TCP/11/16(490) – 17/00875/FLL – Erection of a dwellinghouse on land 40 metres south west of Glencoe, Baird Terrace, Crieff

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PAPERS SUBMITTED BY THE APPLICANT

Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: onlineapps@pkc.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 100042066-002

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

Agent Details

Please enter Agent details

Company/Organisation:	John Handley Associates Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	John	Building Name:	
Last Name: *	Handley	Building Number:	1
Telephone Number: *	0131 220 8253	Address 1 (Street): *	St Colme Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	UK
		Postcode: *	EH3 6AA
Email Address: *	john.handley@johnhandley.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr & Mrs	Building Name:	Tralee Lodge
First Name: *	G	Building Number:	
Last Name: *	McOmish	Address 1 (Street): *	Baird Terrace
Company/Organisation		Address 2:	Callum's Hill
Telephone Number: *		Town/City: *	Crieff
Extension Number:		Country: *	UK
Mobile Number:		Postcode: *	PH7 3LT
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:	Perth and Kinross 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	722252	Easting	287446

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)

erection of a dwellinghouse

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 a 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.

Full grounds of appeal are set out in the accompanying Grounds of Appeal Statement and the Supporting Planning Statement.

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)

Please refer to accompanying List of Appeal Documents which confirms the full set of Appeal Documents.

Application Details

Please provide details of the application and decision.

What is the application reference number? * 17/00875/FLL

What date was the application submitted to the planning authority? * 16/05/2017

What date was the decision issued by the planning authority? * 20/06/2017

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

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

Holding one or more hearing sessions on specific matters

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

We request that the Local Review Body holds a hearing into this Appeal. This would allow the extensive planning history of the site (including the granting of planning permission in 1983 for the same form and scale of development on this site) to be fully assessed and considered by the Local Review Body.

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: Mr John Handley

Declaration Date: 15/09/2017

Grounds of Appeal Statement

Appeal against the refusal of planning permission by the Interim Head of Planning for the proposed erection of a dwellinghouse at Land 40 Metres South West of Glencoe, Baird Terrace, Crieff

On behalf of: Mr & Mrs G McOmish

Planning Application Ref: 17/00875/FLL

JOHN HANDLEY ASSOCIATES LTD
Chartered Town Planning Consultants
1 St Colme Street
Edinburgh
EH3 6AA

September 2017

Grounds of Appeal Statement

Appeal against the refusal of planning permission by the Interim Head of Planning for the proposed erection of a dwellinghouse

at Land 40 Metres South West of Glencoe, Baird Terrace, Crieff

On behalf of: Mr & Mrs G McOmish

Planning Application Ref: 17/00875/FLL

Contents:

List of Documents submitted on behalf of the Appellant: **(All Documents have been submitted electronically on separate CD)**		
Appeal Documents:		
	Completed Appeal Form	15 September 2017
	Grounds of Appeal Statement	15 September 2017
	Appeal Covering Letter	15 September 2017
	List of Appeal Documents	15 September 2017
Planning Application Documents:		
SD01:	Application Covering Letter	
SD02:	Submitted Application Form	
SD03:	Location Plan	
SD04:	Site Plan, Elevations & Sections	
SD05:	Supporting Planning Statement	
SD06:	SPS Appendix 1 - Copy of the 1983 Planning Permission for the site.	
SD07:	SPS Appendix 2 - Copy of the Director of Planning's Memorandum to the Chief Executive of Perth and Kinross District Council confirming positive assessment of the proposed development of this site, June 1983	
SD08:	SPS Appendix 3 - Copy of the Roads Department Consultation Response from 2016 confirming no objections to the proposed access arrangements for the site.	
SD09:	SPS Appendix 4 - Copy of Plan showing location of approved access for the site.	
SD10:	Landscape Layout	
SD11:	Photomontage	
SD12:	Tree Survey and Arboricultural Report	
SD13:	Tree Survey Appendix 2 - Schedule	
SD14:	Tree Survey Appendix 3 - Plan	
SD15:	Drainage Layout Plan	
SD16:	Application Registration Letter	
SD17:	Consultation Response - Contributions	
SD18:	Consultation Response – Environmental Health	
SD19:	Consultation Response – Transport Planning	
SD20:	Consultation Response – Biodiversity Officer	
SD21:	Report of Handling	

SD22:	Decision Notice
Perth & Kinross Council Planning Portal link to original Planning Application: http://planningapps.pkc.gov.uk/online-applications/simpleSearchResults.do?action=firstPage	
Additional Documents prepared to address reasons for refusal:	
SD23:	Phase 1 Habitat Survey

1.0 Introduction & Purpose of Statement

1.1 This Grounds of Appeal Statement has been prepared by Chartered Town Planning Consultants, John Handley Associates Ltd, on behalf of the appellants and landowners, Mr and Mrs McOmish.

1.2 It is submitted in support of an Appeal against the refusal of planning permission for the erection of a single dwelling house on a previously consented development site at Callum's Hill, to the rear of Baird Terrace, Crieff.

1.3 The application for planning permission was submitted to Perth and Kinross Council on 16th May 2017 and was refused only four weeks later under delegated powers by the Council's Interim Head of Planning on 20th June 2017 (see Supporting Document SD22).

2.0 Reasons for Requesting Review of Interim Head of Planning's Refusal of Planning Permission

2.1 The Interim Head of Planning's reasons for refusal of the application is discussed and addressed in section 7.0 below.

2.2 In summary, the application was refused by the Council's Planning Officers on the grounds that:

(1) it would introduce backland development and establish an unwelcome precedent for further similar developments which would have serious detrimental impact on the amenity and character of the area;

(2) the proposed development fails to respect the prevailing established building line within the area and would not be compatible with the amenity and character of the surrounding area; and

(3) No detailed survey has been undertaken to establish the presence and potential impact of development on any protected species on site.

2.3 However, in reaching this view, and by refusing this latest planning application, the Planning Officers have failed to acknowledge and give any weight to the site's planning history, and particularly the fact that Planning Permission was granted by Perth & Kinross District Council for the development of a new dwelling house on this site in 1983 (Supporting Document SD06).

2.4 Whilst the 1983 Permission subsequently expired, it nonetheless established the principle of development on the appeal site and is, in our opinion, a significant material consideration in support of this planning application. A copy of the original planning permission for this site is submitted as Document SD06.

2.5 In addition to the failure to give any weight to the site's previous planning permission, by refusing the application, the Planning Officers have also failed to acknowledge that the site:

- falls within the Crieff settlement boundary as shown in the adopted LDP;
- benefits from an existing access; and
- is surrounded by residential development of a similar scale and type.

2.6 The precedent for residential development in this location, and on this specific plot, has therefore already been accepted and established by the planning authority.

2.7 There is, therefore, no precedent to be set by development on this site as this is the only remaining plot left to be developed at Callum's Hill.

2.8 The precedent of permitting new housing development in this location is already well established, and this includes the granting of planning permission for a new house on the application site in 1983.

2.9 The stated reasons for refusal of the application are therefore not appropriate and conflict with the position adopted by the planning authority in 1983.

2.10 Given these failings and shortcomings, our clients request that the Council's Local Review Body (LRB) re-assesses the particular merits and background to this proposed develoment; and takes into account the matters summarised above, and which are reviewed in further detail in the remainder of this Grounds of Appeal Statement.

2.11 Following a proper review of the proposed development, and its planning history, it will be clear to the LRB that planning permission can be granted, subject to appropriate conditions. Similar to the position adopted by the Council in 1983.

2.12 In order to address the third reason for refusal (i.e. the lack of a detailed habitat survey) our clients have instructed chartered ecologists Christopher Palmer Landscape Architects to prepare the requested habitat survey. This survey is submitted as Document SD23 and confirms that the proposed landscaping will provide substantial opportunities to enhance the habitat and bio-diversity of the site.

Request for Hearing

2.13 As noted in the Appeal Form, we would request that the LRB holds a hearing into this appeal. This would allow the planning history of the site, including the previous granting of planning permission, to be fully assessed and considered prior to the determination of this appeal.

2.14 The remainder of this Grounds of Appeal Statement provides a summary of the appeal site, the proposed development and its planning history, and then a review of the Interim Head of Planning's reasons for refusal.

Supporting Documents

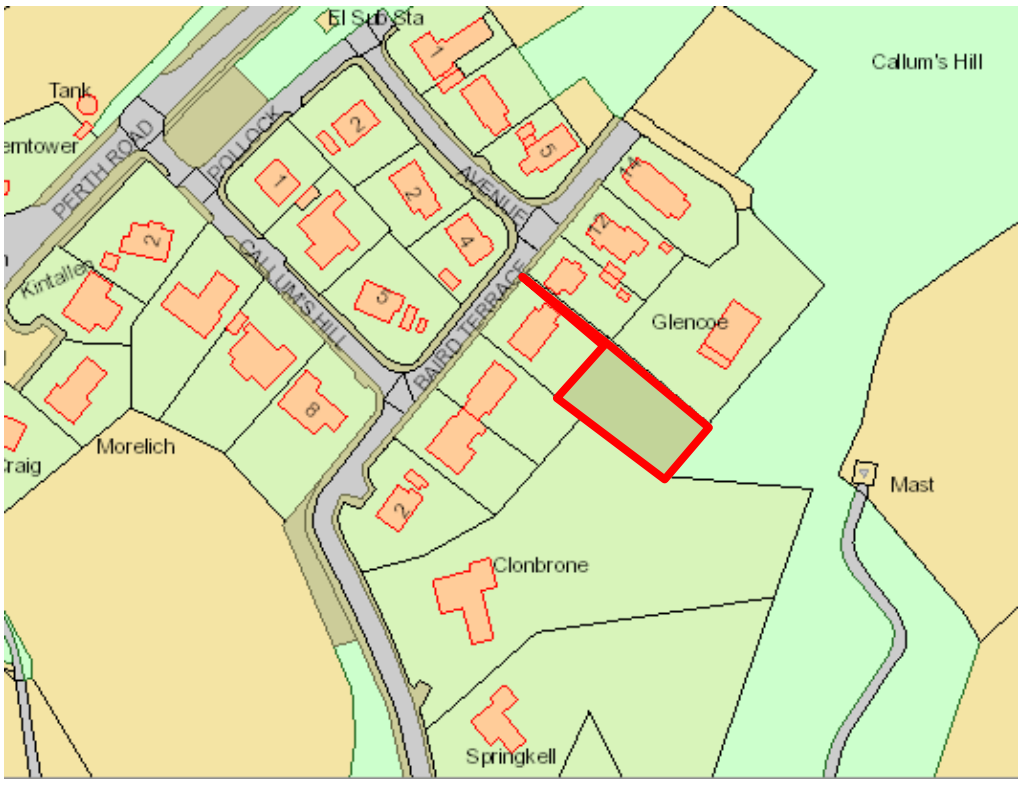
2.15 This Grounds of Appeal Statement should be read in conjunction with the package of accompanying statements and drawings which have been prepared on behalf of the appellants. These are confirmed in the List of Appeal Documents and includes the package of application drawings; Supporting Planning Statement; Landscape Plans, Photomontage and Habitat Survey by Christopher Palmer Landscape Architects; Tree Survey by Langton Tree Specialists; and the drainage layout prepared by Scott Bennett Associates Consulting Engineers.

2.16 A detailed review of relevant planning policy is also set out in the Supporting Planning Statement and is summarised at section 6.0 of this Grounds of Appeal Statement.

3.0 Site Location & Surrounding Area

3.1 The application site is located on Callum's Hill at the eastern edge of Crieff. The site represents an opportunity for sustainable infill development, within the settlement boundary. The principle of residential development in this area of Callum's Hill has already been established and this is the final infill plot left to be developed. A new house on this plot will complete development in this part of Crieff – and on a plot that was first approved for development in 1983 (see Documents SD06 & SD07).

3.2 The site is directly adjacent to the rear of Baird Terrace and the property known as Glencoe and, as can be seen from the location plan below, would form a logical infill to the existing houses in the area.



Site Location

3.3 The site is partially wooded and slopes upwards from Baird Terrace in a similar manner to the adjacent development at Glencoe. The site is currently vacant and overgrown and does not make a significant contribution to the landscape or amenity of the local area.

3.4 There is an existing site access provided between numbers 8 and 10 Baird Terrace on a strip of land retained by the applicant specifically for this purpose. The upkeep and maintenance of this piece of land has been carried out by the applicant for the purposes of providing future access to the development site.

3.5 The location plan demonstrates that the natural, physical and logical settlement boundary at this part of Crieff is the adjacent property known as Glencoe.

3.6 It should also be noted that planning permission was granted by Perth and Kinross Council in October 2016 for a single dwelling to the east of 14 Baird Terrace, despite that site being outwith the settlement boundary of Crieff. The principle of new housing plots in this location has therefore been established by the Council, and there is a clear precedent of support for such development in this location, and on this site.

3.7 The application site is therefore a logical, infill site and its development would round off the settlement in this location.

4.0 Relevant Planning History

4.1 As noted above, planning permission was granted for the erection of a split level house and garage on this site on 11th July 1983 (Ref: PKD/83/512). This is a significant material consideration in support of this current appeal.

4.2 The Director of Planning at that time granted planning permission as it was considered that a house of low profile design could be acceptable at this location. A copy of the planning permission is enclosed as Document SD06.

4.3 The Director of Planning outlined the reasoning behind granting the permission in a Memorandum to the Chief Executive of Perth and Kinross District Council. This Memorandum is attached as Document SD07, and given its relevance and significance to this appeal, the comments are copied in full below:

"*Outline planning consent is sought for the erection of a house and garage on a site of approximately 0.1ha to the rear of No.8 Baird Terrace at Callums Hill, Crieff.*

The site is located adjacent to the applicant's existing house which was granted consent on 23rd October, 1974 (Ref: T&CP 74/1304). It is proposed to take access to the site via a strip of land between 8 and 10 Baird Terrace which the applicant retained for this purpose.

There are a number of semi-mature beech trees on the site which would help to screen any new house. The proposed house would not necessarily be any more prominent than the applicant's existing house provided it is of a low profile design.

This permission was granted as it was considered that a house of low profile design could be acceptable at this location. The applicant has submitted sketches of a 'probable house type' which is a two storey house which I feel to be unacceptable since the height of the house will make it much more prominent than the existing house.

I have received one letter of objection to the proposal from the occupants of 8 Baird Terrace and these are summarised below:-

1. *The scale of the proposed development is out of character with existing development in Callum's Hill.*
2. *The proposed access is inadequate and adjoins the living accommodation of No. 10 Baird Terrace.*
3. *The privacy of Nos. 6 and 8 Baird Terrace will be invaded.*
4. *There is no need for further development in this area.*

In answer to the objections I would reply as follows:-

1. *It is agreed that the 'probable house type' submitted would be inappropriate in this location, however, I do feel that a house of a low profile design could be acceptable.*

2. *The Director of Roads has recommended conditional approval of the application. The adjacent living accommodation is in fact a sun lounge which was built as an*

extension to the property and is located adjacent to the boundary of the site. The Occupiers of No 10 Baird Terrace built this in the knowledge that the access strip had been reserved for possible future development. As the access will serve only one property, I do not feel that enjoyment of the sun lounge would be unduly disrupted by the access. The occupiers of the house in question have not objected to the planning application.

3. *The site is somewhat higher that the existing houses and depending on the final design of the proposed house I do not feel that the privacy of the existing houses would be reduced to any greater degree that the applicant's existing house which affects the privacy of the houses below it.*

In conclusion I feel that although the erection of new houses on Callums Hill should be strictly controlled, there is sufficient space for individual houses. Approval of this application would not necessarily set a precedent for more houses along the hillside since there is not the same opportunity for access to other land at the rear of Baird Terrace. In addition any further houses to the rear of Baird Terrace would be visible from the southern side of Callums Hill, while the present proposal would not. I would therefore recommend approval of the application subject to conditions restricting the design of the proposed house and to retain the existing trees".

4.4 It is therefore clear from this Memorandum that the Director of Planning undertook a detailed assessment of the site and is ability to accommodate a new house.

4.5 This included specific consideration of relevant planning matters including: precedent; landscape and visual impact; privacy and residential amenity; building design and means of access. In essence, the very same considerations that the Planning Officers have assessed in terms of the current planning application which is now the subject of this appeal.

4.6 But in 1983, the Director of Planning considered that a new house of low profile design could be accommodated on the site, without adversely affecting the character or amenity of the existing adjacent properties or the wider area. In our opinion, these conclusions remain entirely relevant today. Whilst there is a new development plan in force and a new set of planning policies to be assessed, the planning considerations relevant to this site and this proposed development are identical to those considered in 1983.

4.7 Whilst the 1983 planning permission was not to our knowledge implemented and has therefore now expired, this grant of consent clearly established the principle of development on this site. This is a significant material consideration in support of this appeal.

4.8 It should also be noted that the means of access which was proposed and approved in 1983 is identical to the means of access now being proposed.

4.9 Furthermore, this access has been established as confirmed in the plan approved in 1983 (Document SD09) and as shown in the photograph below.

Photograph showing existing access into site

5.0 Proposed Development

5.1 The current proposal seeks planning permission for a single storey three-bedroom dwelling with associated car parking and landscaping. It is proposed that the house will have smooth, grey roof tiles and a light grey or light blue weatherboard cladding and white roughcast on the exterior walls. Facias and windows will be white timber and rainwater goods will be black upvc.

5.2 As can be seen from the accompanying photomontages prepared by Christopher Palmer Associates Landscape Architects (Document SD11), the proposed development has been designed to be sympathetic to the local area in terms of scale and massing and to respect the environmental qualities of Callum's Hill.

5.3 An extract from the photomontage is provided below. This clearly demonstrates that the proposed new house would be entirely appropriate and would not adversely affect the local or wider landscape.

Extract from submitted Photomontage showing how the proposed house would fit in the landscape

5.4 The site is in a sustainable location and the previous grant of consent in 1983 considered that a low profile, single storey dwelling would be appropriate at this location.

5.5 It is proposed to take access via a strip of land between 8 and 10 Baird Terrace which the applicant retained specifically for this purpose.

5.6 It has been confirmed through the consultations on the planning application that the Council's Transport Planning Service has no objection to the proposed access arrangements, and the Council's roads officers have confirmed that the proposed access meets the Council's technical requirements (Document SD19).

