

**SOUTH AYRSHIRE COUNCIL**

**LOCAL REVIEW BODY**

**NOTE OF CURRENT POSITION**

<b>Site Address:</b>	COTTAGE 1, UPPER BARR FARM GIRVAN
<b>Application:</b>	23/00191/APP APPLICATION FOR PLANNING PERMISSION

<b>Appointed Officer's Decision:</b>	Approval with Conditions
<b>Date Notice of Review Received:</b>	20 July 2023

<b>Current Position:</b>	New Case for Review
<b>Documentation:</b>	The following documents in relation to the review are attached:  Report of Handling – Pages 1 to 4 Notice of Review and Supporting Information – Pages 5 to 9 Planning Application and Supporting Information – Pages 10 to 20 Decision Notice – Pages 21 to 23 Appointed Officer Site Photographs – Pages 24 to 26 Applicant Site Comments and Photographs – Pages 27 to 30 Draft Conditions - 31
<b>New Material:</b>	No
<b>Additional Material Any other Comments:</b>	N/A
<b>Dated:</b>	1 November 2023

**Report of Handling of Planning Application**

<b>Reference No:</b>	23/00191/APP
<b>Site Address:</b>	Cottage 1 Upper Barr Farm U66 From Glenginnet Road Barr Via Milton East To U27 Junction At South Balloch Barr South Ayrshire KA26 9TY
<b>Proposal:</b>	Erection of polytunnel
<b>Recommendation:</b>	Approval with Condition(s)

**REASON FOR REPORT**

This report fulfils the requirements of Regulation 16, Schedule 2, paragraphs 3 (c) and 4 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. The application has been determined in accordance with the Council's Scheme of Delegation as well as the Procedures for the Handling of Planning Applications.

**1. Site Description:**

The site of the proposed development is located in a gently undulating field location approximately 74 metres from Upper Barr Farm to the east of the site. Post and wire fencing defines the site boundaries. Vehicular access to the site is taken from the U66 via an existing field gate.

**2. Planning History:**

23/00077/COL Certificate of Lawfulness for the proposed erection of a polytunnel- Planning Permission required and the application was withdrawn 8/3/2023

**3. Description of Proposal:**

Planning permission is sought for the erection of a polytunnel. Full details are set out in the submitted plan.

**4. Consultations:**

**Ayrshire Roads Alliance:** No response at the time of writing the report.

**5. Submitted Assessments/Reports:**

In assessing and reporting on a Planning application the Council is required to provide details of any report or assessment submitted as set out in Regulation 16, Schedule 2, para 4(c) (i) to (iv) of the Development Management Regulations.

**6. S75 Obligations:**

In assessing and reporting on a Planning application the Council is required to provide a summary of the terms of any Planning obligation entered into under Section 75 of The Town and Country Planning (Scotland) Act in relation to the grant of Planning permission for the proposed development.

None.

**7. Scottish Ministers Directions:**

In determining a Planning application, the Council is required to provide details of any Direction made by Scottish Ministers under Regulation 30 (Directions requiring consultation), Regulation 31 (Directions requiring information), Regulation 32 (Directions restricting the grant of Planning permission) and Regulation 33 (Directions requiring consideration of condition) of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, or under Regulation 50 (that development is EIA development) of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017.

None.

**8. Representations:**

No representations were received.

**9. Development Plan:**

On 13 February 2023, Scottish Ministers published and adopted National Planning Framework 4 ('NPF4'). NPF4 sets out the Scottish Ministers position in relation to land use Planning matters and now forms part of the statutory development plan, along with the South Ayrshire Local Development Plan 2 ('LDP2') (adopted August 2022).

Sections 25(1) and 37(2) of The Town and Country Planning (Scotland) Act 1997 (as amended) indicates that 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. The application is determined on this basis.

Legislation states that in the event of any incompatibility between a provision of NPF4 and a provision of an LDP, whichever of them is the later in date is to prevail (The Town and Country Planning (Scotland) Act 1997 ("the 1997 Act"); Section 24(3)). NPF4 was adopted after the adoption of LDP 2, therefore NPF4 will prevail in the event of any incompatibility.

**National Planning Framework 4 (NPF4)**

The following policies of NPF4 are relevant in the assessment of the application and can be viewed in full online at [National Planning Framework 4 - gov.scot \(www.gov.scot\)](https://www.gov.scot/national-planning-framework-4):

Policy 5: Soil  
Policy 14: Design, quality, and place  
Policy 29: Rural Development

Policy 5 aims to maintain and protect prime quality agricultural land and in this respect, it is noted that the purpose of the proposed development is the propagation of vegetable seedings and cultivation of crops, it is also noted that the application site is not classified as prime agricultural land.

With regards to Policy 14 and 29, It is considered that the development proposals are suitably designed in respect of the rural setting of the locale.

The provisions of NPF4 must, however, be read and applied as a whole, and as such, no policies should be read in isolation. The application has been considered in this context.

As assessment of the proposals against the provisions of NPF4 is set out below.

