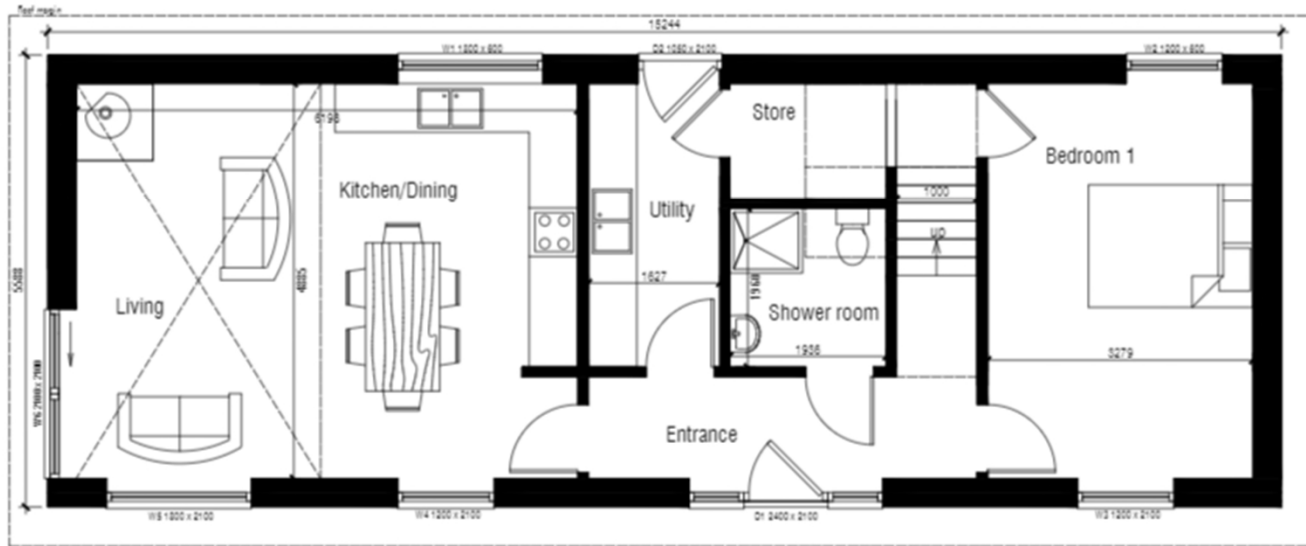
| REVISIONS |                              | PROJECT                         | TITLE       | SYLVAN STUART LIMITED   |   |
|-----------|------------------------------|---------------------------------|-------------|---|---|
| DATE      | REVISION                     | Proposed new house              | Elevations  | Old Rayne   | <br><b>Sylvan Stuart</b><br>www.sylvanstuart.com<br>© Sylvan Stuart Limited 2023 |
| 11/03/23  | Scale bar & dimensions added | SITE                            | DWG NO.     | INSCH   |   |
|           |                              | Benwick Wood, Hatton of Fintray | PLA003.23PP | Aberdeenshire   |   |
|           |                              | CLIENT                          | DATE        | AB52 6RX  |   |
|           |                              | Mhairi & Austen Player          | 31 Mar 2023 | Tel: 01484 881208<br>Fax: 01484 881202<br>Email: sales@sylvanstuart.com |   |
|           |                              |                                 |             | SCALE   | 1:100 @ A3  |



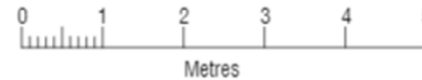
Cross section

| AMENDMENTS |               | PROJECT                         | TITLE         |          | Sylvan Stuart Limited |   |
|------------|---------------|---------------------------------|---------------|----------|-----------------------|---|
| DATE       | REVISION      |                                 |               |          |                       | Old Rayne   |
| 11.05.22   | BOOKING ADDED | Proposed new house              | Cross section |          |                       | INGCH   |
|            |               | Berwick Wood, Hatton of Fintray | PLA004.23PP   | REVISION | A                     | Aberdeenshire   |
|            |               | Mhairi & Austen Player          | 27 Mar 2023   | SCALE    | 1:50 @ A3             | AB52 6RX  |
|            |               |                                 |               |          |                       | tel: 01484 551200   |
|            |               |                                 |               |          |                       | fax: 01484 551202   |
|            |               |                                 |               |          |                       | email: <a href="mailto:www@sylvanstuart.com">www@sylvanstuart.com</a> |