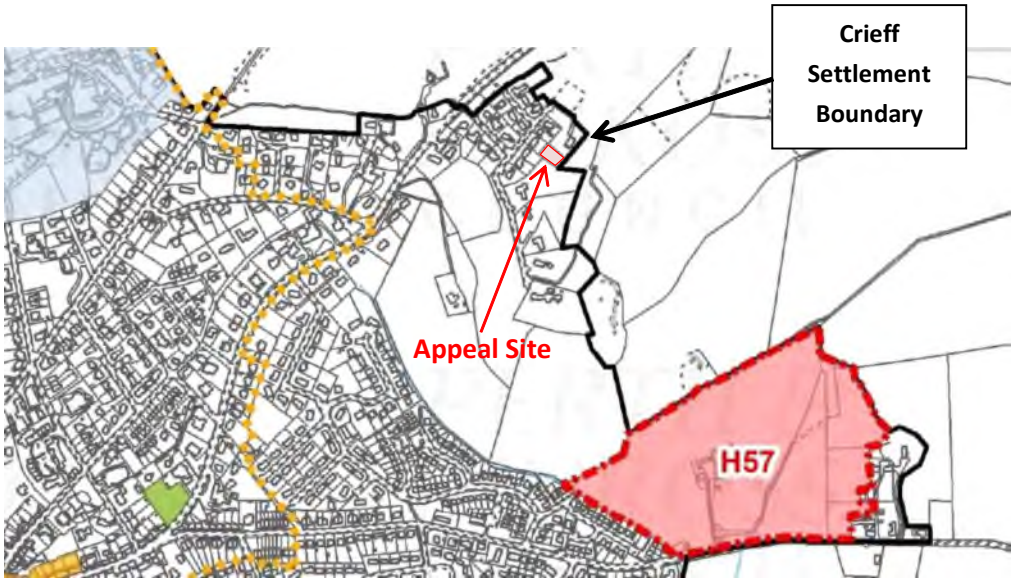
5.7 It must also be noted that the previous grant of consent in 1983 specifically considered the access proposals and found these to be acceptable and appropriate for the site. As previously stated this access has been retained and maintained by the applicant in order to facilitate the future use of the approved development site.

6.0 Site's Allocation in the Adopted Local Development Plan

6.1 A detailed review of relevant planning policy relating to the proposed development is provided in the Supporting Planning Statement submitted with the planning application and now included as Document SD05. The Planning Officer's Report of Handling for the application (Document SD21) also notes and lists relevant planning policies. It is therefore not intended to repeat this detailed policy review in this Grounds of Appeal Statement, and as mentioned above, the key determining issue for this appeal is the previous granting of planning permission for this site.

6.2 As confirmed earlier, the appeal site is also identified as falling within the Crieff settlement boundary and designated as part of an area where new housing is specifically encouraged and supported by the Adopted Local Development Plan through Policy RD1**.**

6.3 For ease of reference, the extract from the Crieff Proposals Map is reproduced below with the location of the appeal site highlighted. This confirms its location within the settlement boundary where there is a presumption in favour of new housing development.



Extract from Adopted LDP Proposals Map showing location of appeal site within the Crieff settlement boundary

6.4 It should be noted that the appeal site is not designated as an area of private or public open space. It is not designated as a woodland area or amenity area in the LDP, and it has not been designated or protected for its recreational or amenity value. It is a vacant site, surrounded by existing and established housing, which has previously been granted planning permission for the erection of a new house.

6.5 LDP Policies RD1: Residential Areas and PM1: Placemaking are relevant to the appeal proposals.

6.6 Policy RD1 advises that the LDP identifies areas of residential and compatible uses where existing residential amenity will be protected and, where possible, improved.

6.7 Policy PM1A advises that development must contribute positively to the quality of the surrounding built and natural environment. The design, density and siting of development should respect the character and amenity of the place, and should create and improve links within and, where practical, beyond the site. Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development.

6.8 Policy PM1B advises that all proposals should meet the identified placemaking criteria, including respecting site topography and the wider landscape character of the area. Design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours; and new development should respect an existing building line where appropriate, or establish one where none exists.

6.9 As shown in the application drawings and supporting documents, including the photomontage prepared by Chris Palmer Landscape Architects (Document SD11), the proposals have been designed to meet these policy requirements. The new development will be sympathetic to the local area in terms of scale, massing, height and density. It respects the existing building line and the proposed siting and landscaping of the development will respect the environmental qualities of Callum's Hill within which the new development will be set.

7.0 Addressing the Reasons for Refusal

7.1 Despite the previous granting of planning permission for the erection of a new house on the site, and the proposed development's accordance with the relevant policies of the Adopted Local Plan, the Interim Head of Planning refused the application for the reasons copied below:

> *"1. The proposed development is contrary to Policy RD1 of the Perth and Kinross Local Development Plan 2014 as the proposals will introduce backland development which would have a significant impact on both neighbouring amenity and the character of the landscape. Its approval would also establish an unwelcome precedent for further similar developments which would have a serious detrimental impact on the amenity and character of the area.*
>
> *2. The proposal is contrary to Policy PM1A and PM1B of the Perth and Kinross Local Development Plan 2014 as the proposed development would fail to contribute positively to the quality of the surrounding built and natural environment and would introduce backland development which fails to respect the prevailing established building line within the area and would not be compatible with the amenity and character of the surrounding area.*
>
> *3. The proposal is contrary to Policy NE3 of the Perth and Kinross Local Development Plan 2014 as the felling of trees on the site is considered to potentially impact on the habitat of protected species including birds, bats and red squirrels all of which have been identified as being present in the immediate area. No detailed survey has been undertaken to establish the presence and potential impact of development on any protected species on site.*
>
> ***Justification***
>
> *The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan."*

7.2 We do not accept these reasons for refusal and have addressed each reason in this section of the Grounds of Appeal Statement.

Reason 1 – It would introduce backland development and establish an unwelcome precedent for further similar developments which would have serious detrimental impact on the amenity and character of the area

7.3 The first reason for refusal is concerned with "backland" development, the creation of an unwelcome precedent and the impact on the amenity and character of the area. We do not agree with this reason. The proposed development is a logical infill development in a sustainable location on a site that has previously been granted planning permission for the erection of a new house and access. It is not "backland" development.

7.4 Policy RD1 advises that the LDP identifies areas of residential and compatible uses where existing residential amenity will be protected and where possible retained. The proposed development site is located within the settlement boundary of Crieff, adjacent to existing residential development. Therefore the principle of further residential development is considered to be acceptable at this location.

7.5 The granting of planning permission in 1983 for this site further confirms the acceptability of new development in this location, and at that time, the Director of Planning concluded that: "*Approval of this application would not necessarily set a precedent for more houses along the hillside since there is not the same opportunity for access to other land at the rear of Baird Terrace. In addition any further houses to the rear of Baird Terrace would be visible from the southern side of Callums Hill,"* .

7.6 Precedent is not therefore a valid concern. There is no precedent to be set by this development as this is the only remaining plot left to be developed at Callum's Hill. The precedent of permitting new housing development in this location is already well established, and this includes the granting of planning permission for a new house on the application site in 1983.

7.7 Even if this were not the case, the Council must judge every planning application on its own merits. The accompanying supporting documents and plans demonstrate the proposal has been designed to take into account and respect the character and amenity of the local area and it is therefore considered that the proposals comply with Policy RD1 of the adopted LDP. The first reason for refusal is therefore not justified.

Reason 2 – the proposed development fails to respect the prevailing established building line within the area and would not be compatible with the amenity and character of the surrounding area

7.8 The proposals will not have a detrimental impact on the amenity of neighbouring properties or the character of the landscape at this location. This is demonstrated by the accompanying photomontages (Document SD11) and the new landscaping proposals that have been prepared by Christopher Palmer Landscape Architects (Document SD10).

7.9 These documents demonstrate that the existing trees on site that are required to be felled as a result of the proposed development are either in poor condition or are lacking in appropriate woodland management, and their removal can be mitigated through the new planting and landscaping proposals for the site.

7.10 The proposed development has been designed to take account of the site topography as well as the wider landscape character of the area. The proposed new dwelling has been designed to complement the existing low density nature of the surrounding dwellings in terms of appearance, scale height, massing, materials and finishes.

7.11 The proposal respects the existing building line created to the rear of Baird Terrace by the previous development of the property known as Glencoe. The access has been retained by the applicant for many years in order to protect the future delivery of the site for a single dwelling as granted planning permission in 1983.

7.12 The proposals will therefore contribute positively to the quality of the surrounding built and natural environment, and will not introduce "backland development" as it is considered this site is an infill site which benefits from a previous grant of planning permission, albeit expired.

7.13 The accompanying drawings and photomontage demonstrate that the development respects the established building line created by the erection of the property known as Glencoe. The site is within the settlement boundary of Crieff and it is therefore an appropriate and sustainable site, suitable for further residential development. The proposals have been designed to be compatible with the amenity and character of the surrounding area.

7.14 The proposals therefore satisfy the requirements of Policy PM1A and PM1B of the LDP. The second reason for refusal is therefore not justified.

Reason 3 – No detailed survey has been undertaken to establish the presence and potential impact of development on any protected species on site.

7.15 In order to address the third reason for refusal our clients have instructed chartered ecologists Christopher Palmer Landscape Architects to prepare the requested habitat survey. This survey is submitted as Document SD23 and confirms that the proposed landscaping will provide substantial opportunities to enhance the habitat and bio-diversity of the site.

7.16 It should also be noted that the Council's bio-diversity officer recommended a series of conditions to address any ecology-related matters. Rather than refuse the application on this basis, the Planning Officers could have imposed a condition requiring the submission of a habitat survey prior to commencement of works on site as recommended by the bio-diversity officer (Document SD20).

7.17 The proposals are therefore not contrary to Policy NE3 of the LDP, and the third reason for refusal is not justified.

Summary

7.18 For the reasons stated above, we do not agree, or accept the reasons for refusal given by the Interim Head of Planning.

7.19 Given these failings and shortcomings, we would urge the LRB to reassess the particular merits and background to this proposed development, and following a proper review of the proposed development, and its planning history, it will be clear to the LRB that planning permission can be granted, subject to appropriate conditions. Similar to the position adopted by the Council in 1983 (Documents SD06 and SD07).

8.0 Summary & Conclusions

8.1 The application site has a long-established planning history and is considered to be appropriate for the development of a single dwelling house of the type and scale being proposed.

8.2 The site is located in an established residential area and provides an opportunity for sustainable infill development within the defined settlement boundary of Crieff.

8.3 Most significantly, the principle of new housing development on this site has been established by the earlier granting of planning permission. Whilst the previous permission for the site has expired, it nonetheless established the principle of development on this site.

8.4 This is a significant material consideration in support of this proposed development which has been given no weight by the Interim Head of Planning in his assessment and determination of this current planning application.

8.5 In refusing the application, the Planning Officers have failed to give any weight to the site's planning history and have failed to acknowledge that the application site benefited from a previous consent.

8.6 The precedent for residential development in this location, and on this specific plot, has therefore already been accepted and established by the planning authority. This is the final plot left to be developed at Callum's Hill. A new house on the proposed site will therefore effectively complete development in this part of Crieff.

8.7 The proposal has been designed to integrate with and respect the local landscape and adjacent residential uses. The proposal is considered to be entirely appropriate for the site. It is an appropriate form and scale of development and would sit comfortably within the local environment and surrounding area, and would be a positive contribution to the settlement edge of Crieff, providing new housing in an accessible and sustainable location.

8.8 The reasons for refusal are therefore not appropriate or justified, and conflict with the position previously adopted by the planning authority.

8.9 We would therefore respectfully request that this appeal is upheld, and the Local Review Body grants planning permission subject to appropriate conditions. Similar to the position previously adopted by the planning authority.

8.8 As noted earlier in this Statement, we would welcome the opportunity to present this evidence to the Local Review Body by way of a Hearing. We would also be happy to agree suitable conditions for the planning permissions if the Local Review Body is so minded.

JOHN HANDLEY ASSOCIATES LTD
Chartered Town Planning Consultants
1 St Colme Street
Edinburgh
EH3 6AA

16 May 2017

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e: john.handley@johnhandley.co.uk

Perth and Kinross Council
Development Management
Pullar House
35 Kinnoull Street
Perth
PH1 5GD

Dear Sirs,

Application for Planning Permission for the erection of a single dwelling house on Land at Callum's Hill, to the rear of Baird Terrace, Crieff

On behalf of: Mr & Mrs G McOmish

Eplanning Reference: 100042066-001

We refer to previous discussions with your Mr David Niven in connection with the above matter, and can confirm that we have today submitted a formal Application for Planning Permission for the proposed development of our client's site at Callum's Hill, to the rear of Baird Terrace, Crieff.

This application was submitted via the eplanningscotland website (online reference: 100042066-001), and is a "resubmission" following the refusal of an identical application for this site (Ref: 16/00517/FLL) under delegated powers on 23rd May 2016.

The 2016 application was refused by the Council's Planning Officers on the grounds that: (1) it would introduce "backland" development and establish an unwelcome precedent for further similar developments which would have serious detrimental impact on the amenity and character of the area; (2) the proposed development fails to respect the prevailing established building line within the area and would not be compatible with the amenity and character of the surrounding area; and (3) the proposals fail to employ SUDS measures.

However, in reaching this view and by refusing the 2016 planning application, the Planning Officers failed to acknowledge and give any weight to the site's planning history, and particularly the fact that Planning Permission was granted by Perth & Kinross District Council in 1983 for the development of a new dwelling house on this site.

Whilst the 1983 Permission subsequently expired, it nonetheless established the principle of development on this site, and is a significant material consideration in support of this proposal.

In refusing the 2016 application, the Planning Officers also failed to acknowledge that the application site falls within the existing Crieff settlement boundary; the site benefits from an existing access point; and it is surrounded by residential development of a similar scale and type.

The precedent for residential development in this location, and on this specific plot, has therefore already been accepted and established by the planning authority.

The stated reasons for refusal of the 2016 application are therefore not appropriate and conflict with the position adopted by the planning authority in 1983. Given these shortcomings, the applicant has chosen to resubmit this current planning application and draw specific attention to the site's planning history as a significant material consideration in support of this proposed development.

Contd./

In order to address the reasons for refusal of the 2016 application, further information is therefore provided in the way of the 1983 Planning Permission and the Director of Planning's assessment of the 1983 proposal (see Appendix 1 and 2 of the submitted Supporting Planning Statement); along with a photomontage by Christopher Palmer Landscape Architects which demonstrates that the proposed development can be introduced into the site without adversely impacting upon the amenity and character of the surrounding area. To address the third reason for refusal a drainage strategy has been prepared by Scott Bennett Associates Consulting Engineers, and is also submitted in support of this latest application. Whilst not featuring as a reason for refusal, a Tree Survey and landscaping proposals have also been prepared and submitted in support of this latest application.

In addition to the completed Forms and Certificates, a substantial level of supporting information has therefore been prepared in support of this application, and specifically to address the issues raised in the reasons for refusal of the 2016 application.

The full set of submitted application documents therefore comprises the following:

- Completed, signed & dated Application Form & Ownership Certificate;
- Site Location Plan;
- Supporting Planning Statement;
- Copy of 1983 Planning Permission for the site (Appendix 1 of Supporting Planning Statement);
- Copy of Director of Planning's Memorandum to the Chief Executive of Perth and Kinross District Council confirming positive assessment of the proposed development of this site (Appendix 2 of the Supping Planning Statement);
- Copy of Roads Department Consultation Response from 2016 confirming no objections to the proposed access arrangements for the site (Appendix 3 of Supporting Planning Statement);
- Copy of Plan showing location of approved access for the site (Appendix 4 of the Supporting Planning Statement);
- Photomontage of the site prepared by Christopher Palmer Landscape Architects;
- Tree Survey and Plans prepared by Langdon Tree Specialists and Christopher Palmer Associates;
- Landscaping proposals prepared by Christopher Palmer Associates;
- SUDS Layout Plan prepared by Consulting Engineers, Scott Bennett Associates; and
- Elevation, Floor and Section Plans.

Due to large file sizes, it was not possible to upload all supporting documents and drawings to the eplanningscotland website. We have therefore provided an electronic copy of the full set of application documents and drawings on the enclosed CD, and would ask you to accept these as the submitted documents.

As this application is a resubmission within 12 months of the earlier refusal of planning permission (on 23rd May 2016), there is no application fee associated with this planning application.

We trust the above and enclosed information will enable you to progress our clients planning application in a positive manner, and we look forward to progressing this application with you. In the meantime, should you require to discuss any aspect of this application, please do not hesitate to contact us.

Yours faithfully

John Handley
Director
John Handley Associates Ltd
On behalf of Mr & Mrs G McOmish

Enc: CD containing an electronic copy of all documents and drawings.

Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: onlineapps@pkc.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 100042066-001

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)

Erection of a single dwellinghouse

Is this a temporary permission? * ☐ Yes ☒ No

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

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

Agent Details

Please enter Agent details

Company/Organisation:	John Handley Associates Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	John	Building Name:	
Last Name: *	Handley	Building Number:	1
Telephone Number: *	0131 220 8253	Address 1 (Street): *	St Colme Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	UK
		Postcode: *	EH3 6AA
Email Address: *	john.handley@johnhandley.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr & Mrs	Building Name:	c/o Agent
First Name: *	G	Building Number:	
Last Name: *	McOmish	Address 1 (Street): *	1 St Colme Street
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Edinburgh
Extension Number:		Country: *	UK
Mobile Number:		Postcode: *	EH3 6AA
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority: Perth and Kinross 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 722252 Easting 287446

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)

Telephone discussion with Mr David Niven on 26th January 2017 to review reasons for refusal of 2016 application and explain planning history of the site. Constraints to developing the site were noted, including the means of access.

Title: Mr Other title:

First Name: David Last Name: Niven

Correspondence Reference Number: Date (dd/mm/yyyy): 26/01/2017

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: 0.10

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)

Vacant development plot which was granted planning permission for a new house in 1983.

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)? * 2

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).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * ☒ Yes ☐ No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

☒ Yes – connecting to public drainage network

☐ No – proposing to make private drainage arrangements

☐ Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) * ☒ Yes ☐ 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? *

☒ Yes

☐ No, using a private water supply

☐ 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).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * ☐ Yes ☒ No ☐ 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? * ☐ Yes ☒ No ☐ Don't Know

Trees

Are there any trees on or adjacent to the application site? * ☒ Yes ☐ 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.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * ☒ Yes ☐ No

If Yes or No, please provide further details: * (Max 500 characters)

Domestic bin store.

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? * ☒ Yes ☐ No

How many units do you propose in total? * 1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

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

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) 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.

