

To whom this may concern

Thanks for sharing with the appeal of planning application 23/01235/1PL

I believe the appeal further highlights why refusal was given. It suggests that the request for permission is in line with Policy 8 of the LDP2 therefore should be approved, but it rightly acknowledges that National Planning Framework "NPF4" policies that came into force more recently take precedent over LDP2 policies and it without question in contravention of many of those and other policies not mentioned in the refusal –beyond accessibility as the appeal suggests, although that alone is a valid reason for refusal.

NPF3 policy 3

"We should be protecting the character of noted areas of Scottish Land which is part of natural heritage"

The proposal would not strengthen or enhance the character of the surrounding landscape but would rather detract from the open and undeveloped nature of the area (especially the car park). The proposal would fundamentally alter the landscape which should be protected.

NPF4 policy 13

"Accessible by public transport"

This application / appeal does not satisfy this as "it is not accessible by public transport". The appeal states in point 3.2 that it is unfair discrimination to decline the application based on this- Its not discrimination, the planning team are simply following planning policy which is there for a reason, and the appeal and need for a car park further proves that the Farm Shop would only really be accessible by car! It would appear the applicant is challenging policy here rather than whether planning have followed policy correctly.

NPF4 policy 29

This application is not in line with many of the applicable points outlined in policy 20 A such as:

ii "Represents diversification of an existing business"

I do not believe this is a diversification of an existing business as the appeal suggests in point 3.5- I believe the applicant simply owns land rather than owning a farm/ being a farmer. How is this a diversification of an existing business?

vi "Reuse of a redundant or unused building"

The applicant wants to build a new structure and car park in rural land so is contravention of this. Tay Cottage next door to the proposed Farm Shop is derelict – surely it would be far

better and more in line with policy to consider leveraging Tay Cottage for this venture (if there is proven demand) which would be more than suitable for a “small scale” Farm shop as the appeal refers to it in point 3.6 and 4.1. Further why is such a big building and car park required for something “small scale”?

NPF4 policy 30

vi. *“Measures taken to minimise carbon emissions”*

If the business is a success, it would be default encourage carbon emissions as many customers would not be just passing by but rather driving their especially.

Scottish Natural Heritage's Tayside Landscape Character Assessment 1999

This policy discourages isolated developments in the open landscape. This proposal replaces an area of natural land- The change of use seems inappropriate when as already mentioned “Tay Cottage” and other derelict building in the area could be converted (if there is proven business need)

Perth and Kinross Council prepared Supplementary Guidance on Landscape 2020 (new since previous approvals)

“Maintain the native character of loch side”

The proposal is contrary to the Council's Supplementary Guidance and would have a detrimental impact on the landscape from all sides of the loch

Then I have questions/ points to make on some points of the appeal as follows:

3.9

“...There are 2 shipping containers, various vehicles and equipment this is a brownfield site and a long time since it was just a field” (redacted).

Since the applicant purchased the land it has indeed not been looked after and used as a dumping ground, and the appeal suggests based on this it is a “brownfield land” and therefore inferring that the development is therefore in the lands interests. To this I have some specific points to make:

1/ The applicant should be asked to remove all the unsightly items as they should have never been dumped in an area of natural beauty, its shows total disregard of the area.

2/ The definition of “brownfield” is land that is abandoned or underutilised due to pollution from industrial use – I don’t actually believe this is the case, items have simply been dumped in an area of natural beauty, and once removed, the land would simply be a field. However if the applicant really thinks it is “brownfield land” as they suggest in the appeal, someone

should investigate how the applicant has allowed an area of natural beauty to be so neglected under their care and it is certainly not reason to grant permission

4.7

“on the basis of previous history..” Redacted

Previous history should not really impact the decision- it is about what is right now according to current guidance.

Finally even if it did meet certain criteria and Tay Cottage was say instead converted, I still have concern that it will take away from other local farm shops /businesses nearby such as <https://www.tombreck.co.uk/farm-shop> which is also on the referred to “heart 200 touring route” and just 6 minutes away. I do not believe there is demand for two farm shops in such close proximity.

Thank-you for considering the concerns.

Jo