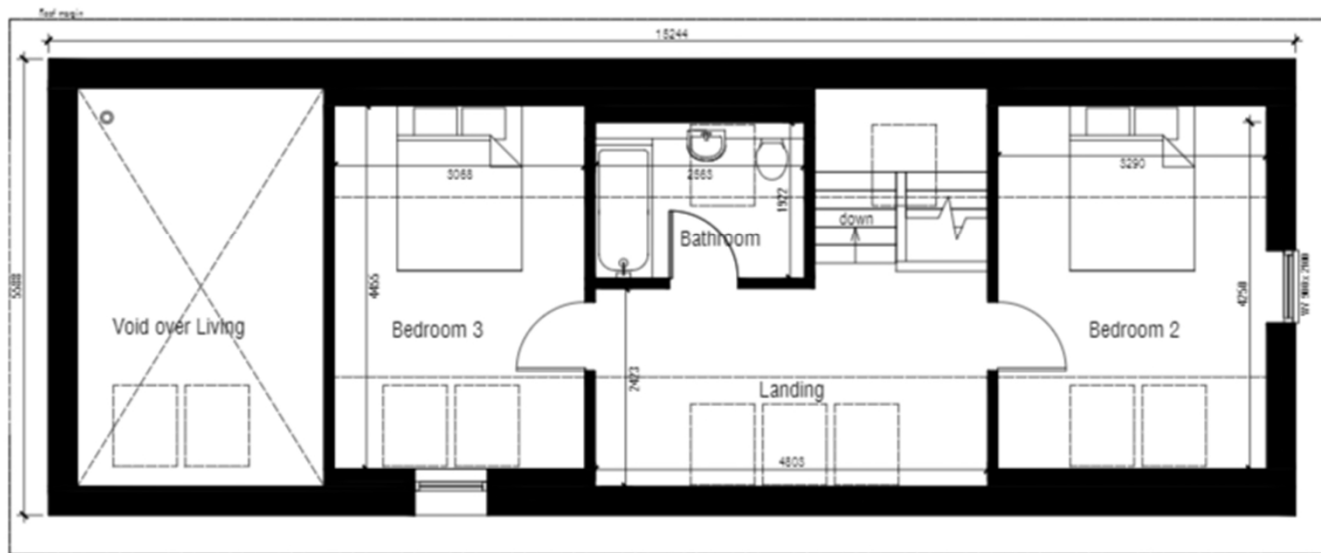


Ground floor plan



| AMENDMENTS |          | PROJECT                         | TITLE             |             | Sylvan Stuart Limited<br>Old Rayne<br>INSCH<br>Aberdeenshire<br>AB52 6RX |                               |
|------------|----------|---------------------------------|-------------------|-------------|--|-------------------------------|
| A          | 11.02.23 | Proposed new house              | Ground floor plan |             | www.sylvanstuart.com   |                               |
| B          | 08.04.23 | Berwick Wood, Hatton of Fintray | DISP NO.          | PLA001.23PP | REVISION   | B                             |
| C          |          | Mhairi & Austen Player          | DATE              | 31 Mar 2023 | SCALE  | 1:50 @ A3                     |
| D          |          |                                 |                   |             |  | tel: 01484 851222             |
| E          |          |                                 |                   |             |  | fax: 01484 851222             |
|            |          |                                 |                   |             |  | email: sales@sylvanstuart.com |
|            |          |                                 |                   |             |  | © Sylvan Stuart Limited 2023  |