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

Signed: John Handley

On behalf of: Mr & Mrs G McOmish

Date: 17/05/2017

☒ 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 principal 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	☒ N/A
A Design Statement or Design and Access Statement. *	☐ Yes	☒ N/A
A Flood Risk Assessment. *	☐ Yes	☒ N/A
A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *	☐ Yes	☒ N/A
Drainage/SUDS layout. *	☒ Yes	☐ N/A
A Transport Assessment or Travel Plan	☐ Yes	☒ N/A
Contaminated Land Assessment. *	☐ Yes	☒ N/A
Habitat Survey. *	☐ Yes	☒ N/A
A Processing Agreement. *	☐ Yes	☒ N/A

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

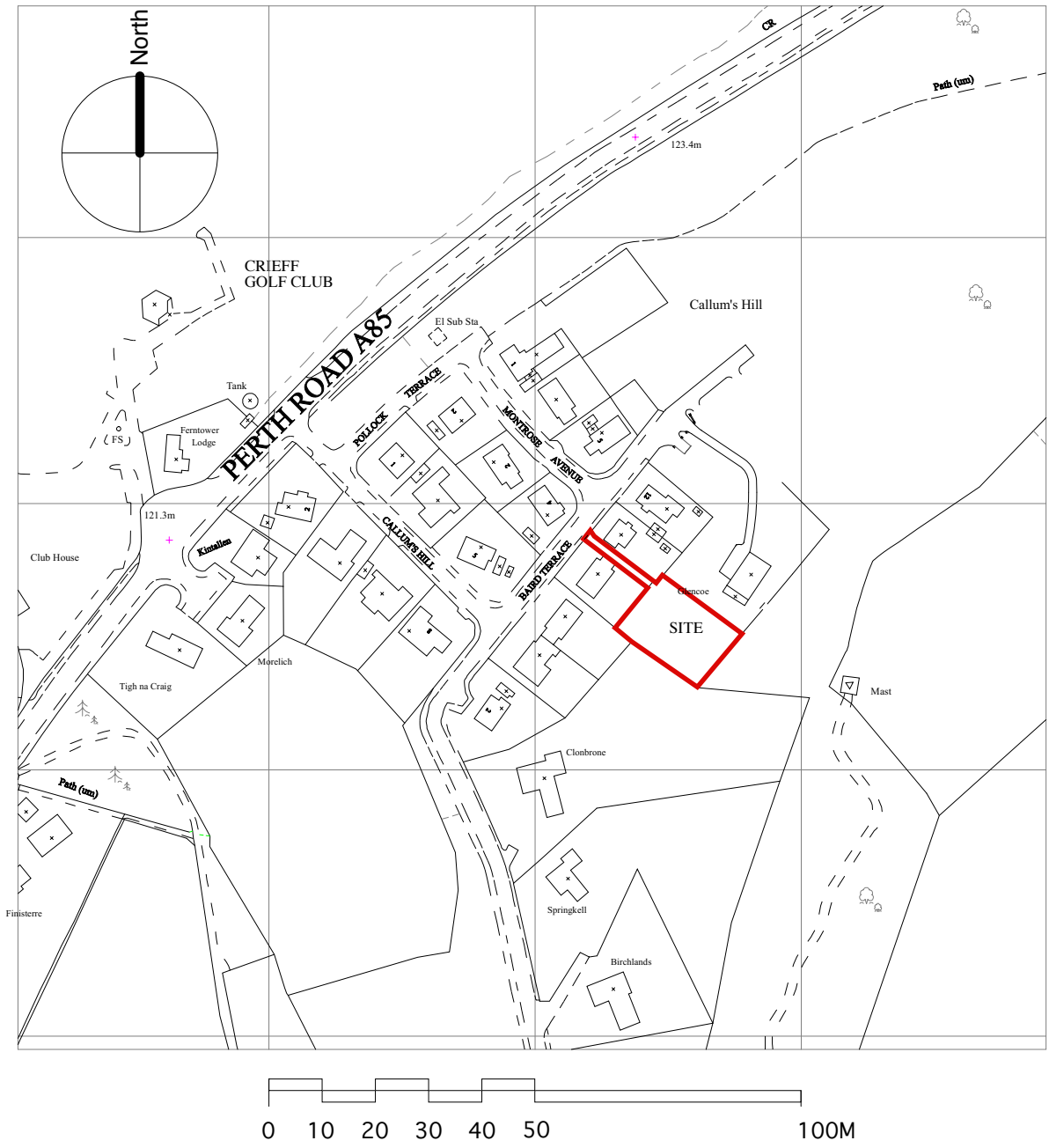
Supporting Planning Statement; including as appendices: 1. copy of 1983 Planning Permission for the site; 2. copy of Director of Planning's Memorandum from 1983; 3. copy of the Roads Department Consultation Response from 2016; and 4. copy of the Plan showing approved access for the site. A Tree Survey and Arboricultural Report has also been submitted as well as Landscaping Proposals and a SUDS Layout.

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: Mr John Handley

Declaration Date: 17/05/2017



SCALE 1: 1250 AT A4 SIZE

STATUS OF DRAWING:
PLANNING

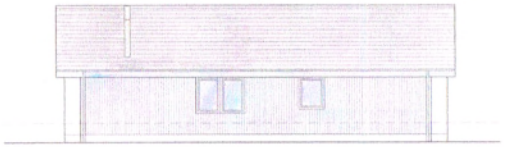
Client: Mr & Mrs G McOmish
Project: Proposed Chalet, Baird Terrace, Crieff
Title: Site Location Plan
Drg no: LOC-01(A) Rev:
Date: MAY 2017
Drawn: CP Scale : 1-1250@ A4

LANDSCAPE

CHRISTOPHER PALMER ASSOCIATES
Landscape Architects

Apple Tree House
The Ross
Comrie
Perthshire
PH6 2 JU
Tel: 01764 670177
E:cpa.comrie@btconnect.com

This drawing is intended for Planning Application purposes only

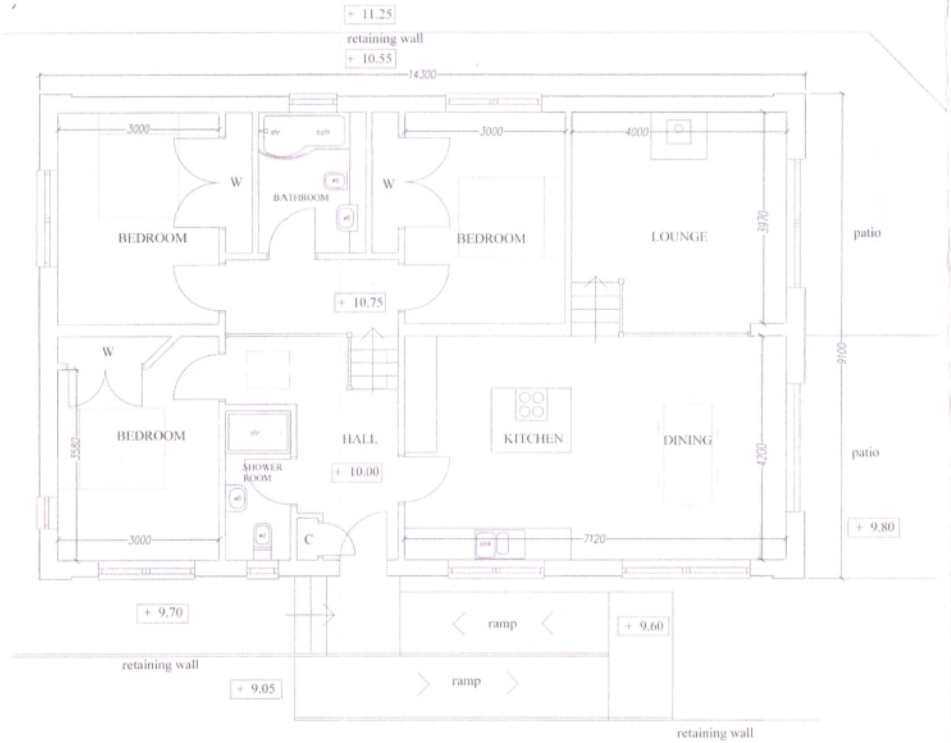


South East Elevation 1:100

North East Elevation 1:100

North West Elevation 1:100

South West Elevation 1:100



Floor Plan 1:50

10 0 10 20

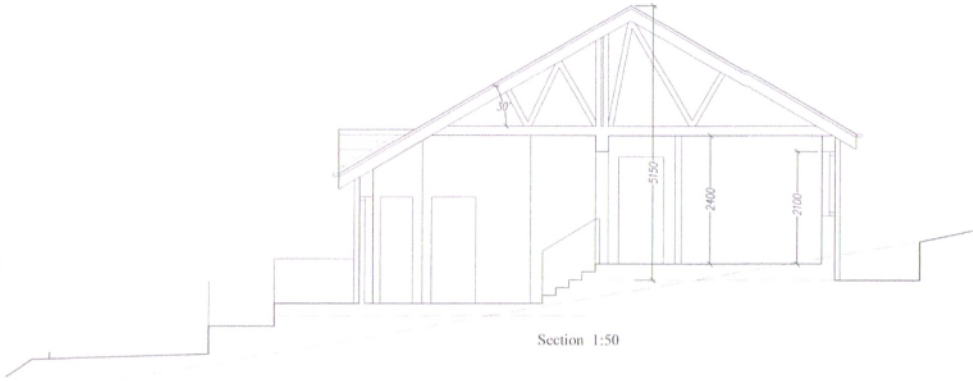
Scale of metres at 1:500

Site Plan 1:500

based on site survey and google map

Location Plan 1:1250

based on site survey and google map



Section 1:50

1 0 2 4 6 8 10

Scale of metres at 1:100

1 0 1 2 3 4 5

Scale of metres at 1:50

Roof	-	smooth grey tiles
Rainwater goods	-	black upvc
Walls	-	light grey or light blue weatherboard white roughcast
Fascia etc.	-	white timber
Windows	-	white timber
Drainage	-	public sewer

Mr & Mrs G McOmish

Proposed Chalet, Baird Terrace, Crieff. PHP 313

Plan, Elevations & Section

1:50 & 1:100 PDF size A1 P-01

Supporting Planning Statement

Proposed dwelling house at Baird Terrace, Crieff

On behalf of: Mr & Mrs McOmish

JOHN HANDLEY ASSOCIATES LTD
Chartered Town Planning Consultants
1 St Colme Street
Edinburgh
EH3 6AA

May 2017

Supporting Planning Statement

Erection of a single dwelling house

Land at Baird Terrace, Crieff

Mr & Mrs McOmish

Contents:

Appendices:

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1.0 Introduction, Overview & Purpose of Statement

1.1 This Supporting Planning Statement has been prepared by Chartered Town Planning Consultants, John Handley Associates Ltd, on behalf of the applicants and landowners, Mr and Mrs McOmish. It is submitted in support of an application for planning permission for the erection of a single dwelling house on land at Callum's Hill, to the rear of Baird Terrace, Crieff.

1.2 This latest planning application is a resubmission following the refusal of an identical application (Ref: 16/00517/FLL) under delegated powers on 23rd May 2016.

1.3 The 2016 application was refused by the Council's Planning Officers on the grounds that: (1) it would introduce backland development and establish an unwelcome precedent for further similar developments which would have serious detrimental impact on the amenity and character of the area; (2) the proposed development fails to respect the prevailing established building line within the area and would not be compatible with the amenity and character of the surrounding area; and (3) the proposals fail to employ SUDS measures.

1.4 However, in reaching this view and by refusing the 2016 planning application, the Planning Officers failed to acknowledge and give any weight to the site's planning history, and particularly the fact that Planning Permission was granted by Perth & Kinross District Council in 1983 for the development of a new dwelling house on this site.

1.5 Whilst the 1983 Permission subsequently expired, it nonetheless established the principle of development on this site and is a significant material consideration in support of this proposal.

1.6 In refusing the 2016 application, the Planning Officers also failed to acknowledge that the application site falls within the existing Crieff settlement boundary; the site benefits from an existing access; and it is surrounded by residential development of a similar scale and type.

1.7 The precedent for residential development in this location, and on this specific plot, has already been accepted and established by the planning authority.

1.8 There is, therefore, no precedent to be set by development on this site as this is the only remaining plot left to be developed at Callum's Hill.

1.9 The precedent of permitting new housing development in this location is already well established, and this includes the granting of planning permission for a new house on the application site in 1983.

1.10 The stated reasons for refusal of the 2016 application are therefore not appropriate and conflict with the position adopted by the planning authority in 1983.

1.11 Given these shortcomings, the applicant has chosen to resubmit this current planning application and draw specific attention to the site's planning history.

1.12 In order to address the reasons for refusal of the 2016 application, further information is therefore provided in the way of the 1983 Planning Permission and the Director of Planning's assessment of the 1983 proposal (see Appendix 1 and 2); along with a photomontage by Christopher Palmer Landscape Architects which demonstrates that the proposed development can be introduced into the site without adversely impacting upon the amenity and character of the surrounding area. To address the third reason for refusal a drainage layout has been prepared by Scott Bennett Associates Consulting Engineers, and is submitted in support of this application. Whilst not featuring as a reason for refusal, a Tree Survey and landscaping proposals have also been prepared by Langdon Tree Specialists and Christopher Palmer Landscape Architects and are submitted in support of this latest application.

1.13 This Supporting Planning Statement therefore provides a review of the site and its recent planning history; an overview of the proposed development; and an assessment of relevant planning policy to set out why planning permission should be granted for the development. The Statement is structured as follows:

Section 2: Describes the site and surrounding area.
Section 3: Reviews the planning history of the site.
Section 4: Provides an overview of current proposals.
Section 5: Summarises relevant planning policy.
Section 6: Provides a summary and conclusions.

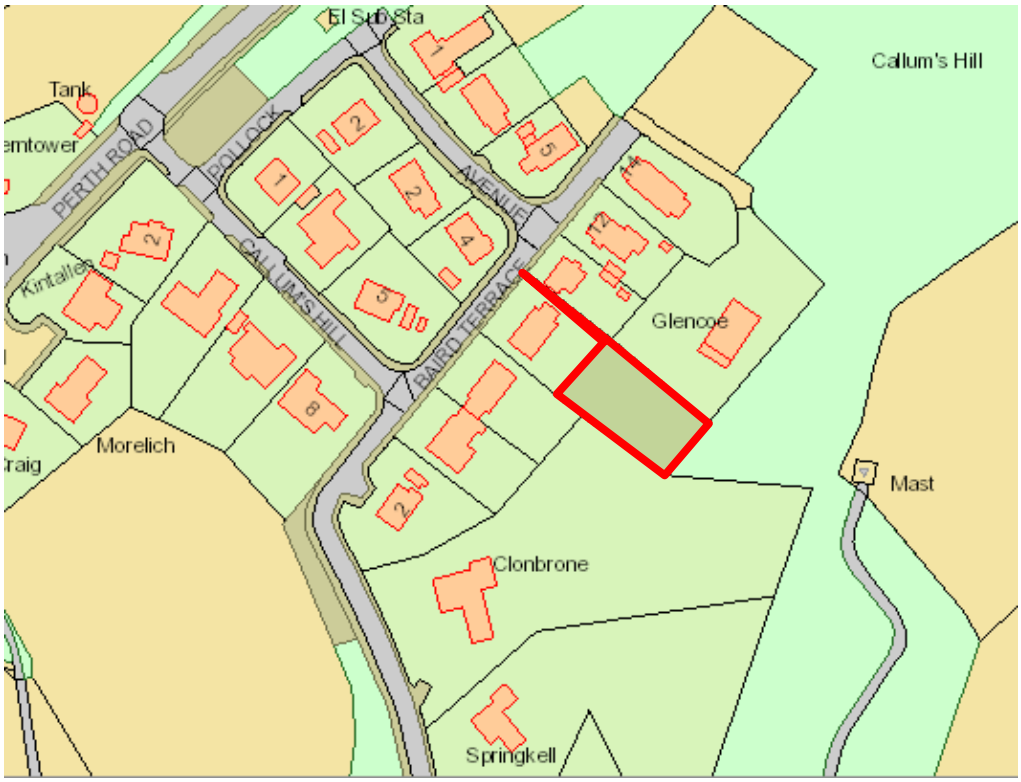
1.14 This Supporting Planning Statement should be read in conjunction with the package of accompanying statements and drawings which have been prepared on behalf of the applicant, including the application drawings; the photomontage by Christopher Palmer Landscape Architects; and the drainage layout prepared by Scott Bennett Associates Consulting Engineers

1.15 A detailed review of relevant planning policy is set out below, along with further details on the background to this site and its planning history.

2.0 Site Location & Surrounding Area

2.1 The application site is located on Callum's Hill at the eastern edge of Crieff. The site represents an opportunity for sustainable infill development, within the settlement boundary. The principle of residential development in this area of Callum's Hill has already been established and this is the final infill plot left to be developed. A new house on this plot will complete development in this part of Crieff – and on a plot that was first approved for development in 1983 (see Appendix 1 & 2).

2.2 The site is directly adjacent to the rear of Baird Terrace and the property known as Glencoe and, as can be seen from the location plan below, would form a logical infill to the existing houses in the area.



Site Location

2.3 The site is partially wooded and slopes upwards from Baird Terrace in a similar manner to the adjacent development at Glencoe. The site is currently vacant and overgrown and does not make a significant contribution to the landscape or amenity of the local area.

2.4 There is an existing site access provided between numbers 8 and 10 Baird Terrace on a strip of land retained by the applicant specifically for this purpose. The upkeep and maintenance of this piece of land has been carried out by the applicant for the purposes of providing future access to the development site.

2.5 The location plan demonstrates that the natural, physical and logical settlement boundary at this part of Crieff is the adjacent property known as Glencoe.

2.6 It should also be noted that planning permission was granted by Perth and Kinross Council in October 2016 for a single dwelling to the east of 14 Baird Terrace, despite that site being outwith the settlement boundary of Crieff. The principle of new housing plots in this location has therefore been established by the Council, and there is a clear precedent of support for such development in this location, and on this site.

2.7 The application site is therefore a logical, infill site and its development would round off the settlement in this location.

3.0 Planning History

3.1 This section reviews the relevant planning history relating to the application site.

1983 Planning Permission

3.2 As noted above, planning permission was granted on 11th July 1983 (Ref: PKD/83/512) *for "the erection of a split level house and garage on site to rear of 8 Baird Terrace, Callums Hill, Crieff"*. The Director of Planning at the time granted planning permission as it was considered that a house of low profile design could be acceptable at this location. A copy of the planning permission is enclosed as Appendix 1.

3.3 The Director of Planning outlined the reasoning behind granting the permission in a Memorandum to the Chief Executive of Perth and Kinross District Council. This Memorandum is attached as Appendix 2, and its comments are copied below:

"*Outline planning consent is sought for the erection of a house and garage on a site of approximately 0.1ha to the rear of No.8 Baird Terrace at Callums Hill, Crieff.*

The site is located adjacent to the applicant's existing house which was granted consent on 23rd October, 1974 (Ref: T&CP 74/1304). It is proposed to take access to the site via a strip of land between 8 and 10 Baird Terrace which the applicant retained for this purpose.

There are a number of semi-mature beech trees on the site which would help to screen any new house. The proposed house would not necessarily be any more prominent than the applicant's existing house provided it is of a low profile design.

This permission was granted as it was considered that a house of low profile design could be acceptable at this location. The applicant has submitted sketches of a 'probable house type' which is a two storey house which I feel to be unacceptable since the height of the house will make it much more prominent than the existing house.

I have received one letter of objection to the proposal from the occupants of 8 Baird Terrace and these are summarised below:-

1. *The scale of the proposed development is out of character with existing development in Callum's Hill.*
2. *The proposed access is inadequate and adjoins the living accommodation of No. 10 Baird Terrace.*
3. *The privacy of Nos. 6 and 8 Baird Terrace will be invaded.*
4. *There is no need for further development in this area.*

In answer to the objections I would reply as follows:-

1. *It is agreed that the 'probable house type' submitted would be inappropriate in*

this location, however, I do feel that a house of a low profile design could be acceptable.