**South Ayrshire Local Development Plan 2**

The following policies of the South Ayrshire Local Development Plan 2 are relevant in the assessment of the application and can be viewed in full online at [Local development plan 2 - South Ayrshire Council \(south-ayrshire.gov.uk\)](https://south-ayrshire.gov.uk/local-development-plan-2):

LDP 2 Policy: Strategic Policy 1: Sustainable Development

LDP 2 Policy: Strategic Policy 2: Development Management  
LDP 2 Policy: Landscape Quality

The provisions of the Adopted South Ayrshire Local Development Plan 2 must, however, be read and applied as a whole, and as such, no single policy should be read in isolation. The application has been considered in this context.

An assessment of the proposals against the provisions of Local Development Plan 2 is set out below.

**10. Other Relevant Policy Considerations (including Government Guidance):**

None

**11. Assessment (including other material considerations):**

Planning permission is sought for the erection of a Polytunnel which is understood to have two functions; i) the propagation of vegetable seedings for use in our market garden (in development) and ii) the cultivation of plants, both of which will be undertaken by the owner/ occupier of the property at Cottage 1, Upper Brr Farm.

It is considered that the siting of the polytunnel on the site will not have a significant adverse impact on the character or visual amenity of the rural area at this locale. It is noted that the polytunnel is on an area of flat land which is set back from the farm steading. It is also reasonable to find a polytunnel within an agricultural setting and there is sufficient screening to the roadside which is located to the east of the site to mitigate the visual impact of the structure from out with the site. Nevertheless, given the construction is a polytunnel which is a temporary structure and, as such, it is considered appropriate to attach a condition to any planning permission granted that limits the approval to a three-year period in order to limit the visual impact of the development on the scenic area at this locale.

With regard to Landscape Quality, it is noted that the application is located within a scenic area and the Stinchar Valley Local Landscape Area. It is also noted that the application site is located within an agricultural field, approximately 75 metres from the farm steading. Although the proposed site of the polytunnel is away from the farm steading, the location of the polytunnel is to maximise the sunlight. Given the existing landscape setting (near to a farm steading and within an area of flat land free from vegetation) and the small-scale nature of the polytunnel, it is not considered the development shall result in an adverse impact on the landscape character of the locale.

For reasons noted above, it is considered that the development proposals align with the provisions of the NPF4 and the Adopted South Ayrshire Local Development Plan 2. The proposals are not considered to adversely impact on the rural setting of the locality. Given the above assessment and having balanced the applicants right against the general interest, it is recommended that the application is approved, subject to the following conditions.

**12. Recommendation:**

It is recommended that the application is approved with condition(s).

- (1) That the development hereby permitted must be begun within three years of the date of this permission.
- (2) That the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority.
- (3) that the approval for the polytunnel is limited to 3 years from the date of this permission, at which date the use of the polytunnel shall be terminated and the site shall be restored to its former condition in accordance with a written specification, including timescales which the works shall be implemented, to be submitted for the prior written approval of the Planning Authority. The restoration specification shall be submitted within 2 months of the date of this planning permission



**Reasons:**

- (1) To be in compliance with Section 58 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 32 of The Planning (Scotland) Act 2019.
- (2) To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.
- (3) The proposed structure have a limited life and are not a permanent building, and therefore only acceptable on a temporary basis.

**Advisory Notes:**

**List of Plans Determined:**

Drawing - Reference No (or Description): **Approved** Block Plan

Drawing - Reference No (or Description): **Approved** Location Plan

Drawing - Reference No (or Description): **Approved** Polytunnel

**Reason for Decision (where approved):**

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

The explanation for reaching this view is set out in the Report of Handling and which forms a part of the Planning Register.

**Equalities Impact Assessment:**

An Equalities Impact Assessment is not required because the proposed development is not considered to give rise to any differential impacts on those with protected characteristics.

<b>Decision Agreed By:</b>	<i>Appointed Officer</i>
<b>Date:</b>	<i>4 May 2023</i>



County Buildings Wellington Square Ayr KA7 1DR Tel: 01292 616 107 Email: [planning.development@south-ayrshire.gov.uk](mailto:planning.development@south-ayrshire.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 100620452-002

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

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Ms"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Cottage 1"/>
First Name: *	<input type="text" value="Anja"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Van Geert"/>	Address 1 (Street): *	<input type="text" value="Cottage 1, Upper Barr Farm"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="07594177901"/>	Town/City: *	<input type="text" value="Girvan"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KA26 9TY"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="avgeert@gmail.com"/>		

## Site Address Details

Planning Authority:

South Ayrshire Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

Easting

## 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)

We are applying for planning permission to set up a small polytunnel on our land at Upper Barr, Girvan. The polytunnel would be 4.27m x 12.19m, anchored by screw anchors and would be a removable structure.

## 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.

We want to appeal the temporary time period condition for our polytunnel. We wish for the condition to be removed because we will be maintaining the building in the approved condition. Our polytunnel cover has a guarantee of 7 years, with a life expectancy of 10+ years. The structure is galvanised steel and is known to last decades. The Council has clearly said in its report of handling that in that condition it is not considered to have any detrimental impact on the landscape.