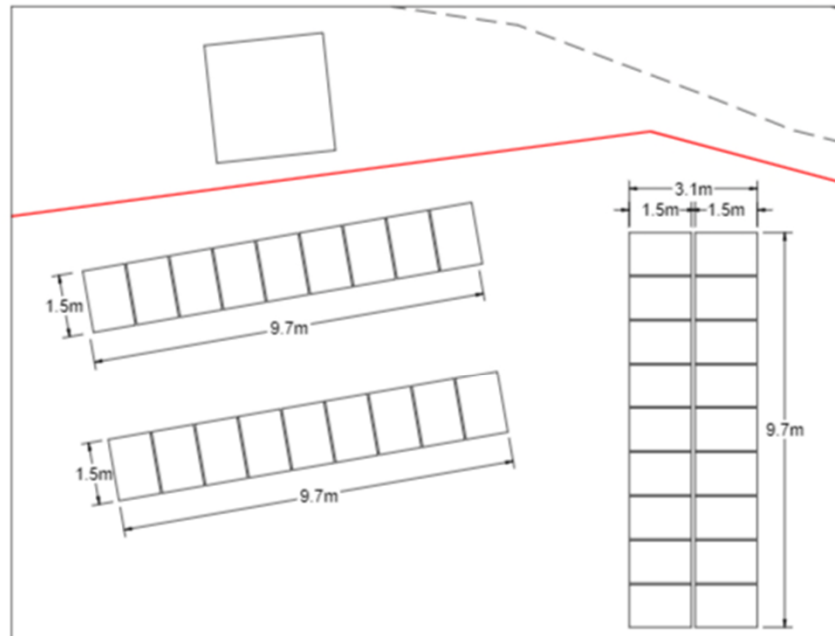
First floor plan



| AMENDMENTS |          | PROJECT         | TITLE                           | Sylvan Stuart Limited<br>Old Rayne<br>INSCHE<br>Aberdeenshire<br>AB52 6RX |                      |
|------------|----------|-----------------|---------------------------------|---|----------------------|
| A          | 11.05.23 | Drawn by: ASHBY | Proposed new house              | First floor plan  | www.sylvanstuart.com |
| B          | 04.08.23 | Title updated   | Berwick Wood, Hatton of Fintray | PLA002.23PP   | Rev: 01484 231222    |
| C          |          |                 |                                 |   | Rev: 01484 231222    |
| D          |          |                 |                                 |   | Rev: 01484 231222    |
| E          |          |                 |                                 |   | Rev: 01484 231222    |
|            |          | CLIENT          | Mhairi & Austen Player          | DATE  | 31 Mar 2023          |
|            |          |                 |                                 | REVISION  | B                    |
|            |          |                 |                                 | SCALE   | 1:50 @ A3            |





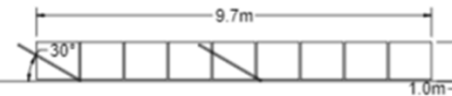


Plan view

Existing array of ground mounted pv panels  
 15kW total system  
 36no. Longi Mono Black 370W each  
 Panel dimensions 1755 x 1038 x 35mm  
 18no south facing  
 9no. east facing  
 9no. west facing  
 8 x 3.55 kWh lithium iron phosphate batteries