2. *The Director of Roads has recommended conditional approval of the application. The adjacent living accommodation is in fact a sun lounge which was built as an extension to the property and is located adjacent to the boundary of the site. The Occupiers of No 10 Baird Terrace built this in the knowledge that the access strip had been reserved for possible future development. As the access will serve only one property, I do not feel that enjoyment of the sun lounge would be unduly disrupted by the access. The occupiers of the house in question have not objected to the planning application.*

3. *The site is somewhat higher that the existing houses and depending on the final design of the proposed house I do not feel that the privacy of the existing houses would be reduced to any greater degree that the applicant's existing house which affects the privacy of the houses below it.*

In conclusion I feel that although the erection of new houses on Callums Hill should be strictly controlled, there is sufficient space for individual houses. Approval of this application would not necessarily set a precedent for more houses along the hillside since there is not the same opportunity for access to other land at the rear of Baird Terrace. In addition any further houses to the rear of Baird Terrace would be visible from the southern side of Callums Hill, while the present proposal would not. I would therefore recommend approval of the application subject to conditions restricting the design of the proposed house and to retain the existing trees".

3.4 It is therefore clear from this Memorandum that the Director of Planning undertook a detailed assessment of the site and is ability to accommodate a new house on this site. The Director of Planning considered that a new house of low profile design could be accommodated on the site, without adversely affecting the character or amenity of the existing adjacent properties or the wider area. These conclusions remain entirely relevant today.

3.5 Whilst the 1983 planning permission was not to our knowledge implemented and has therefore now expired, this grant of consent clearly established the principle of development on this site.

3.6 It should also be noted that the means of access which was proposed and approved in 1983 is identical to the means of access now being proposed. Furthermore, this access has been established as confirmed in the plan approved in 1983 (Appendix 4) and as shown in the photograph below.

Photograph showing existing access into site

2016 Application

3.7 As noted earlier, the applicant applied most recently for planning permission for a split level single storey dwelling on the application site with access via the retained strip of land between Nos. 8 and 10 Baird Terrace. This application (Ref: 16/00517/FLL) was refused under delegated powers on 23rd May 2016.

3.8 The reasons for refusal were as follows:

1. *Development is contrary to Policy RD1 of the Local Development Plan 2014 as the proposals will introduce backland development which would have a significant impact on both neighbouring amenity and the character of the landscape. Its approval would also establish an unwelcome precedent for further similar developments which would have serious detrimental impact on the amenity and character of the area.*

2. *The proposal is contrary to Policy PM1A and PM1B of the LDP 2014 as the proposed development would fail to contribute positively to the quality of the surrounding built and natural environment and would introduce backland development which fails to respect the prevailing established building line within the area and would not be compatible with the amenity and character of the surrounding area.*

3. *The proposed development is contrary to Policy EP3C of the LDP 2014 as the proposals fail to employ SUDS measures.*

3.9 However, and as explained above, the Planning Officers failed to acknowledge and give any weight to the site's planning history, and particularly the fact that Planning Permission was granted by Perth & Kinross District Council in 1983 for the development of a new dwelling house on this site.

3.10 Whilst the 1983 Permission subsequently expired, it nonetheless established the principle of development on this site and is a significant material consideration in support of this proposal.

3.11 In refusing the 2016 application, the Planning Officers also failed to acknowledge that the application site falls within the existing Crieff settlement boundary; that the site benefits from an existing access; and it is surrounded by residential development of a similar scale and type. The precedent for residential development in this location, and on this specific plot, has therefore already been accepted and established by the planning authority.

3.12 There is, therefore, no precedent to be set by development on this site as this is the only remaining plot left to be developed at Callum's Hill.

3.13 The stated reasons for refusal of the 2016 application are therefore not appropriate and conflict with the position adopted by the planning authority in 1983.

3.14 Given these shortcomings, the applicant has chosen to resubmit this current planning application and draw specific attention to the site's planning history.

4.0 Proposed Development

4.1 The current proposal is identical to that proposed in 2016 and seeks planning permission for a single storey three-bedroom dwelling with associated car parking and landscaping. It is proposed that the house will have smooth, grey roof tiles and a light grey or light blue weatherboard cladding and white roughcast on the exterior walls. Facias and windows will be white timber and rainwater goods will be black upvc.

4.2 As can be seen from the accompanying photomontages prepared by Christopher Palmer Associates Landscape Architects, the proposed development has been designed to be sympathetic to the local area in terms of scale and massing and offers an excellent design opportunity to create a unique development that contributes to the environmental qualities of Callum's Hill.

4.3 An extract from the photomontage is provided below. This clearly demonstrates that the proposed new house would be entirely appropriate and would not adversely affect the local or wider landscape.

Extract from submitted Photomontage showing how the proposed house would fit in the landscape

4.4 The site is in a sustainable location and the previous grant of consent in 1983 considered that a low profile, single storey dwelling would be appropriate at this location.

4.5 It is proposed to take access via a strip of land between 8 and 10 Baird Terrace which the applicant retained specifically for this purpose.

4.6 It has been confirmed through the consultation on the 2016 application (Ref: 16/00517/FLL) that the Council's Transport Planning Service had no objection to the proposed access arrangements. The Consultation Response issued at that time (See Appendix 3) stated that:

"Insofar as the Roads matters are concerned I do not object to the proposed development provided the conditions indicated below are applied, in the interests of pedestrian and traffic safety. I would note that the concerns raised by objectors relating to emergency vehicle access are matter for building standards.

Conditions: Prior to the occupation or use of the approved development the vehicular access shall be formed in accordance with specification Type A, Fig 5.5 access detail to the satisfaction of the Planning Authority.

Prior to the occupation or use of the approved development a minimum of 2 car parking spaces shall be provided within the site.

The gradient of the access shall not exceed 3% for the first 5 metres measured back from the edge of the carriageway and the access shall be constructed so that no surface water is discharged to the public road."

4.7 More recent discussions with the Council's Transport Planning Team in March 2017 have confirmed that the proposed access meets the Council's technical requirements.

4.8 It must also be noted that the previous grant of consent in 1983 specifically considered the access proposals and found these to be acceptable and appropriate for the site. As previously stated this access has been retained and maintained by the applicant in order to facilitate the future use of the approved development site.

5.0 Relevant Planning Policy

5.1 This section outlines and assesses the proposal against the policies contained within the Development Plan and other material considerations relevant to the proposal. It includes a review of the planning application against the relevant sections of Scottish Planning Policy, as well as the Approved Strategic Development Plan and Adopted Local Plan.

Development Plan

5.2 Section 25 of the Town & Country Planning (Scotland) Act 1997 states that *"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".*

5.3 The current development plan comprises the TAYPlan Strategic Development Plan 2012 and the Perth and Kinross Local Development Plan 2014.

TAYPlan Strategic Development Plan (2012)

5.4 The TAYPlan Strategic Development Plan was approved by Scottish Ministers in 2012. Due to the relatively small scale, and local nature of the proposals, there is no directly relevant strategic policy applicable to this type of development.

5.5 Whilst there are no specific policies or strategies directly relevant to this proposal TAYplan sets out a vision for how the region will be in 2032 and what must occur to bring about change to achieve this vision. The vision for the area as set out in the plans states that: *"By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs.*

Perth and Kinross Local Development Plan 2014

5.6 The Perth and Kinross Local Development Plan (LDP) was adopted in February 2014. The relevant policies are reviewed below.

Policy PM1: Placemaking

5.7 **Policy PM1A** advises that development must contribute positively to the quality of the surrounding built and natural environment. All development should be planned and designed with reference to climate change, mitigation and adaptation.

5.8 The design, density and siting of development should respect the character and amenity of the place, and should create and improve links within and, where practical, beyond the site. Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development.

5.9 **Policy PM1B** advises that all proposals should meet all the following placemaking criteria:

(a) Create a sense of identity by developing a coherent structure of streets, spaces, and buildings, safely accessible from its surroundings.

(b) Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area.

(c) The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.

(d) Respect an existing building line where appropriate, or establish one where none exists. Access, uses, and orientation of principal elevations should reinforce the street or open space.

(e) All buildings, streets, and spaces (including green spaces) should create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport.

(f) Buildings and spaces should be designed with future adaptability in mind wherever possible.

(g) Existing buildings, structures and natural features that contribute to the local townscape should be retained and sensitively integrated into proposals.

(h) Incorporate green infrastructure into new developments and make connections where possible to green networks.

Policy PM3: Infrastructure Contributions

5.10 **Policy PM3** advises that where the cumulative impact of new developments will exacerbate a current or generate a future need for additional infrastructure provision or community facilities, planning permission will only be granted where contributions which are reasonably related to the scale and nature of the proposed development are secured. In calculating the impact of new developments the Council will look at the cumulative long-term effect of new development. Contributions will be sought for:

(a) the provision of on-site facilities necessary in the interests of comprehensive planning; and/or
(b) the provision, or improvement of, off-site facilities and infrastructure where existing facilities or infrastructure will be placed under additional pressure.

Policy RD1: Residential Areas

5.11 **Policy RD1** advises that the Plan identifies areas of residential and compatible uses where existing residential amenity will be protected and, where possible, improved. Small areas of private and public open space will be retained where they are of recreational or amenity value. Changes away from ancillary uses such as employment land, local shops and community facilities will be resisted unless there is demonstrable market evidence that the existing use is no longer viable.

Policy EP3: Water Environment and Drainage

5.12 **Policy EP3C: Surface Water Drainage** confirms that all new development will be required to employ Sustainable Urban Drainage Systems (SUDS) measures.

Key Considerations

5.13 It is considered that the proposal is a logical infill development in a sustainable location and is not “backland development” as described by the Planning Officer in the 2016 reasons for refusal.

5.14 LDP Policy RD1 advises that the LDP identifies areas of residential and compatible uses where existing residential amenity will be protected and where possible retained. The proposed development site is located within the settlement boundary of Crieff, adjacent to existing residential development and therefore the principle of further residential development is considered to be acceptable at this location.

5.15 The proposals will not have a detrimental impact on the neighbouring amenity or the character of the landscape at this location. This is demonstrated by the accompanying photomontages prepared by Christopher Palmer Associates Landscape Architects and are further confirmed by way of the Tree Survey of the site and the new landscaping proposals that have been prepared by Langdon Tree Specialists and Christopher Palmer Landscape Architects.

5.16 These documents demonstrate that the existing trees on site that are required to be felled as a result of the proposed development are either in poor condition or are lacking in appropriate woodland management, and their removal can be mitigated through the new planting and landscaping proposals for the site.

5.17 There is no precedent to be set by this development as this is the only remaining plot left to be developed at Callum's Hill. The precedent of permitting new housing development in this location is already well established, and this includes the granting of planning permission for a new house on the application site in 1983.

5.18 Even if this were not the case, the Council must judge every planning application on its own merits. The accompanying supporting documents and plans demonstrate the proposal has been designed to take into account and respect the character and amenity of the local area and it is therefore considered that the proposals comply with Policy RD1 of the adopted LDP.

5.19 The application site is an existing infill site and therefore part of a coherent structure of streets, spaces and buildings, the site is also safely accessible from its surroundings – as demonstrated by the support previously provided by the Council's Roads Department (see Appendix 3).

5.20 The proposed development has been designed to take account of the site topography as well as the wider landscape character of the area. The proposed new dwelling has been designed to complement the existing low density nature of the surrounding dwellings in terms of appearance, scale height, massing, materials and finishes.

5.21 The proposal respects the existing building line created to the rear of Baird Terrace by the previous development of the property known as Glencoe. The access has been retained by the applicant for many years in order to protect the future delivery of the site for a single dwelling as granted planning permission in 1983.

5.22 The proposals will contribute positively to the quality of the surrounding built and natural environment. The proposals will not introduce "backland development" as stated previously by the Planning Officers as it is considered this site is an infill site which benefits from a previous grant of planning permission, albeit expired.

5.23 The accompanying drawings and photomontage demonstrate that the development respects the established building line created by the erection of the property known as Glencoe. The site is within the settlement boundary of Crieff and it is therefore an appropriate and sustainable site, suitable for further residential development. The proposals have been designed to be compatible with the amenity and character of the surrounding area. The proposals therefore satisfy the requirements of Policy PM1A and PM1B of the LDP.

5.24 In terms of Policy PM3: Infrastructure Contributions, a consultation response provided by the Council's Strategy and Policy Service in response to the 2016 planning application confirmed that a contribution to the provision of primary education would be required by the applicant should planning permission be granted. The applicant is content to make this contribution.

5.25 In response to the third reason for refusal of the 2016 application, and to address the requirements of Policy EP3C: Surface Water Drainage Consulting Engineers, Scott Bennett Associates have provided a Drainage Layout Plan to accompany the planning application.

Scottish Planning Policy

5.26 The Scottish Planning Policy (SPP) was published in June 2014 and is a statement of Scottish Government policy on how nationally important land use planning matters should be addressed across the country. It is a material consideration that carries significant weight in the determination of planning applications and appeals.

5.27 The SPP confirms that the Scottish Government's central purpose is to focus on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth. Sustainable economic growth is defined as: "Building a dynamic and growing economy that will provide prosperity and opportunities for all, while ensuring that future generations can enjoy a better quality of life too".

5.28 Paragraph 15 explains that by locating the right development in the right place, planning can provide opportunities for people to make sustainable choices and improve their quality of life. Well-planned places promote well-being, a sense of identity and pride, and greater opportunities for social interaction. Delivering high-quality buildings, infrastructure and spaces in the right locations helps provide choice over where to live and style of home, choice as to how to access amenities and services and choice to live more active, engaged, independent and healthy lifestyles.

5.29 The new SPP confirms the introduction of a presumption in favour of development that contributes to sustainable development. SPP explains that the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term.

5.30 SPP explains that policies and decisions should be guided by a number of principles, including:

- giving due weight to net economic benefit;
- responding to economic issues, challenges and opportunities, as outlined in local economic strategies;
- supporting good design and the six qualities of successful places;
- making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;
- supporting delivery of accessible housing, business, retailing and leisure development;

5.31 In relation to housing development SPP sets out the Government's approach towards "Enabling Delivery of New Homes" and confirms the need to facilitate new housing development, particularly in areas where there is continuing pressure for growth. SPP also confirms that house building makes an important contribution to the economy, and planning can help to address the challenges facing the housing sector by providing a positive and flexible approach to development.

5.32 The proposed development at Callum's Hill, while small scale can contribute to the Scottish Government aims of providing a range and choice of housing in sustainable locations. The proposed development complies with Scottish Government objectives in respect of these points.

Planning Policy – Summary

5.33 The application site has a long-established planning history and is considered to be appropriate for the development of a single dwelling house of the type and scale being proposed. The site is located within the settlement boundary of Crieff in an established residential area and provides the opportunity for sustainable infill development.

5.34 Most significantly, the principle of housing development on this site has been established by the grant of planning permission in 1983. This is a significant material consideration in support of this proposed development.

5.35 We have therefore demonstrated in this Supporting Planning Statement, and the accompanying plans and documents that this application for planning permission can be determined in accordance with the adopted Local Development Plan and relevant material considerations, and will provide the opportunity to complete development and round off this area of Callum's Hill.

5.36 We have demonstrated that the proposal is an appropriate form and scale of development and would sit comfortably within the local environment and surrounding area, and would be a positive contribution to the settlement edge of Crieff.

5.37 The review of relevant planning policy therefore confirms that the proposal can be considered favourably and under the terms of Section 25 of the Town and Country Planning (Scotland) Act 1997 planning permission should therefore be granted for this proposed development.

Other Material Considerations

5.38 As we have noted earlier, whilst the 1983 Permission for this site has expired, it nonetheless established the principle of development on this site and is a significant material consideration in support of this proposal.

5.39 In refusing the 2016 application, the Planning Officers failed to acknowledge that the application site benefited from a previous consent. The precedent for residential development in this location, and on this specific plot, has therefore already been accepted and established by the planning authority.

5.40 The stated reasons for refusal of the 2016 application are therefore not appropriate and conflict with the position adopted by the planning authority in 1983.

5.41 In order to address the reasons for refusal of the 2016 application, further information has therefore been provided in the way of the 1983 Planning Permission and the Director of Planning's assessment of the 1983 proposal (see Appendix 1 and 2); along with a photomontage by Christopher Palmer Landscape Architects which demonstrates that the proposed development can be introduced into the site without adversely impacting upon the amenity and character of the surrounding area. To address the third reason for refusal a drainage strategy has been prepared by Scott Bennett Associates Consulting Engineers, and whilst not featuring as a reason for refusal, a Tree Survey and landscaping proposals have also been prepared by Langdon Tree Specialists and Christopher Palmer Landscape Architects and are submitted in support of this latest application.

6.0 Summary & Conclusions

6.1 We have demonstrated in this Supporting Planning Statement and the accompanying plans and supporting documents that the proposed development of a single dwelling house to the rear of Baird Terrace, Crieff is appropriate, and has been supported by the planning authority in the past.

6.2 The proposed development represents the opportunity for sustainable infill development, within the settlement boundary of Crieff.

6.3 The principle of development has already been established at this location and this is the final plot left to be developed. A new house on the proposed site will effectively complete the development in this part of Crieff.

6.4 The proposal has been designed to integrate with the local landscape and adjacent residential uses. The proposal is considered to be entirely appropriate for the site and we would therefore respectfully request that planning permission is granted.

Appendices:

Appendix 1: Copy of the 1983 Planning Permission for the site.

Appendix 2: Copy of the Director of Planning's Memorandum to the Chief Executive of Perth and Kinross District Council confirming positive assessment of the proposed development of this site, June 1983.

Appendix 3: Copy of the Roads Department Consultation Response from 2016 confirming no objections to the proposed access arrangements for the site.

Appendix 4: Copy of Plan showing location of approved access for the site.

JOHN HANDLEY ASSOCIATES LTD
Chartered Town Planning Consultants
1 St Colme Street
Edinburgh
EH3 6AA

PERTH AND KINROSS DISTRICT COUNCIL

REGISTER OF APPLICATIONS
Town and Country Planning (Scotland) Acts

Date of Receipt	Reference No.
I9th A pril, I983	PKD/83/5I2

Name and Address of Applicant	Name and Address of Agent
Prodelve Ltd., per G. McOmish & Son Ltd., James Square, Crieff.	A. F. Finlayson & Campbell 3I High Street, Crieff.

Site and Nature of Proposed Development	Particulars of Any Direction
Erection of a split level house and garage on site to rear of No 8 Baird Terrace, Callums Hill Crieff.	

Decision	Date of Notice of Decision to Applicant
Approved	11/7/83

Conditions of Approval / Reasons for Refusal

1. The submission to and approval by the Planning Authority, prior to the commencement of any work, of plans showing full details of the development siting and means of access thereto.

2. The detailed matters specified in condition no. 1 shall be submitted for approval within a period of three years from the date of this consent.

3. The development shall be begun within five years from the date of this consent or two years from the date of the final approval of the reserved matters, whichever is the longer.