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)

Polythene guarantee sheet

## Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

100620452

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

07/03/2023

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

06/05/2023

## 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

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: Ms Anja Van Geert

Declaration Date: 20/07/2023

# Polythene Information Sheet

## Introduction

Polythene is a flexible membrane, which is used to create a micro-climate in which plants grow better than they would if they were unprotected. Polytunnels not only allow you to grow crops which are from a more temperate climate, but also to grow crops earlier in the year, and later in the year, so lengthening the growing season.

Modern polythene films are extruded and are made up from 3 layers with different fillers in each layer. This is one of the reasons they are incredibly strong and can often be stretched more than 500% before they break.

We are committed to providing the highest standard of product and service to our customers. We will continue to invest in the latest technology and use materials best suited to meet the needs of the grower.

Our Quality Policy is to aim to deliver defect free products and services that conform, every time, to the requirements agreed with our customers.

## Guarantee

The polythene sheet supplied is guaranteed for 5 years except for Super Therm which is guaranteed for 7 years against breaking down through exposure to sunlight.

However, if it is correctly applied to the structure, it is not uncommon to get 7 or even 10 years out of a cover. In the unlikely event that you have been supplied a defective cover we will give you another cover completely free if it fails in the first year. The only manufacturing defect however where this is likely to happen is where the fold splits. However you are not covered if the fold splits and the cover is not tight.

In the event of the premature failure, the following discounts will be given on the purchase of a replacement film

Failure in ...	Super Therm	Everything Else
<b>1st year</b>	<b>100%</b>	<b>100%</b>
<b>2nd year</b>	<b>85%</b>	<b>80%</b>
<b>3rd year</b>	<b>70%</b>	<b>60%</b>
<b>4th year</b>	<b>55%</b>	<b>40%</b>
<b>5th year</b>	<b>40%</b>	<b>20%</b>
<b>6th year</b>	<b>25%</b>	<b>NA</b>
<b>7th year</b>	<b>10%</b>	<b>NA</b>

To register a claim, contact the polythene supplier from whom the film was purchased and have the following information available:

- Type of polythene (ie, Clear, Thermal or White)
- Date polythene was purchased
- Date polythene was installed
- Size of polythene sheet (width and length)
- Date when problem was noticed
- Invoice number
- Description of the problem
- You will also be required to provide a written letter and photograph(s) of the fault.

## Recommendations & Conditions

The way in which polytunnel films are handled, installed and looked after, can greatly influence the lifetime of the film and its effectiveness in use. The following gives recommendations of use, and factors, which will limit the life of the polytunnel film and therefore the extent of our guarantee.

Prior to fitting the polytunnel film, it should be stored away from heat and light – preferably indoors, in the original wrapping. If outside, cover the polythene with an opaque heat reflecting tarpaulin. Film should be used within 12 months of purchase.

Heaters must be placed so that hot air is directed away from the film

The metal structure must be insulated from the film with good quality anti-hot spot tape. The lifetime of anti-hot spot tape is not likely to be more than ten years, so new tape will be needed for the second or third cladding. Old tape may have breaks in the foam or in the polyester facing, and this should certainly be replaced.

Avoid excessive use of pesticides, herbicides, fungicides, fertilisers, etc. Avoid chemicals coming into direct contact with the film, for example by spray drift. Agrochemicals can interact with the UV stabilising systems and deactivate them with the risk of premature failure. Chemicals containing sulphur or chlorine have been found to be the most harmful in this respect. Ensure that structures are free from corrosion, as this will adversely affect the life of the film. Iron contamination from rusted structures acts as a photo-degradation promoter. In the event of failure, evidence of high levels of sulphur, chlorine or iron will invalidate the guarantee.

It is regretted that it is not possible to give compensation for consequential claims.

## Polythene Care

A cleaning agent called Algon is ideal for cleaning covers. Repairing holes in the tunnel can be done with repair tape

**Both are available from First Tunnels.**



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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 100620452-001

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.

## Type of Application

What is this application for? Please select one of the following: \*

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

## Description of Proposal

Please describe the proposal including any change of use: \* (Max 500 characters)

Set up of polytunnel on agricultural land. The polytunnel will have two functions: the propagation of vegetable seedlings for use in our market garden (in development) and the cultivation of tomatoes etc. The land where we want to set up the polytunnel is flat (no levelling needed) and free of vegetation (no trees or shrubs need to be cut down). The polytunnel will be anchored using anchor screws (no concrete needed). The polytunnel can be taken out without disturbance to the land at any time.

Is this a temporary permission? \*  Yes  No

If a change of use is to be included in the proposal has it already taken place?  Yes  No  
 (Answer 'No' if there is no change of use.) \*

Has the work already been started and/or completed? \*

No  Yes – Started  Yes - Completed

## 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

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Ms"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Cottage 1"/>
First Name: *	<input type="text" value="Anja"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Van Geert"/>	Address 1 (Street): *	<input type="text" value="Cottage 1, Upper Barr Farm"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="██████████"/>	Town/City: *	<input type="text" value="Girvan"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KA26 9TY"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="██████████"/>		

## Site Address Details

Planning Authority:	<input type="text" value="South Ayrshire Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="Cottage 1"/>
Address 2:	<input type="text" value="Upper Barr Farm"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="Barr"/>
Post Code:	<input type="text" value="KA26 9TY"/>

Please identify/describe the location of the site or sites

Northing	<input type="text"/>	Easting	<input type="text"/>
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## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Pre-Application Discussion Details Cont.