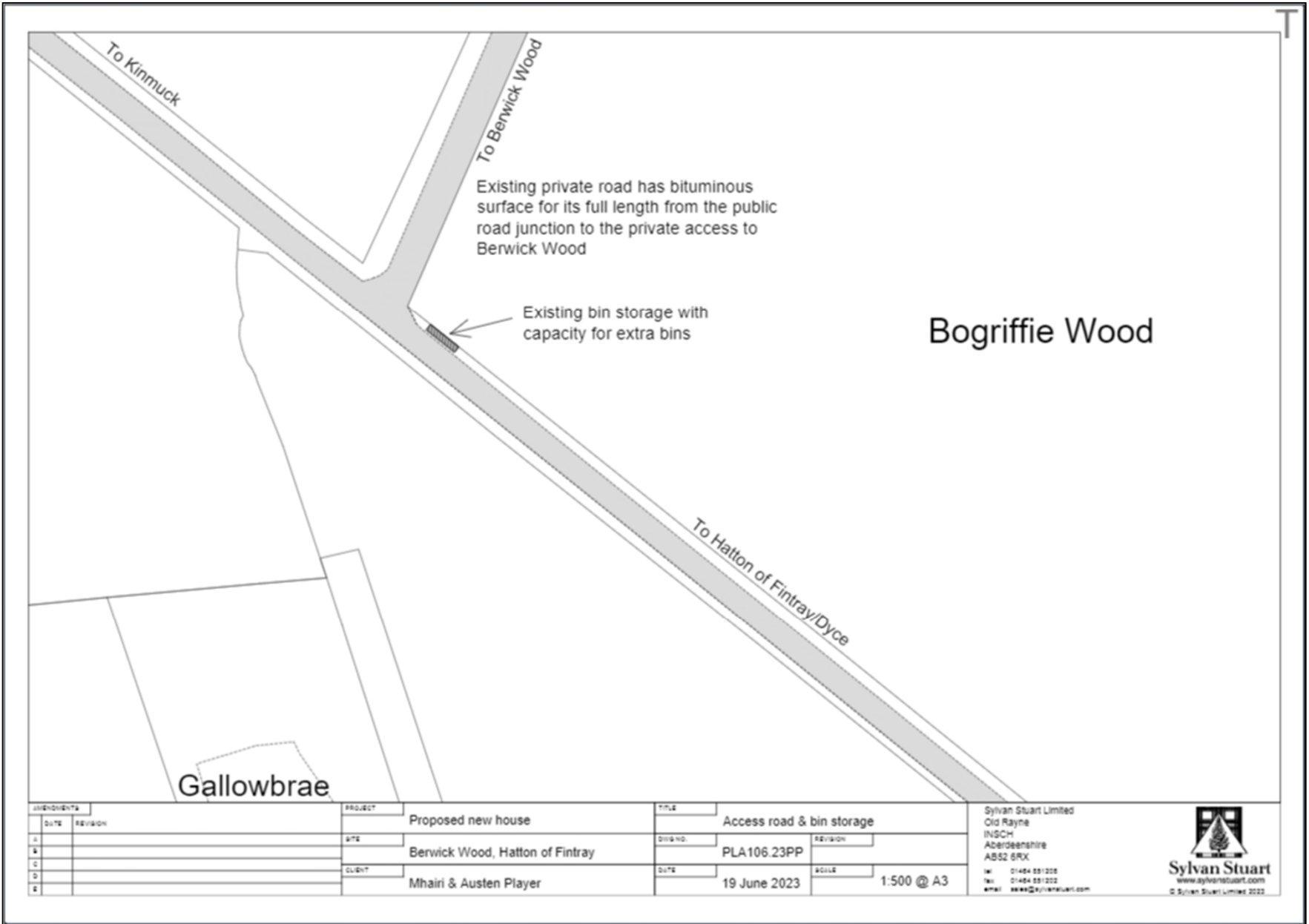
South elevation

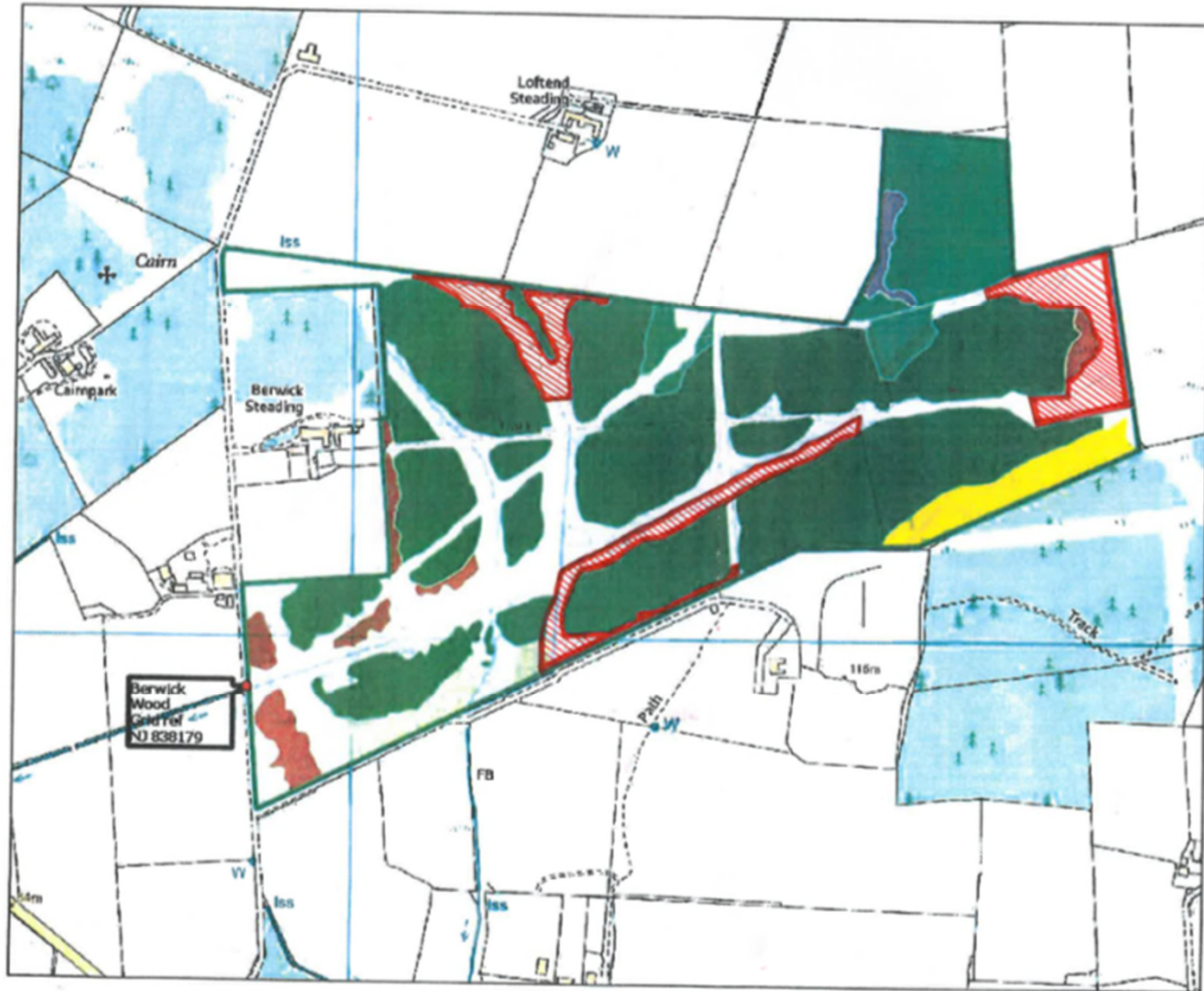


West elevation



|                                    |  |  |                               |   |   |
|------------------------------------|--|--|-------------------------------|---|---|
| <b>AMENDMENTS</b><br>DATE REVISION |  | <b>PROJECT</b><br>Proposed new house           | <b>TITLE</b><br>PV panels     | Sylvan Stuart Limited<br>Old Rayne<br>INSCH<br>Aberdeenshire<br>AB52 6RX<br>Tel: 01464 891205<br>Fax: 01464 891222<br>Email: <a href="mailto:enquiries@sylvanstuart.com">enquiries@sylvanstuart.com</a> |   |
| A                                  |  | <b>SITE</b><br>Berwick Wood, Hatton of Fintray | <b>DWG NO.</b><br>PLA105.23PP | <b>REVISION</b><br>   | <br><b>Sylvan Stuart</b><br><a href="http://www.sylvanstuart.com">www.sylvanstuart.com</a><br>© Sylvan Stuart Limited 2022 |
| B                                  |  | <b>CLIENT</b><br>Mhairi & Austen Player        | <b>DATE</b><br>6 June 2023    | <b>SCALE</b><br>1:100 @ A3  |   |
| C                                  |  |  |                               |   |   |
| D                                  |  |  |                               |   |   |
| E                                  |  |  |                               |   |   |





Berwick wood  
Hatton of Fintray  
NJ 838179

Current Species

Date: 7/6/19  
Scale: 1:10000

Legend

- Plan Boundary
- Current Species
  - Sitka spruce
  - Norway spruce
  - Scots pine
  - Japanese larch
  - Mixed broadleaves
  - Other land
  - Open