4. The proposed house shall be of a low profile design, to reflect the design of the existing houses in the area.

5. No trees shall be removed from the site without the prior consent of the District Council as Planning Authority.

6. The construction of the proposed house shall be phased to the completion of Crieff Sewage Treatment Works.

7. The vehicular access shall be formed in accordance with Tayside Regional Council's specification - type A access detail as per the attached plan (Ref. PKD 83/512/1) and type C construction detail as per the attached plan (Ref. PKD 83/512/2) - to the satisfaction of the District Council as Planning Authority.

8. The access shall be constructed so that no surface water is discharged to the public highway.

9. All buildings and structures shall be set back not less than 7.6 m from the centre of the public highway.

10. Turning facilities shall be provided within the site to enable all vehicles

Dat

Re

Notes/

Reference No. of any nt Planning Approval.

REASONS:

1. The application is for permission in principle.

2.-3. In accordance with the terms of Section 38 of the Town and Country Planning (Scotland) Act, 1972.

4.-5. In the interests of amenity in order to ensure that the proposed house has a minimum impact on the character of Callums Hill and in order to ensure that the proposed house is not seen from the south of Callums Hill.

6. There are no suitable drainage facilities available at present.

7.-10. In the interests of pedestrian and traffic safety

Note:

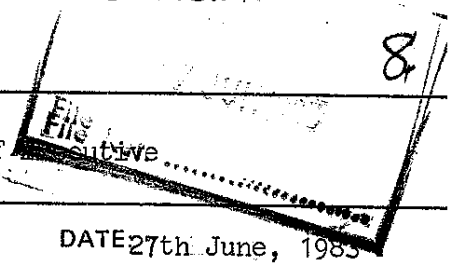
1. Applicants are advised that should their application for reserved matters be refused and/or their appeal against such refusal dismissed outwith the three year time limit they are entitled to submit a revised application for reserved matters within six months after the date of refusal of the earlier application (or of the dismissal of an appeal against such refusal).

2. Please consult the Area Director of Roads, Tayside Regional Council, Rosslyn House, 32 Glasgow Road, Perth regarding requirements for the vehicular access.

Perth and Kinross District Council

MEMORANDUM

FROM:	TO:
The Director of Planning	The Chief Executive



OUR REF: NN/8722/67 YOUR REF: PKD 83/512 DATE 27th June, 1983

Erection of House and Garage at Callums Hill, Crieff for Prodelve Ltd.

Outline planning consent is sought for the erection of a house and garage on a site of approximately 0.1 ha to the rear of No. 8 Baird Terrace at Callums Hill, Crieff.

The site is located adjacent to the applicant's existing house which was granted consent on 23rd October, 1974, Ref. T&CP 74/1304. It is proposed to take access to the site via a strip of land between 8 and 10 Baird Terrace which the applicant retained for this purpose.

There are a number of semi-mature beech trees on the site which would help to screen any new house. The proposed house would not necessarily be any more prominent that the applicant's existing house provided it is of a low profile design. The applicant has submitted sketches of a 'probable house type' which is a two storey house which I feel to be unacceptable since the height of the house will make it much more prominent than the existing house.

I have received one letter of objection to the proposal from the occupants of 8 Baird Terrace and these are summarised below:-

(1) The scale of the proposed development is out of character with existing development in Callums Hill.

(2) The proposed access is inadequate and adjoins the living accommodation of No. 10 Baird Terrace.

(3) The privacy of Nos. 6 and 8 Baird Terrace will be invaded.

(4) There is no need for further development in this area.

In answer to the objections I would reply as follows:-

(1) It is agreed that the 'probable house type' submitted would be inappropriate in this location, however, I do feel that a house of a low profile design could be acceptable.

(2) The Director of Roads has recommended conditional approval of the application. The living accommodation referred to is in fact a sun lounge which was built as an extension to the property and is located adjacent to the boundary of the site. The occupiers of No. 10 Baird Terrace built this in the knowledge that/

that the access strip had been reserved for possible future development. As the access will serve only one property, I do not feel that enjoyment of the sun lounge will be unduly disturbed by the access. The occupiers of the house in question have not objected to the planning application.

(3) The site is somewhat higher than the existing houses and depending on the final design of the proposed house I do not feel that the privacy of existing houses will be reduced to any greater degree than the applicant's existing house which affects the privacy of the houses below it.

In conclusion I feel that although the erection of new houses on Callums Hill should be strictly controlled, there is sufficient space for individual houses. Approval of this application would not necessarily set a precedent for more houses along the hillside since there is not the same opportunity for access to other land at the rear of Baird Terrace. In addition any further houses to the rear of Baird Terrace would be visible from the southern side of Callums Hill, while the present proposal would not. I would therefore recommend approval of the application subject to conditions restricting the design of the proposed house and to retain the existing trees.

Recommendation Approve subject to the following conditions:-

1. The submission to and approval by the Planning Authority, prior to the commencement of any work, of plans showing full details of the (development), siting and means of access thereto.

2. The detailed matters specified in condition no. 1 shall be submitted for approval within a period of three years from the date of this consent.

3. The development shall be begun within five years from the date of this consent or two years from the date of the final approval of the reserved matters, whichever is the longer.

4. The proposed house shall be of a low profile design, to reflect the design of existing houses in the area.

5. No trees shall be removed from the site without the prior consent of the District Council as Planning Authority.

6. The construction of the proposed house shall be phased to the completion of Crieff sewage treatment works.

7. The vehicular access shall be formed in accordance with type A access detail as per the attached plan (Ref. PKD 83/512/1) and type C construction detail as per the attached plan (Ref. PKD 83/512/2) to the satisfaction of the District Council as Planning Authority.

8. The access shall be constructed so that no surface water is discharged to the public highway.

9./

9. All buildings and structures shall be set back not less than 7.6m from the centre of the public highway.

10. Turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear.

Reasons:-

1. The application is for permission in principle.

2-3. In accordance with the terms of Section 38 of the Town and Country Planning (Scotland) Act 1972.

4-5. In the interests of amenity in order to ensure that the proposed house has a minimum impact on the character of Callums Hill and in order to ensure that the proposed house is not seen from the south of Callums Hill.

6. There are no suitable drainage facilities available at present.

7-10. In the interests of pedestrian and traffic safety.

Notes:-

(1) The Director of Roads recommends conditions 7-10 above.

(2) The Water Services Department recommends condition 6 above.

(3) The Director of Environmental Health has no objections to the proposal in principle provided drainage is connection to the public sewer.

I return the plans herewith.

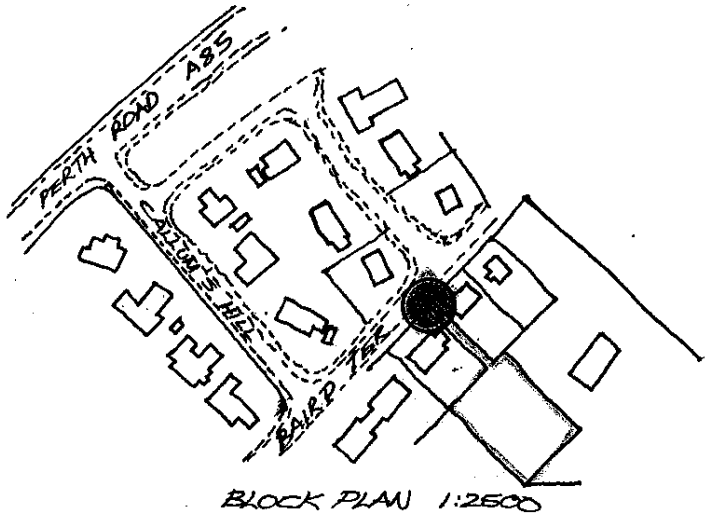
DM.

Note This application has been delayed by the applicant's slow response to my request for an amendment to validate condition no. 4.

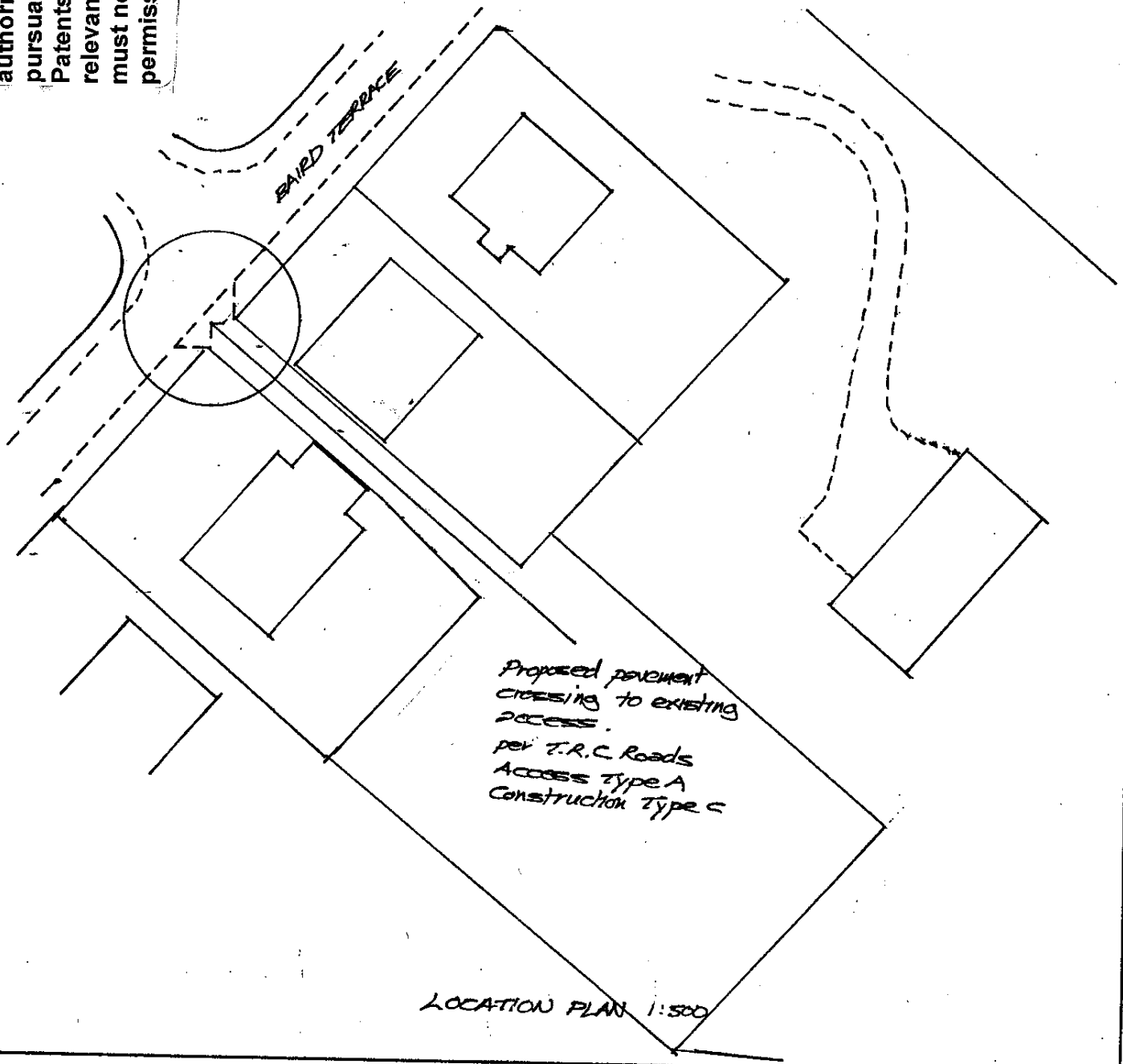
Encs.
/DM

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	16/00517/FLL	**Comments provided by**	Niall Moran
Service/Section	Transport Planning	**Contact Details**	x76512
Description of Proposal	Land 40 Metres South West Of Glencoe Baird Terrace Crieff		
Address of site	Erection of a dwellinghouse		
Comments on the proposal	Insofar as the Roads matters are concerned I do not object to the proposed development provided the conditions indicated below are applied, in the interests of pedestrian and traffic safety. I would note that the concerns raised by objectors relating to emergency vehicle access are matter for building standards.		
Recommended planning condition(s)	Prior to the occupation or use of the approved development the vehicular access shall be formed in accordance with specification Type A, Fig 5.5 access detail to the satisfaction of the Planning Authority. Prior to the occupation or use of the approved development a minimum of 2 car parking spaces shall be provided within the site. The gradient of the access shall not exceed 3% for the first 5 metres measured back from the edge of the carriageway and the access shall be constructed so that no surface water is discharged to the public road.		
Recommended informative(s) for applicant	The applicant should be advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.		
Date comments returned	25 April 2016		



BLOCK PLAN 1:2500

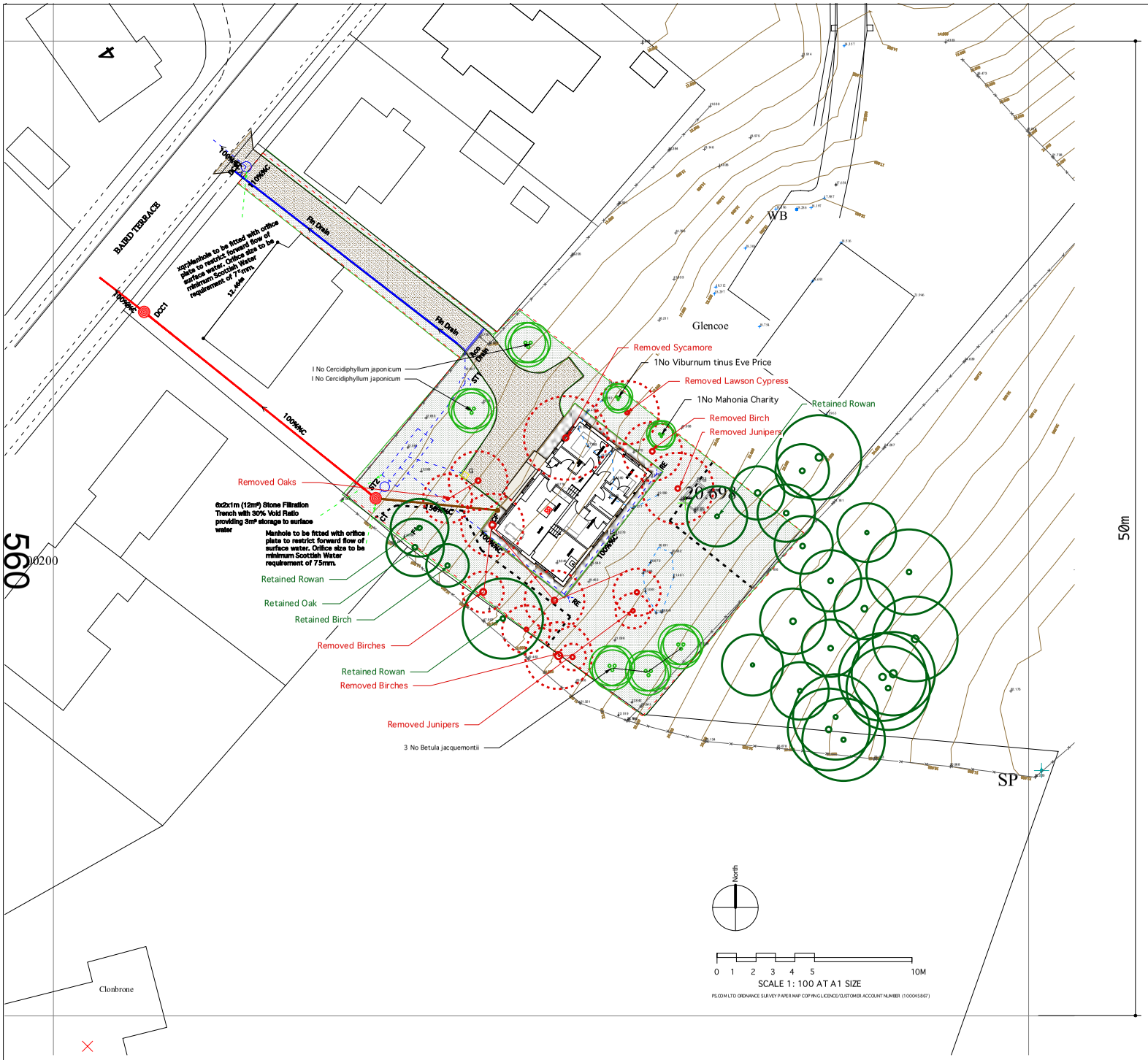


LOCATION PLAN 1:500

A. F. FINLAYSON & CAMPBELL
D.A., R.I.B.A., F./A.R.I.A.S.
Chartered Architects & Energy Consultants

31 High Street, Crieff
51 Atholl Road, Pitlochry
The Haining, Aberfeldy

JOB TITLE AND CLIENT
Proposed access improvement
Baird Ter Crieff
Prodelve Ltd.