In what format was the feedback given? \*

Meeting  Telephone  Letter  Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) \* (max 500 characters)

We have applied for a certificate of lawfulness, but were advised that this is not the appropriate application in this instance as the proposal is not considered to benefit from permitted development rights under the Town and Country Planning (General Permitted Development) (Scotland) Order 1992. We were advised to apply for planning permission instead.

Title:

Other title:

First Name:

Emma

Last Name:

McKie

Correspondence Reference Number:

SAC Application

Date (dd/mm/yyyy):

07/03/2023

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

## Site Area

Please state the site area:

52.05

Please state the measurement type used:

Hectares (ha)  Square Metres (sq.m)

## Existing Use

Please describe the current or most recent use: \* (Max 500 characters)

The area where we would like to set up the polytunnel is currently grassland and has in the past been used for sheep grazing.

## Access and Parking

Are you proposing a new altered vehicle access to or from a public road? \*

Yes  No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \*

Yes  No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?	0
How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *	0
Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).	

<b>Water Supply and Drainage Arrangements</b>	
Will your proposal require new or altered water supply or drainage arrangements? *	$\leq$ Yes <b>T</b> No

Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) *	$\leq$ Yes <b>T</b> No
Note:-	
Please include details of SUDS arrangements on your plans	
Selecting 'No' to the above question means that you could be in breach of Environmental legislation.	

Are you proposing to connect to the public water supply network? *	$\leq$ Yes
	$\leq$ No, using a private water supply
	<b>T</b> No connection required
If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).	

<b>Assessment of Flood Risk</b>	
Is the site within an area of known risk of flooding? *	$\leq$ Yes <b>T</b> No $\leq$ Don't Know
If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.	
Do you think your proposal may increase the flood risk elsewhere? *	$\leq$ Yes <b>T</b> No $\leq$ Don't Know

<b>Trees</b>	
Are there any trees on or adjacent to the application site? *	$\leq$ Yes <b>T</b> No
If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.	

<b>Waste Storage and Collection</b>	
Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *	$\leq$ Yes <b>T</b> No

If Yes or No, please provide further details: * (Max 500 characters)
It is a small polytunnel, we don't foresee there will be much additional waste resulting from its use. Plant waste will be composted.

<b>Residential Units Including Conversion</b>	
Does your proposal include new or additional houses and/or flats? *	$\leq$ Yes <b>T</b> No

## All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \*

≤ Yes  No

### Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 \*

≤ Yes  No ≤ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

### Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

≤ Yes  No

### Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

≤ Yes  No

Is any of the land part of an agricultural holding? \*

Yes ≤ No

Do you have any agricultural tenants? \*

≤ Yes  No

Are you able to identify and give appropriate notice to ALL the other owners? \*

Yes ≤ No

### Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate B

# Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

Ms Emma Wroe

Address:

Cottage, 1, Cottage 1, Upper Barr Farm, Girvan, United Kingdom, KA26 9TY

Date of Service of Notice: \*

07/03/2023

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding;

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: \*

Signed:

Ms Anja Van Geert

On behalf of:

Date:

07/03/2023

Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

Yes  No  Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

Yes  No  Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

Yes  No  Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? \*

Yes  No  Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

If Other, please specify: \* (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *	≤	Yes	T	N/A
A Design Statement or Design and Access Statement. *	≤	Yes	T	N/A
A Flood Risk Assessment. *	≤	Yes	T	N/A
A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *	≤	Yes	T	N/A
Drainage/SUDS layout. *	≤	Yes	T	N/A
A Transport Assessment or Travel Plan	≤	Yes	T	N/A
Contaminated Land Assessment. *	≤	Yes	T	N/A
Habitat Survey. *	≤	Yes	T	N/A
A Processing Agreement. *	≤	Yes	T	N/A

Other Statements (please specify). (Max 500 characters)

## Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Ms Anja Van Geert

Declaration Date: 07/03/2023

## Payment Details



Created: 11/03/2023 16:57





**South Ayrshire Council  
Planning Service**

Approved under The Town and Country Planning (Scotland) Act 1997 (as amended), in accordance with the plans submitted and subject to any conditions that may be specified in the notification of this decision by South Ayrshire Council.