Compensatory planting  
(2.218 hectares)

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Survey  
AL1000018344





FINTRAY

Oschie Wood

Oschie Wood





**Zoomed Aerial View**





**View of access track looking west**





**Existing shed / greenhouse and house plot**





**Existing shed opposite house plot**





**Market garden to rear of proposed house plot**





**View of polytunnel and pond**





**Polytunnels to rear of shed**





**View of PV panels looking west**





**View of PV panels, sheds and polytunnels to north of site <sup>21</sup>**





**View of access track and proposed house plot**





**View within trees proposed to be felled**





From mountain to sea



## Planning History

- APP/2019/1266 – Formation of forestry track. Granted 21/06/2019.
- APP/2018/0050 – Erection of agricultural storage building. Granted 12/02/2018.



From mountain to sea



## Supporting Information

- Design Statement
- Labour Requirement Report (plus supplementary comments)
- Drainage Report
- Water Supply Report
- Berwick Woods Management Plan
- Various correspondence as per Report of Handling



From mountain to sea



## Consultations

- **Developer Obligations** confirm contributions have been agreed.
- **Contaminated Land** has no adverse comments
- **Environmental Health** requires a condition to connect to mains water.
- **Flood Risk** has no objection to the proposal.
- **Roads Development** has no objection subject to standard conditions.
- **Natural Environment** accepts the loss of trees, provided a condition secures the compensatory planting proposed and biodiversity enhancement through landscaping.
- **Health & Safety Executive** do not advise against granting permission.
- **National Gas Transmission** note an asset in the vicinity that the applicant would have to liaise with them on.
- **Scottish Water** advises that there are no sewers in the vicinity.



From mountain to sea



## Reason for Refusal

The planning authority considers that the application is for a development which is not in accordance with the policies contained within National Planning Framework 4 nor the Aberdeenshire Local Development Plan 2023. The proposed development does not meet the policy requirements to justify an essential need for an on site presence for a worker associated with an existing rural enterprise. There are no other criteria within the exemptions stated in policy that apply to the site in question. The proposed development therefore does not comply with NPF4 Policy 17 Rural homes and ALDP23 Policy R2 Development Proposals Elsewhere in the Countryside.