EXISTING TREES TO BE RETAINED AND PROTECTED DURING WORKS WITH FENCING TO BS 5837

EXISTING TREES TO BE REMOVED TO ACCOMMODATED DEVELOPMENT SEE LANGTON TREE SPECIALISTS TREE SURVEY

PROPOSED 2M HIGH MULTI-STEM TREES BETULA JACQUEMONTII & CERCIDIPHYLLUM JAPONICUM

PROPOSED 1M HIGH MULTI-STEM SPECIMEN SHRUBS MAHONIA CHARITY & VIBURNUM TINUS EVE PRICE

PROPOSED GRASS LAWNS

PROPOSED GRAVEL MOWING TRIM BETWEEN HOUSE & LAWNS

STATUS OF DRAWING: PLANNING

Client: Mr & Mrs G McOmish
Project: Proposed Chalet, Baird Terrace, Crieff
Title: Landscape Layout
Drg no: C1708.002 Rev:
Date: MAY 2017
Drawn: CP Scale : 1-100@ A1

CHRISTOPHER PALMER ASSOCIATES
Landscape Architects

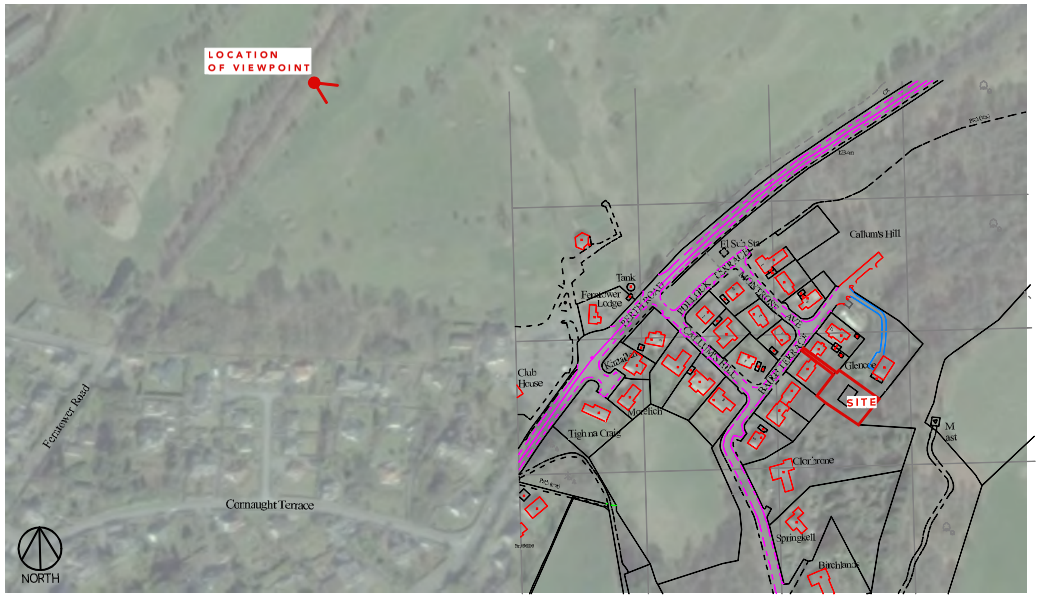
Apple Tree House
The Ross
Comrie
Perthshire
PH6 2 JU
Tel: 01764 670177
E:cpa.comrie@btconnect.com

Current View From Track Crossing Crieff Golf Club Course Between The End Of Ferntower Road and Ferntower

Photomontage View From Track Crossing Crieff Golf Club Course Between The End Of Ferntower Road and Ferntower Showing Proposed Dwelling House Above Baird Terrace

561

Photomontage View From Track Crossing Crieff Golf Club Course Between The End Of Ferntower Road and Ferntower Showing Proposed Dwelling House Above Baird Terrace after 5 years as landscape setting matures



Location Plan
Scale 1/2000 at A1

0 50 100 150 200 250

STATUS OF DRAWING:
FOR PLANNING

Client: George McOmish
Project: Dwelling House at Baird Terrace.
Title: Photomontage
Drg no: C1708.001 Rev:
Date: 08 FEB 2016
Drawn: GP
Scale : 1/2000 @ A1

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Langton Tree Specialists

ARBORICULTURAL ASSESSMENT • TREE PLANNING & DESIGN • LANDSCAPE MANAGEMENT

TREE SURVEY

&

ARBORICULTURAL REPORT

FOR

Trees at Baird Terrace, Crieff

Requested by: Christopher Palmer Associates
Prepared by: Martin Langton
Report reference: MGL
Date: April 2017

Institute of Chartered Foresters
Registered Consultant

SUMMARY

This assessment has been carried out at the request of Christopher Palmer Associates, in relation to proposed development of a single residential dwelling at Baird Terrace, Crieff.

A total of 24 trees have been surveyed on site with 2 boundary conifer hedges and a further 4 trees adjacent to site. The trees have been assessed according to BS 5837:2012 *'Trees in relation to design, demolition and construction – Recommendations'*, which provides an objective method to identify the quality and value of the existing tree population. All arboricultural information is presented at appendix 2 (tree survey schedule).

The trees are of mixed species, age and quality. Birch is the dominant species, accounting for 50% of the trees surveyed on site. Other species include Rowan (4 trees); 3 semi-mature Oak and a 2 semi-mature Sycamore. There are 4 ornamental Juniper of mixed quality. At the west boundary of the site there is a line of closely spaced Cypress screening with trees of variable height. A low maintained Cypress hedge is located along the south boundary. Overall the tree cover on site is of relatively low and moderate quality and generally short term potential due to species make up, age, and location of trees. Around 50% of the trees have been assessed as C category or U (BS 5837: 2012).

The location of all surveyed trees is provided on the Tree Survey and Constraints Plan (Plan 1) which provides the above and below ground tree constraints represented by crown spreads and root protection areas. Two trees are recommended for removal in the current context.

I understand that the design proposal will be for a single residential dwelling with access off Baird Terrace. This is likely to involve the loss of many of the trees on site but retention of trees at and beyond the north east of the site and the better quality trees at the west site boundary. Tree losses will be mitigated by new compensatory landscape planting and a detailed landscape plan is being drawn up to this effect. The plan will incorporate new trees of good quality to ensure sustained tree cover, in keeping with the local landscape and character of the area. Trees should be planted at standard tree size: 10-12cm girth as a minimum. This new planting will help to integrate the development with the surroundings to ensure long term amenity. Species choice should reflect site, planting conditions, future growth in relation to infrastructure and tolerance of diseases.

CONTENTS

ARBORICULTURAL REPORT
Trees at Baird Terrace, Crieff

Brief: This pre-development tree survey and arboricultural report has been prepared in relation to proposals for residential development and concerns trees on and immediately adjacent to site at Baird Terrace, Crieff.

The trees are assessed in the current context in accordance with British Standard 5837:2012 '*Trees in relation to design, demolition and construction - Recommendations*' and in the light of my own experience, in order to identify the above and below ground constraints which the trees pose to development of the site and tree retention.

TREE SURVEY DETAILS

1 Scope of limitation of survey

1.1. This survey (and report) is concerned with the arboricultural aspects of the site only. The survey was carried out on 6th April 2017.

1.2. It is restricted to trees within the site or those immediately out with that may be affected by its re-development only. No other trees have been inspected.

1.3. The survey has been carried out following the guidelines detailed in British Standard 5837: 2012 '*Trees in relation to design, demolition and construction -Recommendations'*.

1.4. Only trees of significant stature have been surveyed: trees with a stem diameter less than 75mm (and <150mm in woodland) and large shrubs have been excluded.

1.5. The line of Cypress screen/hedging at the west boundary of the site has been surveyed as a group, as allowed for under BS 5837: 2012.

1.6. No plant tissue samples have been taken and no internal investigation of the tree has been carried out.

1.7. No soil samples have been taken and or soil analysis carried out.

1.8. I have no detailed knowledge of existing or proposed underground services.

1.9. This report should be read in conjunction with the Tree Survey and Constraints Plan, plan 1, which accompanies it (see appendix 3).

1.10. The site is out-with the local Conservation Area but the Local Authority should be consulted and permission granted prior to undertaking any of the tree works recommended in this report.

2 Survey method

2.1 The survey has been conducted from ground level with the aid of binoculars.

2.2 It is based on an assessment from ground level and examination of external features only – described as the 'Visual Tree Assessment' method per Mattheck and Breloer – stage 1 - (The Body Language of Trees, DoE booklet Research for Amenity Trees No. 4, 1994).

2.3 I have estimated the height of each tree visually having first measured a sample of trees across the site using a hypsometer.

2.4 Trunk diameters of single stemmed trees have been measured at 1.5m above ground level. Multi-stemmed trees have been measured immediately above the root flare.

2.5 The crown radii have been estimated by pacing and are given for the main compass points: north, south east and west.

2.6 Where access to trees was obstructed or obscured, measurements have been estimated.

2.7 The details of all inspected trees are given in the Tree Survey Schedule, appendix 2.

3 The site

3.1 The site is located at Baird Terrace, at the south east outskirts of Crieff and can be accessed by via Callum's Hill from the A85 to the north.

3.2 The site consists of a narrow access between 2 existing dwellings on Baird Terrace and opens on to a rectangular area between the gardens to east and west. This area would formerly have been part of an area of broadleaved woodland but is now isolated between residential properties. It includes a small strip of the garden at the east of the property at 'Glencoe'. Beyond the site to the south is open ground and mixed broadleaved woodland beyond this with an open character.

3.3 The tree cover includes a semi-mature Cypress hedge/screen planting of variable height located along the west boundary. There are groups of slender restricted birch and rowan beside this and several individual trees with more crown space, including Birch, 2 semi-mature Oak and a scruffy Sycamore. At the east of the site and beyond, the tree cover is more ornamental in character and includes Juniper and a single Lawson Cypress. Beyond the west site boundary and located in the neighbouring garden are 2 mature Birch of apparently good condition.

3.4 The topography is even with a relatively consistent slope down from south to north, giving the site a northerly aspect. Soils appear to be mineral and relatively free draining in the main, although there are areas where soil is damp and there is a large centrally located windblown Birch, as a consequence.

Development proposal

3.5 The proposal is for a single residential dwelling, with access from Baird Terrace.

4 Existing tree population

General

4.1 The trees are of mixed species, age and condition. A total of 24 individual trees are recorded on site and 4 further trees have been assessed immediately out-with the site boundaries. Trees on site have been tagged, and numbers run as follow (see plates 1 to 5, appendix 1):-

- T861 to T884: Trees within site boundary
- A and B : Trees located immediately east of site in woodland garden
- C: Sycamore located immediately south of site
- D: Located immediately east of site at neighbour garden: 'Glencoe House'

4.2 The locations of the trees are shown on the Tree Survey and Constraints Plan, plan 1 at appendix 3. The tree details are shown on the Tree Survey Schedule, at appendix 2, which provides a schedule of their species; age; condition; diameter; BS 5837: condition category (quality) and initial management recommendations.

Species composition

4.3 The survey population comprises 6 tree species, as listed below: Birch is dominant, accounting for 50% of the individual trees assessed. There are 4 ornamental Juniper - 2 scruffy trees of poor quality located on site and 2 trees located in the garden at 'Glencoe'. Of the 4 Rowan surveyed, 2 are restricted beside the conifer screening at the west of the site and 2 are located within the garden at Glencoe and are of generally good form and condition: T879 and tree D. The 3 Oak are semi-mature trees located at the north west of the site; 2 have restricted space near the west boundary. Sycamore T861 is a poor quality semi-mature tree located at the east of the site and the other Sycamore, tree C is a semi-mature of reasonable form, located immediately beside the south site boundary. The remaining tree – tree, T882 is an ornamental Lawson Cypress with open grown crown located in the garden at 'Glencoe'.

Species	No. of trees	Percentage
Birch	14	50%
Juniper	4	14%
Rowan	4	14%
Oak	3	11%
Sycamore	2	7%
Lawson Cypress	1	4%
	28	**100%**

Age structure

4.4 The tree survey population comprises a mix of age classes, as shown at table 1 below. There are no young trees on site. The Cypress screening (not included below) is assessed as semi-mature in age.

Age class					
	Young	Semi-mature	Early mature	Mature	Late mature
On site	0	8	12	4	0
Out-with site	0	1	1	1	1
Total	**0**	**9**	**13**	**5**	**1**
Percentage	**0%**	**32%**	**46%**	**18%**	**4%**

Table 1: break down of survey population by age

Tree management to date

4.5 The conifer screen planting is of variable height and shading out adjacent slender Birch and Rowan (such as 868 to 872 and 878); there is no evidence of management to date. The tree cover at the east of the site at Glencoe appears to have been well managed, with pruning carried out where required. At the north west of the site, one of the Oak – T877 - has storm damage, with damaged hanging branches in the crown requiring remedial pruning. Immediately west of the site, the 2 Birch trees ('A' and 'B') have reasonable crown space and are part of a wider attractive woodland garden.

4.6 There is a large wind-blown birch at the centre of the site (comprising 2 collapsing stems which require to be removed. Ground conditions are locally damp and there is no apparent drainage, reflecting the former woodland conditions and north facing slope.

Tree Quality Categorisation

4.7 Although the assessment of a tree's condition is a subjective process, British Standard 5837: 2012 gives clear guidance on the appropriate criteria for categorising trees and the factors that assist the arboriculturist in determining the suitability of a tree for retention.

4.8 Under BS 5837: 2012, trees can be categorised as follows (see appendix 4 for full details):-

> **Category U:** Trees of poor condition, such that any existing value could be lost within ten years and which, in the current context, should be removed for reasons of sound arboricultural management.

Category A: Trees of high quality and value: in such a condition to make a substantial contribution to amenity (a minimum of forty years is suggested).

Category B: Trees of moderate quality and value: those in such a condition as to make a significant contribution (a minimum of 20 years is suggested.

Category C: Trees of low quality and value which might remain for a minimum of 10 years, or young trees with uncertain potential.

4.9 The tree survey population has been assessed as summarised in table 2, below:-

Tree Quality Assessment Category					
	A	**B**	**C**	**U**	**Total**
On site	1	9	11	3	24
Adjacent to site	2	2	0	0	4
Total	3	11	11	3	28
Percentage	11%	39%	39%	11%	100%

Table 2: BS 5837: 2012 tree quality overview

4.10 Fifty percent of the survey population is assessed as A and B category while the remaining 50% is assessed as C and U category. However, 2 of the 3 A category trees are located out-with the site - trees A and B. The remaining tree assessed as A/B is the mature Birch T863.

4.11 The B category trees include ornamental and garden trees at and beside the east boundary associated with the garden at 'Glencoe', such as T879 Rowan, T882 Lawson Cypress and T883 Birch. Further B category trees on site include 4 Birch and 2 Oak trees. None are particularly special and most have restricted crowns. Several can be considered as marginal B category trees, recorded as B2 due to screening properties, but due to species, age, condition, site conditions, and location, these are generally of short term potential.

4.12 The 'C' category trees include several drawn, slender and suppressed trees beside conifer screen planting at the west of the site.

4.13 There are 3 U category trees of poor quality. These are located on site. They include the large wind-blown mature Birch, T862 (with 2 stems), a collapsed Juniper, T865, and a slender Birch, T867, with small live crown located beside Cypress screening.

Arboricultural recommendations in the current context

4.14 A number of trees have significant defects (as above) and require remedial arboricultural work irrespective of development. With reference to

the Tree Survey Schedule, 2 trees should be removed in the current context due to their condition. These are T862 Birch and T865 Juniper.

4.15 Further work includes the removal of hanging and damaged branches in the crowns of T876 Rowan and T877 Oak. A further consideration is that the conifer screen planting should be reduced to around 8m height and maintained at this level.

5 Tree constraints

5.1 The A category trees and better quality B category trees at the site boundaries represent the main constraints to development. Areas of U category trees are not significant and low quality C category trees provide very limited constraint.

5.2 The information listed in appendix2 has been used to provide constraints guidance based on the location of the tree, the crown spread and available rooting and condition category.

5.3 The Root Protection Areas (RPA's): (the area where ground disturbance must be carefully controlled) have initially been established according to the recommendations set out in table 2 and section 5 of BS 5837: 2012. In the vast majority of instances these have been assessed based on the trunk diameter of the tree. In some instances root spread and morphology is likely to differ due to ground conditions and site history. Rooting may be impeded by adjacent screen tree and where drainage is locally impeded.

5.4 The crown spreads represent the above ground constraints to construction and development, as shown on the tree survey and constraints plan (at appendix 3). This plan is intended to help inform the final layout design.

5.5 In practice, it will be difficult to retain Birch T863 due to its central location and potential instability due to site conditions. Slender, drawn, low quality trees located beside the conifer screening are likely to be unstable, and, in my opinion, are not suitable for retention.

New tree planting

5.6 In my opinion, development of the site would be best served by restructuring the tree cover, retaining the better quality trees at and beyond the site boundaries and replacing the other trees with new planting. I understand that a new landscape design is to be prepared incorporating appropriate new tree planting.

5.7 Tree removals necessary to accommodate the design proposals should be mitigated by appropriate replacement tree planting in order to maintain amenity, and screening. Species used in new planting should fit well with site conditions, planting conditions and future growth in relation to infrastructure. Planning should consider species habitat, future maintenance of the trees and species under threat from disease. The landscape design is likely to incorporate a proportion of native trees (such as Rowan and Birch), and trees with ornamental character in keeping with the local area and neighbouring properties.

6 ARBORICULTURAL RECOMMENDATIONS

6.1 **Tree works:** and removals recommended in this report should be carried out by suitably experienced tree surgeons. Tree felling and pruning should comply with BS 3998: 2010 'Tree Work'.

6.2 **Statutory wildlife obligations:** The Wildlife and Countryside Act 1981 as amended by the Nature Conservation (Scotland) Act 2004 provide statutory protection to birds, bats and other species that inhabit trees. All tree work operations are covered by these provisions. Prior to undertaking tree works the Contractor should make a visual inspection of the tree for Bat roosts. If Bats and/or roosts are identified, Scottish Natural Heritage (SNH) should be contacted and an agreement made with regard to measures to be undertaken to protect Bats before undertaking any work which might constitute an offence.

6.3 **Appropriate replacement tree planting** should be carried out post-construction to ensure sustained, effective long term tree cover on site as indicated in this report.

6.4 Choice of species should fit well with site conditions, planting conditions and future growth in relation to infrastructure. Planning should consider species habitat and future maintenance of the trees, as well as the presence and likely future threat of diseases.

Martin Langton
Bsc (Hons), For, MICFor, CEnv

Appendix 1: Photographs

Plate 1: View easterly of Birch 863 and adjacent conifers

Plate 2: View to south west of conifer screening at west site boundary and nearby trees on site

Plate 3: View to south of trees beside conifer screening. Note slender drawn trees

Photographs continued

Plate 4: View to east of trees at and beyond site boundary, likely to be retained

Plate 5: View to north east of Sycamore 861 and adjacent Cypress 882

Appendix 2: Tree Survey Schedule

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Tree survey schedule: Baird Terrace, Crieff

Requested by: Christopher Palmer Associates
Site: Baird Terrace, Crieff
Date of survey: 6th April 2016
Forestry/Arboricultural consultant: Martin Langton
Weather: Dry and bright

Tag	Species	Height (m)	Diam (m)	Stem Br <1.5m	Crown Spreads (m) N	S	E	W	Height CC (m)	RPA Rad (m)	Age Class	Phys Cond	BS Cat	Est. rem cont.	Comments	Recommendations
861	Sycamore *Acer pseudoplatanus*	7	0.42	M	4.0	4.0	5.0	4.0	1.0	4.20	M-A	Fair	C3	<10	[0.23 x 2; 0.12] Tree of poor form. Severely reduced in past with decay at pruning wounds and slender stems developing. 3 stems from compression unions at base.	-
862	Birch species *Betula spp.*	9	0.40	1	3.0	2.0	2.0	9.0	2.0	N/A	M	Poor	U	0	2 adjacent stems: 1 collapsed and the other in patial collapse and with advanced decay at base.	Remove trees.
863	Birch species *Betula spp.*	13	0.40	1	4.0	4.5	4.5	3.5	1.5	4.80	M	Fair-good	A2/B	20 to 30	Erect treee of generally good form with open crown. Tension fork at 6m height.	-
864	Juniper species *Juniperus spp.*	6	0.25	M	1.0	2.0	1.0	1.0	1.5	2.50	M-A	Fair-poor	C2	<15	Multi-stemmed from base with slender stems and restricted space beside birch. Scruffy appearance.	-
865	Juniper species *Juniperus spp.*	3	0.20	M	0.5	1.0	0.5	3.0	0.5	N/A	S-M	Poor	U	0	Collapsed tree of no future potential.	Remove tree.
866	Birch species *Betula spp.*	14	0.26	1	2.0	1.0	3.0	3.0	6.0	3.12	M-A	Fair	B2	10 to 20	Slender tree with limited crown development. Damp rooting area.	-
867	Birch species *Betula spp.*	17	0.24	1	1.5	0.5	1.0	0.5	10.0	2.88	M-A	Poor	U	<10	Tall slender tree with small live crown. Located near conifer screening.	-
868	Birch species *Betula spp.*	16	0.35	2	2.0	1.0	2.5	2.0	8.0	3.50	M-A	Fair-poor	C2	10 to 20	2 slender stems arise from base. Small crown area.	-
869	Birch species *Betula spp.*	10	0.25	2	2.0	0.5	3.0	1.0	4.0	2.50	S-M	Fair-poor	C2	<20	2 slender stems arise from base and small live crown. Located adjacent to conifer screen/hedge.	-
870	Birch species *Betula spp.*	17	0.37	1	3.0	1.0	3.5	1.5	6.0	4.44	M	Fair+	B1,2	10 to 30	Located beside conifer hedge/screen with correcting lean and crown bias to north and east. Tree of generally good form with high crown. Minor dead wood.	-
871	Birch species *Betula spp.*	13	0.17	1	2.0	0.5	1.0	0.5	8.0	2.04	S-M	Fair-poor	C3	<15	Slender tree with small live crown.	-
872	Birch species *Betula spp.*	17	0.34	1	3.0	1.5	2.0	2.0	8.0	4.08	M	Fair-good	B1,2	20 to 40	Located beside conifer hedge/screen. Erect tre of generally good form with relatively high crown.	-
873	Birch species *Betula spp.*	11	0.27	1	4.5	1.0	3.0	3.0	4.5	3.24	M-A	Fair-good	C1,2	10 to 20	Stem lean and crown bias to north; high crown.with minor crown defects.	Monitor stability.
874	Oak *Quercus robur*	7	0.30	2	4.5	4.0	4.5	2.0	1.0	3.00	S-M	Fair-good	B2	20 to 40	2 main stems arise from base. Major crown bias north towards space. Minor included unions.	-
875	Oak *Quercus robur*	8	0.22	1	4.0	1.0	2.0	2.0	1.5	2.64	S-M	Fair-poor	B2	10 to 30	Partially supressed under canopy with crown bias to north. Small diameter dead wood in crown.	-
876	Rowan *Sorbus aucuparia*	6	0.30	M	4.0	2.0	3.5	1.5	3.0	3.00	M-A	Poor	C2	<15	Multi-stemmed from base. Supressed tree withcrown bias north towards space. Small hanging branch at 4m height.	Remove small hanging branch at 4m.