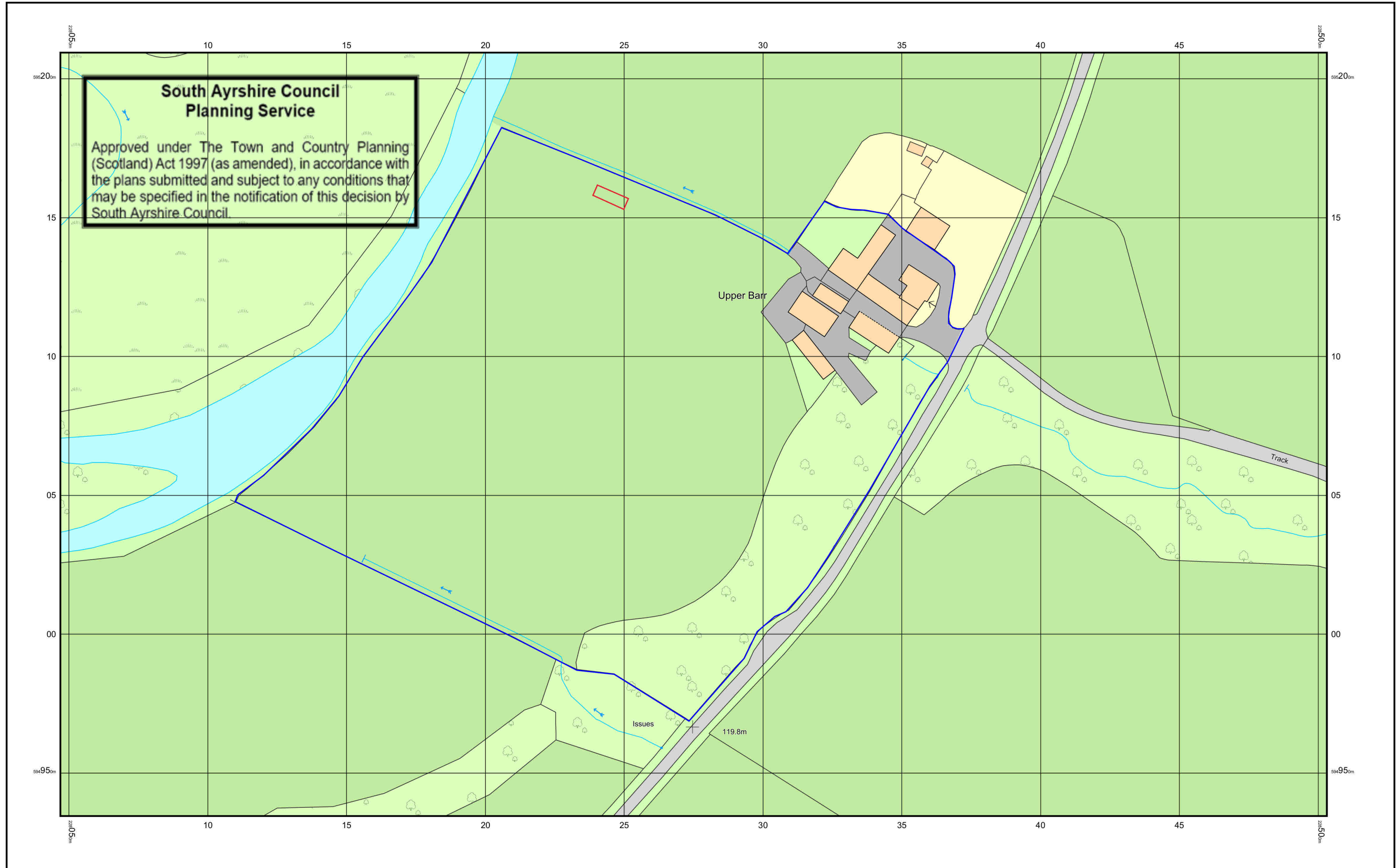


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**COTTAGE 1, UPPER BARR FARM, BARR, GIRVAN, KA26 9TY**

