

**From:** [REDACTED]  
**To:** [PL: Dineke Brasier](#)  
**Cc:** [REDACTED]  
**Subject:** Planning Application P160571 - North Linn agricultural building  
**Date:** 29 May 2016 13:00:18

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Culter Community Council objects to this application for the following reasons.

- The proposal is in contravention of Policy NE1 Green Space Network, being close to and clearly visible from the Culter Burn area, thereby eroding its character.
- The proposal does not in our view comply with Policy NE2 Green Belt. According to local farming advice, the numbers of livestock which could be pastured and provided with winter housing and feed are so small that the proposed building would never be economic. We are therefore not satisfied that this is a credible “agricultural building”. For the avoidance of doubt, none of the Exceptions in current Policy NE2 apply (Exception 1 – there are no “existing activities” of an agricultural nature, nor have there been for some time past; Exception 2 – the application is not for “essential infrastructure”; Exceptions 3 and 4 – there are no existing buildings on the site).

The proposal falls lamentably short of the requirement in the proposed revision to Policy NE2 that “All proposals for development in the Green Belt must be of the highest quality in terms of siting, scale, design and materials.”

- The proposal does not comply with Policy NE6 Flooding, Drainage and Water Quality. There is no Drainage Impact Assessment. In particular, the risk of foul drainage from animals in the proposed shed, both under normal operating conditions and under upset conditions, escaping the boundaries of the site and then potentially entering the Culter Burn is not assessed, nor are mitigatory and control measures proposed.

We note that the application contains contradictory information on drainage – the Design Statement declares that both surface and foul drainage will be by soakaways; the Ground Assessment Report states that the land is not suitable for soakaways; the Site Layout states that surface water overflow will be piped to “the drain”, and makes no mention of foul-water disposal.

- The proposal is in contravention of Policy NE8 Natural Heritage. No assessment has been provided nor any measures included in the proposal to mitigate negative impacts on the River Dee SAC, of which Culter Burn and its tributaries form part.

The Culter Burn and tributaries are now part of an enlarged migratory-fish breeding catchment, on which a lot of investment and long-term environmental planning and project work is being undertaken; the catchment is in process of being added to The River Dee and Tributaries EU SAC.

There is no reference to consultation with SEPA or with the River Dee Trust.

- Further, Policy NE8 requires that “Natural heritage ... should be protected and

enhanced". It is difficult to see how a brand-new building which the Application describes as "economic, simple" and which affects residential neighbours, the Local Nature Conservation Site of Culter Burn which is also part of the Green Space Network, a public footpath past North Linn to the burn, and the view from the B979 road, could be consistent with the Policy requirement.

- The proposal contravenes The Code of Good Practice for the Prevention of Environmental Pollution from Agricultural Activity (Scottish Executive, 2005) in proposing a new agricultural building closer than 400m to residential buildings. This is particularly important as regards odour and noise.
- The proposed building and services lie in a Pipeline Notification Area. The Application is silent on this matter, so we are unable to determine whether the proposal would be acceptable in this respect.
- The application contains a number of contradictions and errors of fact, all of which erode confidence that the proposal could be satisfactory even if all the policy issues were to be resolved. These inaccuracies include:

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- Design Statement says site is 3.27ha; Site Layout lists 25,555 square metres, ie 2.56ha. Whatever the true area, the proposed list of machinery to be stored seems wildly out of proportion to the site area – unless the applicant is intending uses other than agricultural?
- The Application says the site is accessed "... off the farm track serving the various buildings ...". In fact this is a paved private road, and the owners inform us that no permission has been sought by the Applicant, nor any rights granted by the owners, which would permit access
- The Application says that the site is "... bounded by agricultural land on all sides ...". In fact all the southern and south-eastern boundaries adjoin residential property
- The Application states that "water and electric are close to hand". Access would be across private land not owned by the applicant. The owners inform us that no permission has been sought by the Applicant, nor any rights granted by the owners, which would permit the required civil works, utility works or other activities on the owners' property required to lay in utilities to the proposed development. Further, there is no mention of consultation with Scottish Water to identify whether the supply has the capacity required to service livestock on the scale intended
- The application contains incomplete and contradictory information on drainage, as noted above under Policy NE6
- Design Statement declares that the building 'needs to be close to the existing farm track' (ie the paved private road), but the Site Layout shows the building at the far side of the field

In conclusion, following representation from residents, Culter Community Council objects to the Application, and requests that the Planning Authority refuse permission.

For and on behalf of Culter Community Council,

**Andy Roberts**  
*Planning Liaison Officer*