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Tree survey schedule: Baird Terrace, Crieff

Tag	Species	Height (m)	Diam (m)	Stem Br <1.5m	Crown Spreads (m) N	S	E	W	Height CC (m)	RPA Rad (m)	Age Class	Phys Cond	BS Cat	Est. rem cont.	Comments	Recommendations
877	Oak *Quercus robur*	11	0.25	1	2.0	3.5	3.5	2.0	0.5	3.00	S-M	Fair-poor	C2	10 to 20	Supressed tree (beside conifer screen/hedge) with poor crown form. Stem lean and major crown bias north towards space. Damaged branches at 6m over boundary.	Remove damaged branches at 6m, over boundary.
878	Rowan *Sorbus aucuparia*	6	0.22	M	3.0	2.0	3.0	2.0	0.5	2.20	S-M	Fair-poor	C2	10 to 20	Tree of reasonable form in restricted space by conifer screen/hedge.	-
879	Rowan *Sorbus aucuparia*	5	0.30	1	3.0	3.0	3.0	3.0	2.0	3.60	M-A	Fair-good	B1,2	10 to 30	Tree of generally good form in garden to east of property.	-
880	Juniper species *Juniperus spp.*	10	0.30	M	2.0	2.0	2.0	2.0	1.5	3.00	M-A	Good	C1,2	10 to 20	Ornamental tree of generally good form in garden.	-
881	Birch species *Betula spp.*	4	0.27	1	4.0	3.0	2.0	5.0	1.5	3.24	S-M	Fair	B2	10 to 30	Squat tree with relatively open crown in garden.	-
882	Lawson Cypress *Chamaecyparis lawsoniana cv*	9	0.28	1	3.0	3.0	3.0	3.0	1.0	3.36	M-A	Fair	B2	10 to 30	Attractive ornamental tree in garden with open grown crown.	-
883	Birch species *Betula spp.*	10	0.24	1	3.5	1.0	2.0	3.0	3.0	2.88	M-A	Fair	B1,2	20 to 30	Erect tree with finely branched crown in garden.	-
884	Juniper species *Juniperus spp.*	10	0.40	M	3.0	2.0	2.5	2.5	2.0	4.00	M-A	Fair	C1,2	10 to 20	Multi-stemmed from base. Erect tree with open crown at edge of garden.	-
H1	Cypress species	8 to 13	0.1 to 0.18	M	0.5	0.5	3.0	3.0	0.5	2.50	S-M	Fair-good	B2	10 to 20	Closely spaced variable screen/hedge at west site boundary provides screening.	Consider crown reduction to 8m height and future maintenance.
H2	Cypress species	3	0.10	M	1.0	1.0	0.5	0.5	0.5	1.50	S-M	Good	C1,2	<10	Uniform hedge maintained at 3m height. 2 rows of trees.	Maintain as current.
Trees located out-with site boundary																
A	Birch species *Betula spp.*	18	0.55	1	2.0	6.0	4.0	3.0	6.0	6.60	O-M	Fair-good	A3	10 to 20	Large tree with minor stem lean and major crown bias to south towards space. Co-dominant stems arise from tension union at 2m.	-
B	Birch species *Betula spp.*	18	0.50	2	3.0	3.0	2.0	2.0	8.0	5.00	M	Fair-good	A2	10 to 30	[0.4; 0.25] Tree of generally good form. 2 stems arise from base. Located 2m from boundary fence.	-
C	Sycamore *Acer pseudoplatanus*	9	0.25	1	3.0	5.0	4.0	4.5	2.0	3.00	S-M	Fair-good	B2	20 to 40	Located immediatetely adjacent to site (at 'Glencoe'). Self seeded trees; crown bias north towards space	-
D	Rowan *Sorbus aucuparia*	7	0.35	M	3.0	2.0	2.0	3.0	2.0	3.50	M-A	Fair	B2	10 to 30	Erect tree with upright crown located in garden near to house ('Glencoe'). Tree of reasonable for for species with crossing branch at 1m.	-

Key:-
Stem branch<1.5m: M = multi-stemmed; 2 = twin stemmed
Height CC: Height of crown clearance
RPA radius: radius of Root Protection Area
Age-class: 0-M = over-mature; M = mature; M-A = early mature; S-M = semi-mature; Y = Young
Phys cond: Physiological condition
Est. rem cont: Estimated remaining contribution (years).
Prel. Man. Res.: Preliminary management recommendations
Cat Grading: Category grading as per B.S. 5837: 2012.

579

Appendix 3: Tree Survey Plan Drawing

- Plan 1: Tree Survey and Constraints Plan

KEY

Tree Categories

Canopy spreads and tree number have been plotted in different colours according to the 'Retention Category' assigned to the tree. (see categories below)

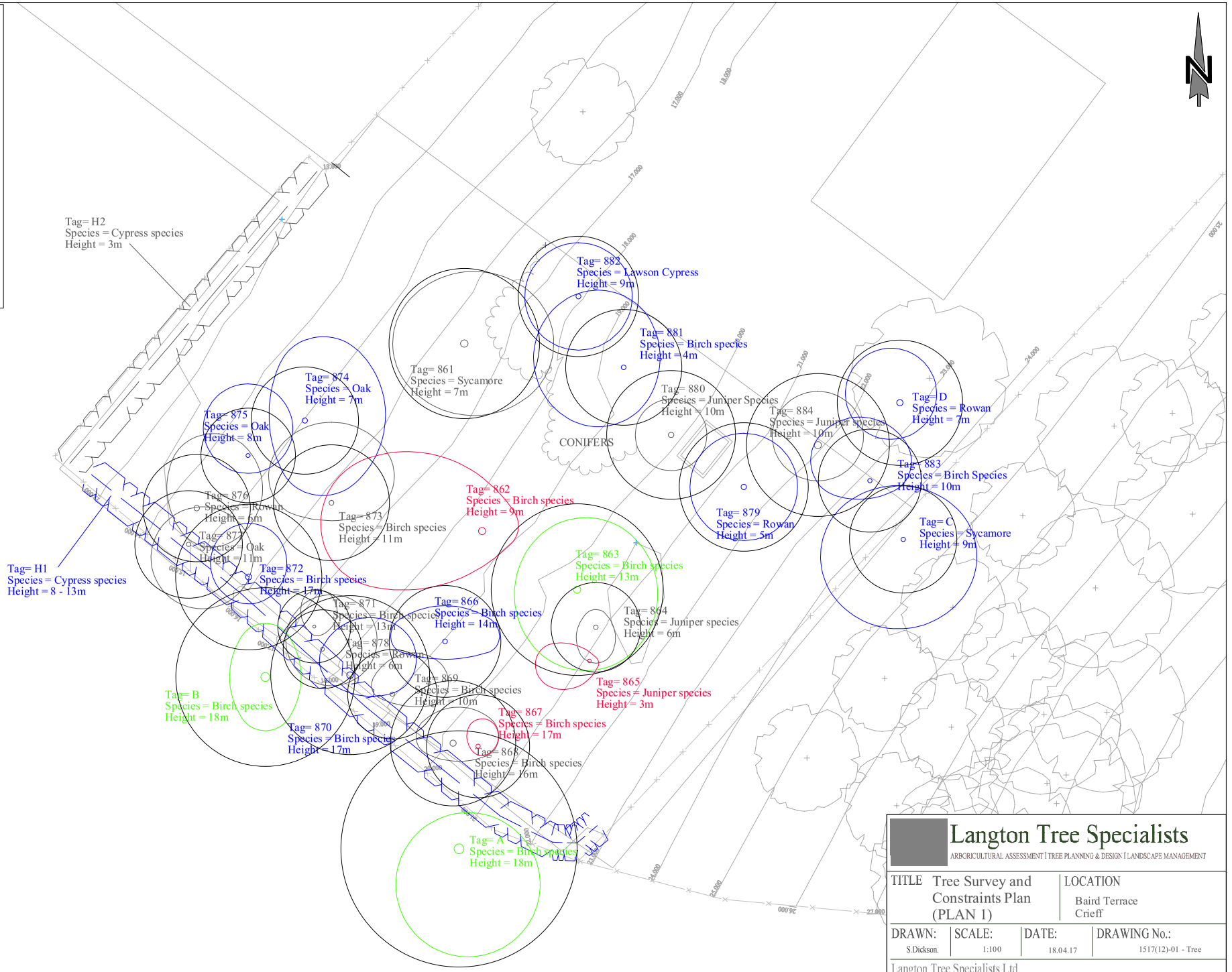
- Tree Category A (Green) - (BS 5837-2012)
- Tree Category B (Blue)
- Tree Category C (Grey)
- Tree Category U (Red)

Root Protection Areas (RPA's)

RPA's are indicated by a black circle centred on the corresponding tree

- RPA's

580



Langton Tree Specialists
ARBORICULTURAL ASSESSMENT | TREE PLANNING & DESIGN | LANDSCAPE MANAGEMENT

TITLE	LOCATION
Tree Survey and Constraints Plan (PLAN 1)	Baird Terrace Crieff

DRAWN:	SCALE:	DATE:	DRAWING No.:
S.Dickson.	1:100	18.04.17	1517(12)-01 - Tree

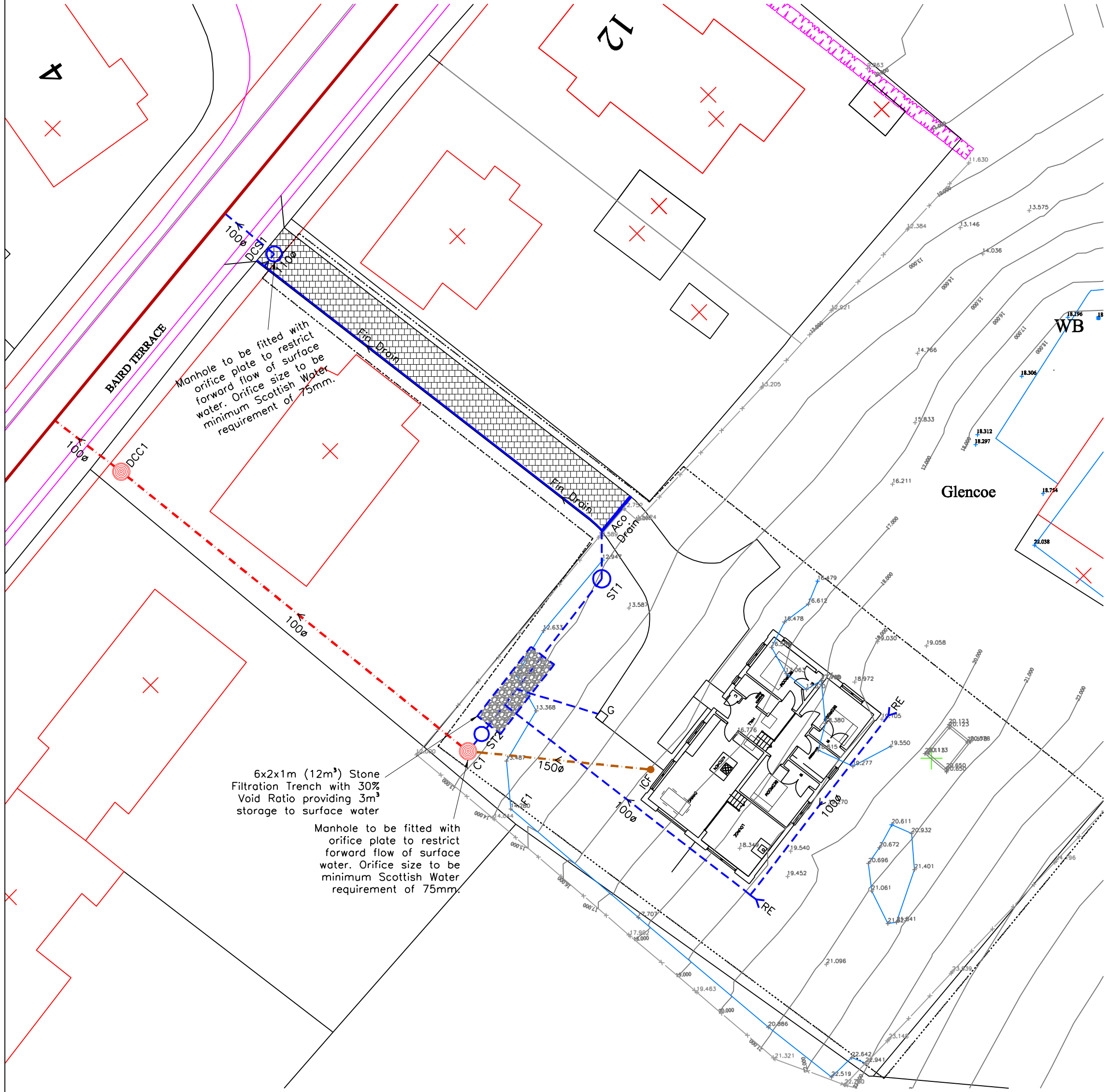
Langton Tree Specialists Ltd.
Station House, Station Road, Gateside, Fife, KY14 7ST
e-mail : martin@langtontreespecialists.co.uk www.langtontreespecialists.co.uk
TEL : 01337 868446 MOB : 07780 635990

APPENDIX 4: Cascade chart for tree quality assessment (from British Standard 5837:2012)

TREES FOR REMOVAL				
Category and definition	**Criteria**			**Identification on plan**
Category U Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years	• Trees that have a serious, irredeemable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other U category trees (e.g. where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning). • Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline. • Trees infected with pathogens of significance to the health and/or safety of other trees nearby, or very low quality trees suppressing adjacent trees of better quality. *NOTE Category U trees can have existing or potential conservation value which it might be desirable to preserve; see **4.5.7**.*			RED
TREES TO BE CONSIDERED FOR RETENTION				
Category and definition	**Criteria – Subcategories**			**Identification on plan**
	1 Mainly arboricultural values	**2 Mainly landscape values**	**3 Mainly cultural values, including conservation**	
Category A **Trees of high quality** with an estimated remaining life expectancy of at least 40 years	Trees that are particularly good examples of their species, especially if rare or unusual; or those that are essential components of groups, or semi-formal arboricultural features (e.g. the dominant an/or principal trees within an avenue)	Trees, groups or woodlands of particular visual importance as arboricultural or landscape features	Trees, groups or woodlands of significant conservation, historical, commemorative or other value (e.g. veteran trees or wood-pasture)	LIGHT GREEN
Category B **Trees of moderate quality** with an estimated remaining life expectancy of at least 20 years	Trees that might be included in category A, but are downgraded because of impaired condition (e.g. presence of significant though remedial defects, including unsympathetic past management and storm damage), such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to merit the category A designation	Trees present in numbers, usually growing as groups or woodlands, such that they form distinct landscape features, thereby attracting a higher collective rating than they might as individuals; or trees occurring as collectives but situated so as to make little visual impact on the wider locality.	Trees with material conservation or other cultural benefits	MID BLUE
Category C **Trees of low quality** with ban estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm	Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories	Trees present in groups or woodlands, but without this conferring on them significantly greater collective landscape value; and/or trees offering low or only temporary/transient landscape benefits	Trees with no conservation or other cultural value	GREY

NOTE:

SUBCONTACTOR TO CHECK THE LINE/LEVEL AND DIAMETER OF THE EXISTING SEWERS AT LEAST 7 DAYS PRIOR TO COMMENCING ANY SEWERAGE WORKS. THE ENGINEER IS TO BE ADVISED IN WRITING OF ANY DISCREPANCY AS A MATTER OF URGENCY.