Supplied by: [www.ukmapcentre.com](http://www.ukmapcentre.com)  
Serial No: 257288  
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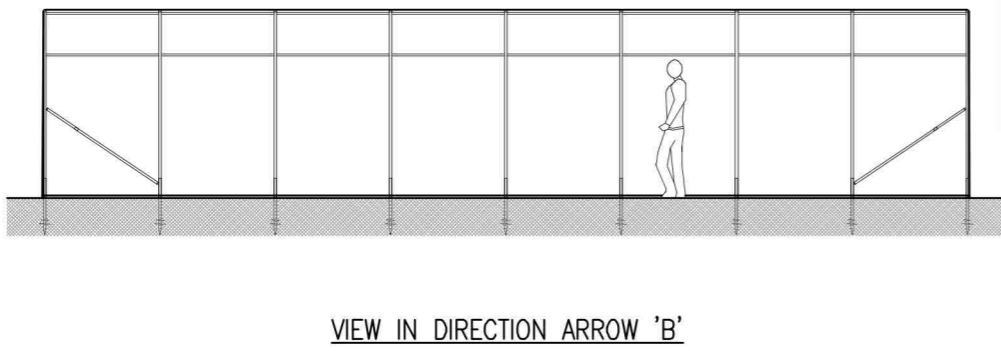
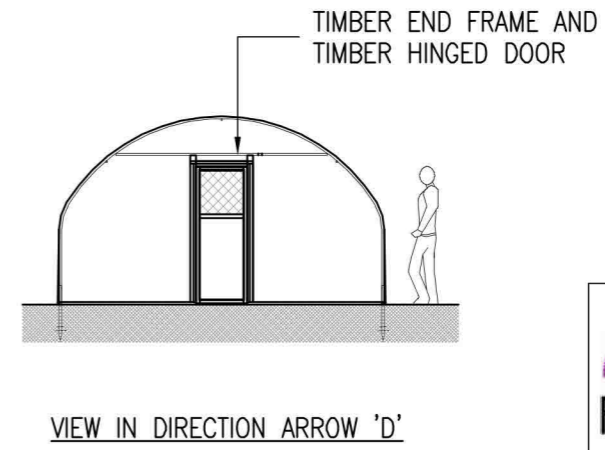
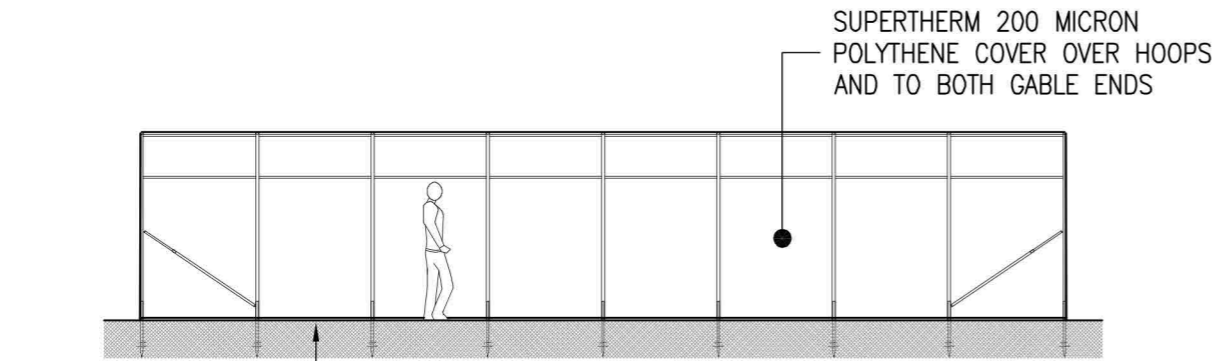
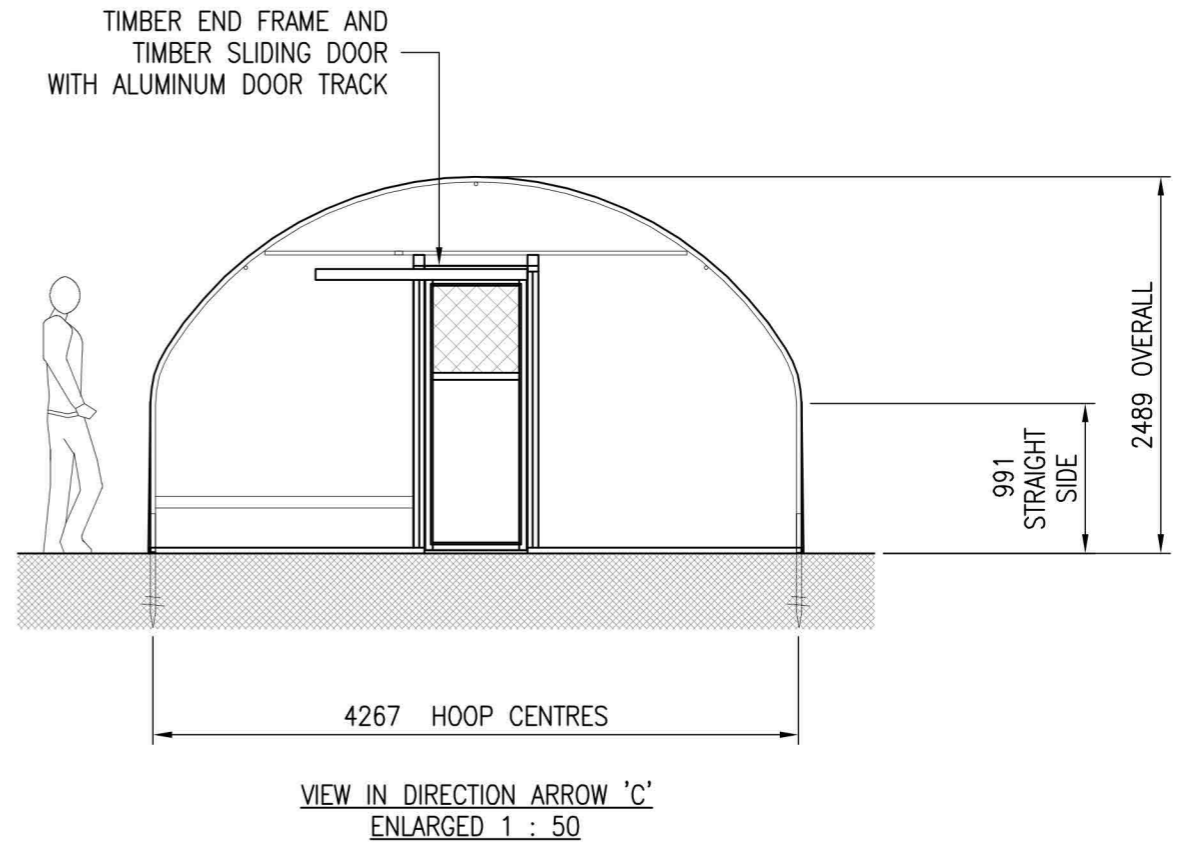
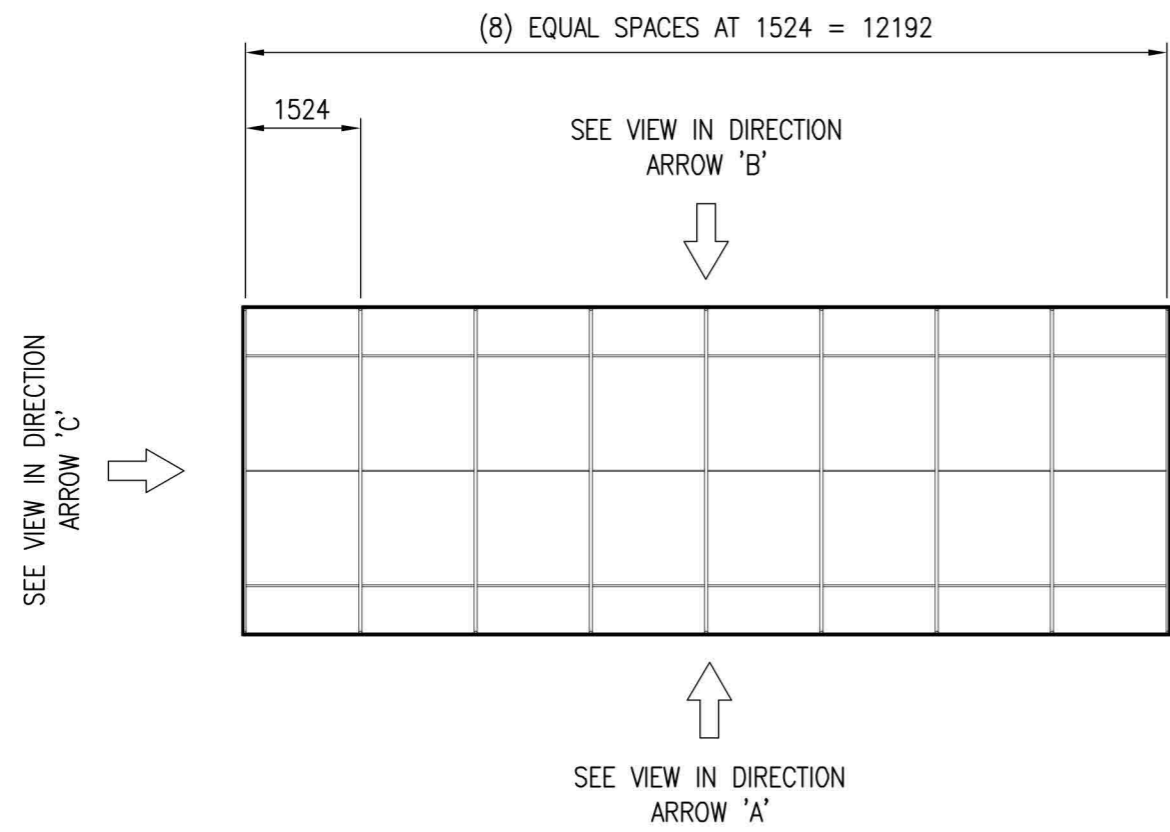
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0m 1cm = 12.5m 62.5m