From mountain to sea



## **Applicant's Supporting Statement**

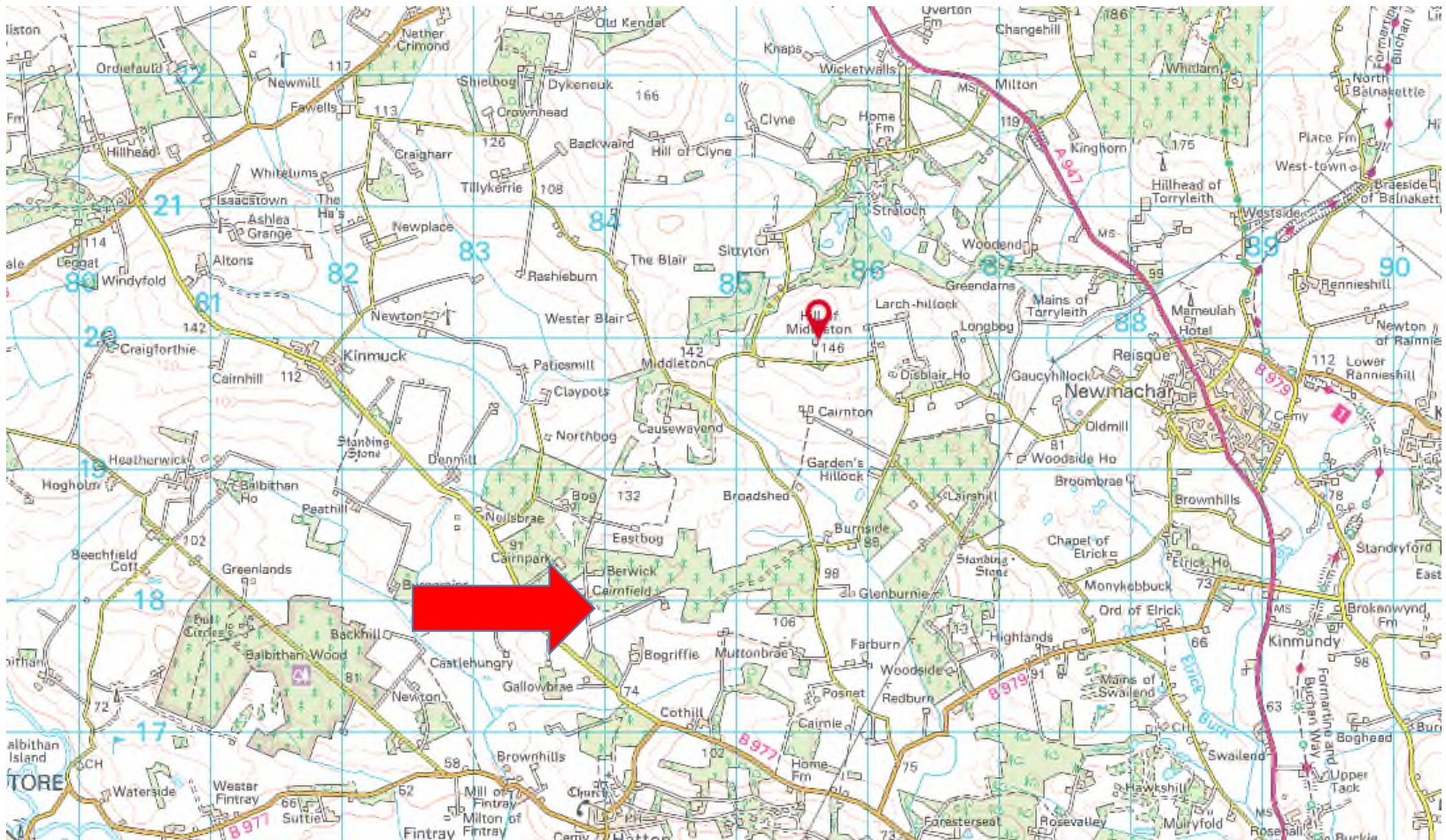
- Land comprises approx. 30ha, including 1ha in horticultural use, 10ha rough grazing, 16ha woodland, access, pond etc.
- Labour Report from Dec. 2022, market garden has been doubled in size since.
- Applicant is seeking to intensify their business by carrying more than 6 pigs, including adding breeding sows.
- Animal husbandry requires an onsite presence due to access issues in winter months caused by extreme weather events.
- There is no suitable accommodation locally.
- Applicant has a temporary accommodation arrangement, living onsite will build resilience and reduce travel to work.
- The planning report contains errors.
- Future development plans at the site should not be disregarded.
- New information – Waterways Assessment & Restructuring Operations Plan submitted.





From mountain to sea

# Applicant's Supporting Statement





From mountain to sea



## Labour Requirement Report Extract

| Activity                                | Total SLRs   |
|---|--------------|
| Outdoor Market Garden Area              | 1,421        |
| 3 Caterpillar Tunnels + 1 Poly Tunnel   | 145          |
| Orchard Area                            | 25           |
| Pigs                                    | 131          |
| <b>Sub-Total</b>                        | <b>1,722</b> |
| add allowance for forestry work         | 200          |
| add allowance for admin (market garden) | 172          |
| <b>Total Labour Requirements</b>        | <b>2,094</b> |
| 1 x Full-time Equivalent                | 1,900        |
| <b>Total FTE</b>                        | <b>1.1</b>   |

Note: it is proposed to intensify and build on these figures





From mountain to sea



## Key Planning Considerations

- The principle of a dwellinghouse based on the justification outlined – market garden, animal husbandry and potential intensification.
- The applicant is of the view the proposal complies with NPF4 and ALDP policies for rural housing and tackling the climate crises.
- No design or technical issues, and no concerns about the solar panel element of the proposal.
- Are there any other material considerations?