Scale 1:1250

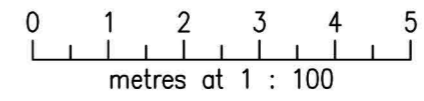






**South Ayrshire Council  
Planning Service**

Approved under The Town and Country Planning (Scotland) Act 1997 (as amended), in accordance with the plans submitted and subject to any conditions that may be specified in the notification of this decision by South Ayrshire Council.



**FIRST TUNNELS**

First Tunnels Ltd, Altham Business Park, Unit 2 Shorten Brook Way,  
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CLIENT INFORMATION <b>UPPER BARR FARM GIRVAN KA26 9TY</b>		DATE DRAWN <b>04/02/23</b>	
DRAWING TITLE <b>4.3M (14FT) SINGLE SPAN POLYTUNNEL ELEVATION DRAWING</b>			
IDENTIFICATION NUMBER <b>PL-14-SS-0016</b>			REV <b>0</b>

LOCAL DEVELOPMENT

APPLICATION FOR PLANNING PERMISSION  
(Delegated)

Ref No: 23/00191/APP

SOUTH AYRSHIRE COUNCIL

THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)  
THE TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT) (SCOTLAND) ORDERS

To: Ms Anja Van Geert  
Cottage 1  
Upper Barr Farm  
Girvan  
KA26 9TY

With reference to your **Application for Planning Permission** dated **14th March 2023**, under the aforementioned Regulations, for the following development, viz:-

**Erection of polytunnel**

at: **Cottage 1 Upper Barr Farm U66 From Glenginnet Road Barr Via Milton East To U27 Junction At South Balloch Barr South Ayrshire KA26 9TY**

South Ayrshire Council in exercise of their powers under the aforementioned Regulations hereby **approve** the Application for Planning Permission for the said development in accordance with the following conditions as relative hereto and the particulars given in the application. The approved drawings and other documents, where relevant, can be accessed from the [Council's website](#) by using the application reference number noted above and these represent the approved scheme.

**The following condition(s) which relates to this permission are:**

- (1) That the development hereby permitted must be begun within three years of the date of this permission.
- (2) That the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority.
- (3) That the approval for the polytunnel is limited to 3 years from the date of this permission, at which date the use of the polytunnel shall be terminated and the site shall be restored to its former condition in accordance with a written specification, including timescales which the works shall be implemented, to be submitted for the prior written approval of the Planning Authority. The restoration specification shall be submitted within 2 months of the date of this planning permission

**Reasons:**

- (1) To be in compliance with Section 58 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 32 of The Planning (Scotland) Act 2019.
- (2) To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.
- (3) The proposed structure has a limited life and are not a permanent building, and therefore only acceptable on a temporary basis.

**List of Approved Plans:**

Drawing - Reference No (or Description): Block Plan

Drawing - Reference No (or Description): Location Plan

Drawing - Reference No (or Description): Polytunnel

**Advisory Notes:**

- (1) A site notice to be displayed in accordance with Section 27C (1) of The Town and Country Planning (Scotland) Act 1997 and Regulation 38 and Schedule 7 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 shall be completed, printed on durable material, and be displayed in a prominent place (readily visible to members of the public) at or in the vicinity of the site while the development hereby approved is in progress. This requirement is in order to ensure that members of the public are made aware of the background to the development in progress and have access to the necessary contact details.
- (2) The person who intends to carry out the development hereby approved shall, as soon as practicable after deciding on a date on which to initiate the development, complete the form entitled 'Notification of Initiation of Development' and submit it to the Planning Authority before commencement of the development. For the avoidance of doubt, failure to submit the required notice would constitute a breach of Planning control under Section 123 (1) of The Town and Country Planning (Scotland) Act 1997 (as amended). This notification is required to ensure compliance with the requirements of Planning Legislation as contained in Section 27A of The Town and Country Planning (Scotland) Act 1997 (as amended).
- (3) The developer is required in carrying out the development hereby approved to submit to the Planning Authority a formal written 'Notification of Completion of Development' as soon as practicable after the development has been completed. This notification shall include the reference number of the Planning permission, the site address and the date of completion. This requirement is to ensure compliance with the requirements of Planning Legislation as contained in Section 27B (1) of The Town and Country Planning (Scotland) Act 1997 (as amended).
- (4) The developer is required in carrying out the development hereby approved to submit to the Planning Authority a formal written Notification of Completion of Phases of Development as soon as practicable after completion of each phase of the development and subsequently a 'Notification of Completion of Development' as soon as practicable after the whole development has been completed. These notifications shall include the reference number of the Planning permission, the site address and the date of completion of the relevant phase. This requirement is to ensure compliance with the requirements of Planning Legislation as contained in Section 27B (1) and Section 27B (2) of The Town and Country Planning (Scotland) Act 1997 (as amended).

**Reason for Decision:**

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

The explanation for reaching this view is set out in the Report of Handling and which forms a part of the Planning Register.

It should be understood that this permission does not carry with it any necessary consent or approval to the proposed development under other statutory enactments.

**Dated: 4th May 2023**

.....  
**Craig Iles**  
**Service Lead – Planning and Building Standards**

**COUNTY BUILDINGS, WELLINGTON SQUARE, AYR, KA7 1DR**

**Note:**  
**In addition to this approval and before proceeding with the development the applicant may require a Building Warrant under the Building (Scotland) Act 2003 as amended or a Road Opening Permit or Construction Consent under the Roads (Scotland) Act 1984 Legislation.**





Photo taken from the application site towards the farm buildings and cottage 1, upper Barr Farm



Application site





Application site

Views from the public road (Glenginnet Road) towards the site.

**From:** Anja Van Geert <  
**Sent:** 11 September 2023 13:02  
**To:** Local Review Body <[LocalReviewBody@south-ayrshire.gov.uk](mailto:LocalReviewBody@south-ayrshire.gov.uk)>  
**Subject:** Re: Comment on Case Officer Photos

Hello,

Here are some recent pictures from similar angles as your colleague took. I hope they will help you understand the context of the polytunnel and its quality. Please be aware that we haven't installed the doors yet (we didn't need them during the summer), but this is on our to do list for the autumn. Once these are installed the polytunnel will be officially ready.

Best,

Anja











## **Case Officers Draft Conditions and Reasons**

### **Draft Conditions;**

- 1) That the development hereby permitted must be begun within three years of the date of this permission.
- 2) That the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this mission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority.

### **Reasons;**

- 1) To be in compliance with Section 58 of the Town and County Planning (Scotland) Act 1997 as amended by section 20 of the Planning ETC. (Scotland) Act 2006.
- 2) To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.