DRAINAGE LEGEND

- EXISTING COMBINED SEWER
- EXISTING SURFACE WATER SEWER
- EXISTING FOUL SEWER
- PROPOSED SURFACE WATER SEWER
- PROPOSED FOUL SEWER
- PROPOSED COMBINED SEWER
- DCF — FOUL DISCONNECTOR
- POROUS PAVING
- 110ø — OUTLET PIPE FROM POROUS PAVING SUB-BASE
- IN-CURTILAGE 1m DEEP FILTER TRENCH STONE AT 30% VOID RATIO
- G — PROPOSED GULLY

DRAINAGE NOTES:-

1. SUBCONTACTOR TO CHECK THE LINE/LEVEL AND DIAMETER OF THE EXISTING SEWERS AT LEAST 7 DAYS PRIOR TO COMMENCING ANY SEWERAGE WORKS. THE ENGINEER IS TO BE ADVISED IN WRITING OF ANY DISCREPANCY AS A MATTER OF URGENCY.
2. SEWERS TO BE CONSTRUCTED IN ACCORDANCE WITH SEWERS FOR SCOTLAND, CURRENT EDITION PUBLISHED BY W.R.C. EXCEPT WHERE AMENDED BY SCOTTISH WATERS' SPECIFICATION AND DRAWINGS.
3. ALL PIPES UP TO 300mmø TO BE TWIN WALLED UPVC (MARLEY QUANTUM SEWER OR EQUAL APPROVED). ALL PIPES OVER 300MMø TO BE CONCRETE. THE CONTRACTOR MUST OBTAIN APPROVAL FOR THE ACTUAL PIPE MANUFACTURER/SPECIFICATION CHOSEN BY SCOTTISH WATERS CLERK OF WORKS PRIOR TO COMMENCING LAYING
4. DISCONNECTING MANHOLES TO BE IN ACCORDANCE WITH BS.8301 AND SHOULD BE 1.2m FOR FOUL & 1.05 DEEP FOR SURFACE WATER UNLESS OTHERWISE NOTED OR INSTRUCTED. ALL DISCONNECTORS TO BE POLYPROPYLENE UP TO DEPTHS OF 1.2M & PRE-CAST CONCRETE RINGS FOR GREATER DEPTHS.
5. THE LETTER 'F' TO BE PAINTED ON THE INTERNAL FACE OF ALL FOUL DISCONNECTING MANHOLES.
6. ALL GULLY TAILS AND TAILS FROM DISCONNECTING MANHOLES TO MAIN SEWERS TO BE 150MM UPVC PIPES, AS APPROVED BY SCOTTISH WATER.
7. ROCKER PIPES SHALL BE USED FOR PIPES LESS THAN 1200 NOMINAL DIA ENTERING AND LEAVING MANHOLES. LENGTHS TO BE 600mm FOR 150ø-600ø, 1000MM FOR 600ø-750ø AND 1250 FOR 750ø-1200ø.
8. ALL PRECAST CONCRETE UNITS TO BE REINFORCED TO BS.5911, WITH ALL JOINTS BETWEEN PRECAST CONCRETE UNITS TO BE MADE WATER-TIGHT BY THE APPLICATION OF CEMENT MORTAR, TOKSTRIP OR OTHER SIMILAR APPROVED EQUAL. ALL MANHOLES SHOULD BE FULLY WATER-TIGHT ON COMPLETION OF CONSTRUCTION.
9. THE LOWEST CHAMBER RING BEARING ON THE FOUNDATION, AND THE HIGHEST CHAMBER RING RECEIVING THE COVER SLAB, SHALL HAVE PLAIN ENDS AND BE BEDDED IN CEMENT MORTAR.
10. MANHOLE ACCESS HOLE AND STEP IRON POSITIONS TO BE LOCATED TO GIVE THE GREATEST FREE AREA OF BENCHING IMMEDIATELY BELOW. STEP IRONS NOT TO PROTRUDE INTO THE 675MM SQUARE ACCESS OPENING IN SHAFT COVER SLAB.
11. THE TOP STEP IRON TO BE LOCATED NOT LESS THAN 500mm AND NOT GREATER THAN 700mm FROM THE FINISHED MANHOLE COVER LEVEL.
12. MANHOLE COVERS TO BE GRADE D400 BS EN124 DOUBLE TRIANGULAR COVER AND FRAME 150MM DEEP, WITH 675MM SQUARE OPENING, IN DUCTILE IRON. COVER TO BEAR THE REGISTERED CERTIFICATION MARK OF THE B.S.I.
13. ALL PRECAST CONCRETE COVER SLABS TO BE HEAVY DUTY
14. CONCRETE FOUNDATION TO BE SCABBLED BEFORE PLACING THE GRANOLITHIC FINISH. IF PURPOSE BUILT CHANNELS ARE NOT USED, THE GRANOLITHIC MUST BE EXTENDED TO FORM THE CHANNEL.
15. HEIGHT ADJUSTMENT TO MANHOLE COVER AND FRAME TO BE A MINIMUM OF 1 COURSE AND A MAXIMUM 3 COURSES OF CLASS B ENGINEERING BRICK.
16. ALL METALWORK TO BE HOT-DIP GALVANISED TO BS EN 1501461
17. WHERE APPLICABLE, 3.0M MINIMUM IS REQUIRED BETWEEN THE OUTSIDE OF FOUNDATION TO THE OUTSIDE OF ADJACENT SEWER PIPE. FOUNDATION LEVEL TO BE TAKEN DOWN TO PROVIDE 45 DEGREE CLEARANCE TO SAME SEWER.
18. WHERE EXISTING SERVICES MAY BE AFFECTED BY ANY CONSTRUCTION WORKS, THE SUBCONTRACTOR IS TO UNDERTAKE A SERIES OF HAND DUG TRIAL PITS TO VERIFY THAT THE EXISTING PUBLIC UTILITY PLANT WILL/WILL NOT BE AFFECTED, 7 DAYS BEFORE COMMENCING SAID WORKS.
19. MAIN CONTRACTOR IS REPONSIBLE FOR PAYMENT OF ALL FEES IN CONNECTION WITH PERMIT TO CONNECT/INFRASTRUCTURE CHARGES SCOTTISH WATER.
20. GENERALLY, PIPES TO HAVE 900mm COVER IN DRIVEWAYS AND 600MM IN GARDENS TO AVOID THE NECESSITY OF CONCRETE SURROUND TO PIPEWORK.
21. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING THE SCOTTISH WATER PRACTICAL COMPLETION CERTIFICATE, COMPLETION CERTIFICATE, TRANSFER CERTIFICATE AND ANY FINAL ADOPTION REQUIREMENTS BY SCOTTISH WATER TO FACILITATE ADOPTION, AND SHOULD LIAISE WITH SCOTTISH WATERS INSPECTOR AS REQUIRED. ALL CERTIFICATES MUST BE ISSUED TO THE CLIENT & COPIED TO THE ENGINEER.
22. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL REQUIRED CCTV SURVEYS TO EXISTING AND NEW SEWERS, PRE, DURING AND ON COMPLETION OF WORKS AS REQUIRED BY SCOTTISH WATER TO ENSURE COMPLETION CERTIFICATE AND ADOPTION IS ACHIEVED.
23. BUILDING DRAINAGE TO BE IN ACCORDANCE WITH BS EN 752:2008, BS EN:12056:2000 & BS EN 610:1998.

THIS DRAWING HAS BEEN PREPARED UTILISING, AS ITS BASE, ARCHITECTS DRAWING No. .... REV '?'. THE CONTRACTOR IS TO CHECK THE CURRENCY OF THE ARCHITECTS DRAWING, ADVISE OF ANY DISCREPANCIES AND THEREAFTER SEEK FURTHER INSTRUCTION IF FOUND TO DIFFER.

NOTES

2. THE CONTRACTOR AND HIS SUBCONTRACTORS/ SUPPLIERS ARE TO VERIFY ALL DIMENSIONS AND LEVELS ON SITE BEFORE MAKING SHOP DRAWINGS OR COMMENCING MANUFACTURE.
3. DO NOT SCALE THIS DRAWING, ONLY USE FIGURED DIMENSIONS. THE CONTRACTOR IS TO BRING TO THE NOTICE OF THE ENGINEER ANY DISCREPANCIES CONTAINED IN THIS DRAWING PRIOR TO WORK COMMENCING. WHERE REQUIRED THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL RELEVANT DESIGN DRAWINGS & SPECIFICATIONS.
4. ALL WORK TO CONFORM TO THE RELEVANT BRITISH STANDARDS.
5. THIS DRAWING MUST BE READ IN CONJUNCTION WITH SCOTT BENNETT ASSOCIATES. HAZARD & RISK ASSESSMENT DOCUMENT. THE CONTRACTOR SHOULD ENSURE THE H & R DOCUMENT IS AVAILABLE ON SITE FOR USE BY ALL SITE PERSONNEL.
6. THIS DRAWING MUST BE READ IN ACCORDANCE WITH THE SCOTT BENNETT ASSOCIATES 'CIVIL & STRUCTURAL ENGINEERING SPECIFICATION' DOCUMENT. THE CONTRACTOR SHOULD ENSURE THE SPECIFICATION DOCUMENT IS AVAILABLE ON SITE FOR USE BY ALL CONTRACTORS.

REV	DESCRIPTION	BY	CHKD	DATE
-	-	-	-	-

DOCQUET
We hereby certify this is a true and fair copy of the plan/drawing referred to in the Application.
Dated Signed

client
Mr A Birnie

project
Baird Terrace, Crieff

title
Outline Drainage Layout

Scott Bennett Associates
consulting civil and structural engineers
Scott Bennett Associates (Group 1) Ltd.
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issue status
Information

drawn	checked	date
GR	GB	10.03.2017
scales 1:250		sheet size A1

Drawing Number GBS-001 | Revision -

Planning and Development
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Mr And Mrs G McOmish
c/o John Handley Associates Ltd
John Handley
1 St Colme Street
Edinburgh
UK
EH3 6AA

Telephone 01738 475300

Ref No 17/00875/FLL

Date 22nd May 2017

Dear Sir / Madam,

Town and Country Planning (Scotland) Act, 1997 as amended by Planning etc (Scotland) Act 2006

RE: Erection of a dwellinghouse at Land 40 Metres South West Of Glencoe Baird Terrace Crieff

Thank you for your recent application for planning permission or for the approval of conditions arising from a planning permission in principle for the above proposal. I write to confirm that your application has been registered. This letter is accompanied by a guidance note on "What Happens to my Planning Application?". This explains the process of assessing and deciding your application. Your application is for a 'Local Development' as defined in the Town and Country Planning (Hierarchy of Development)(Scotland) Regulations 2009.

Registration Details

Application reference number - 17/00875/FLL
Date of registration - 22nd May 2017

Description of proposed development

The description of the proposed development and/or the site address may have been changed from the planning application form in order to make the description more explicit and legally correct. This revised description will appear on the decision notice. It will be assumed that the amended description is acceptable to you unless you indicate otherwise.

Statutory Advertisement

If this application requires to be advertised under the Town and Country Planning (Development management Procedure)(Scotland) Regulations 2008, and payment has not yet been made, then I will re-contact you concerning payment for the cost of the advert.

Timescale for a decision

In most cases with a Local Development, if you do not receive a decision from the Council within two months of the date of registration you may request a review by the Council's Local Review Body, or in a few cases, you may appeal to Scottish Ministers. In the case of applications with an EIA this timescale is four months. The form to request a review may be obtained from The Secretary, Local Review Body, Perth and Kinross Council, Committee Services, Council Building, 2 High Street, Perth PH1 5PH or email to planninglrb@pkc.gov.uk . The form to request appeal may be obtained from the Scottish Government Directorate for Planning and Environmental Appeals, 4 The Courtyard, Callendar Business Park, Callendar Road, Falkirk FK1 1XR Tel no. 01324 696 400.

Many applications take longer than two months to resolve and in these cases we will write to you to explain the reason and if appropriate ask for an extension to the two-month time period. If you have not heard from us after two months you should contact the case officer.

Please note that **work must not start** until you have received planning permission from the Council.

Yours faithfully

Nick Brian

Development Quality Manager

Receipt of Application Fee Payment

Payment Type	
Receipt Number	
Amount Received	£.00
Payment Date	
Total Received	**£.00**

What Happens to My Planning Application ?
- A Guide for Applicants

This guide is normally sent out with the acknowledgement of a "valid" application. The acknowledgement letter confirms the brief description of the proposed development, the application reference number, whether the application is for a 'Local' or 'Major' development and the date of registration. It explains the initial statutory period from the date of registration for dealing with the application and your right of appeal thereafter, if you have not agreed to an extension of time. The initial statutory period is two months for Local Developments and four months for Major Developments.

Can I speak to the case officer?

You are asked not to contact the planning officer during the initial statutory period for dealing with your application. This allows the case officer to concentrate on assessing your application. You will normally only be contacted during that period if we need you to give further consideration to a particular issue or if we wish to extend the statutory period.

What happens if I am asked to change my application?

Applicants will usually be requested to **withdraw** an application with a view to subsequent re-submission of the revised proposals if the change requested by the Planning Service is "material". In such cases, it is not possible to amend the current application.

Where the changes are so minor as not to be material, applicants will normally be allowed 14 days for the submission of the requested change. If this is unlikely within 14 days, the applicant will be requested to withdraw the application and resubmit a new application once the changes have been finalised. A new application for a similar development does not normally require a fee provided it is submitted within one year of the registration of the previous application.

How can I present information if I don't speak to the case officer?

To avoid the need to re-submit an application and to avoid the need to contact the case officer, any information you wish to provide which is intended to explain or support your application should be included **in writing with the initial application**. Additional information should not in any case be provided verbally to the case officer. By providing information in writing at the start, the information is available to all those involved in the decision making process from the outset. You can follow the progress of your application on "PublicAccess" which is accessible from the "Online Planning Applications" webpage on the Council's website at www.pkc.gov.uk

What does the case officer do with the application?

The planning case officer will initially undertake appropriate consultations with other statutory agencies (such as Scottish Natural Heritage), arrange for the application to be advertised in a local newspaper and on site where this is necessary, study the application and inspect the site. The case officer will not normally arrange a set time to make the site visit or arrange to meet the applicant on site.

Once all the necessary information and comments have been received, the case officer will undertake a professional assessment of the proposed development in relation to the site itself, the policies in the Development Plan, other relevant Council Policies, government guidance, comments received from the public, comments received from Statutory Consultees and any other material considerations. In some cases this may lead to a request to alter the application or provide more information.
As explained above, this may be accompanied by a request to withdraw the application and re-submit it once the revised proposals or additional information are available.

As the final stage in this assessment, the case officer will prepare a recommendation for either the Councillors on the Development Control Committee or a senior planning officer to determine the application. If it is considered likely that your planning application will take more than the statutory period to determine, you will be contacted before that date with an explanation and a request to agree a continuation of the application, if that is appropriate.

Who will decide my application?

The determination of the majority of planning applications is delegated to senior planning staff in the Environment Service. Some planning applications are referred for decision to Councillors on the Development Control Committee of the Council, which meets monthly. A very few applications have to be decided by the full Council and separate guidance will be issued to applicants in these cases. Applicants and the public may attend these meetings.

The decision as to whether or not an application has to be decided by the Committee is dependent on such matters as the number of objections received and whether the application is proposed for approval or refusal by the planning officer. It is therefore not possible in most cases to predict before the end of the application process whether an application will be referred to the Committee. The Council's "Scheme of Administration" laying down what may be delegated to officials and what has to be referred to the Committee is available from the Planning Service and from the Council's website.

Can I speak at the Committee?

Where an application will be determined by the Development Control Committee, applicants (and objectors) are informed in advance and they may ask to be heard at that meeting. This is at the discretion of the Committee but is normally allowed. If there are a number of objectors they are likely to be asked to have only one representative to speak. The presentation to the Committee by applicants or objectors cannot include additional written information, photographs etc.

What is in the decision letter?

In due course, you will receive a formal decision letter from the Council approving, approving with conditions, or refusing the planning application. Reasons will be given for any approval, for any conditions attached to an approval and for any refusal. You will also be given details of your right to have any refusal or any condition on an approval reviewed. Depending on the scale of the application and whether or not the decision was made by the Committee, this will either be through a review by the Council's Local Review Body or an Appeal to the Scottish Ministers.

If you do receive permission, you should **read the letter granting permission** carefully, including any Conditions and any Notes. Sometimes the conditions on an approval will require the submission of further details for written approval **prior to starting** the development or they may require that certain work, such as the formation of the access, is carried out prior to other work. If these conditions are not complied with at the specified time then the whole planning permission can not be legally implemented. This applies even if, for example, the required details are subsequently submitted. In addition the decision letter will include information on the requirement for applicants to submit notices to the Council concerning commencement and completion of works and, in some cases, to display information on site during the development. These also have to be complied with to ensure that the development is lawful. It is therefore essential for the developer's own protection that these conditions and notices are fully complied with.

Perth and Kinross Council
August 2009

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	17/00875/FLL	**Comments provided by**	Euan McLaughlin
Service/Section	Strategy & Policy	**Contact Details**	**Development Negotiations Officer:** Euan McLaughlin [redacted]
Description of Proposal	Erection of a dwellinghouse		
Address of site	Land 40 Metres South West Of Glencoe Baird Terrace Crieff		
Comments on the proposal	**NB: Should the planning application be successful and such permission not be implemented within the time scale allowed and the applicant subsequently requests to renew the original permission a reassessment may be carried out in relation to the Council's policies and mitigation rates pertaining at the time.** THE FOLLOWING REPORT, SHOULD THE APPLICATION BE SUCCESSFUL IN GAINING PLANNING APPROVAL, MAY FORM THE BASIS OF A SECTION 75 PLANNING AGREEMENT WHICH MUST BE AGREED AND SIGNED PRIOR TO THE COUNCIL ISSUING A PLANNING CONSENT NOTICE. **Primary Education** With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity. This proposal is within the catchment of Crieff Primary School.		
Recommended planning condition(s)	**Summary of Requirements** Education: £6,460 (1 x £6,460) **Total: £6,460** **Phasing** It is advised that payment of the contribution should be made up front of release of planning permission. The additional costs to the applicants and time for processing legal agreements for single dwelling applications is not considered to be cost effective to either the Council or applicant. The contribution may be secured by way of a Section 75 Agreement. Please be aware the applicant is liable for the Council's legal expense in addition to their own legal agreement option and the process may take months to		

	complete. If a Section 75 Agreement is entered into the full contribution should be received 10 days after occupation.
Recommended informative(s) for applicant	**Payment** **Before remitting funds the applicant should satisfy themselves that the payment of the Development Contributions is the only outstanding matter relating to the issuing of the Planning Decision Notice.** **Methods of Payment** On no account should cash be remitted. **Scheduled within a legal agreement** This will normally take the course of a Section 75 Agreement where either there is a requirement for Affordable Housing on site which will necessitate a Section 75 Agreement being put in place and into which a Development Contribution payment schedule can be incorporated, and/or the amount of Development Contribution is such that an upfront payment may be considered prohibitive. The signed Agreement must be in place prior to the issuing of the Planning Decision Notice. **NB:** The applicant is cautioned that the costs of preparing a Section 75 agreement from the applicant's own Legal Agents may in some instances be in excess of the total amount of contributions required. As well as their own legal agents fees, Applicants will be liable for payment of the Council's legal fees and outlays in connection with the preparation of the Section 75 Agreement. The applicant is therefore encouraged to contact their own Legal Agent who will liaise with the Council's Legal Service to advise on this issue. **Other methods of payment** Providing that there is no requirement to enter into a Section 75 Legal Agreement, eg: for the provision of Affordable Housing on or off site and or other Planning matters, as advised by the Planning Service the developer/applicant may opt to contribute the full amount prior to the release of the Planning Decision Notice. **Remittance by Cheque** The Planning Officer will be informed that payment has been made when a cheque is received. However this will require a period of 14 days from date of receipt before the Planning Officer will be informed that the Planning Decision Notice may be issued. Cheques should be addressed to 'Perth and Kinross Council' and forwarded with a covering letter to the following: Perth and Kinross Council Pullar House 35 Kinnoull Street Perth PH15GD **Bank Transfers**

	All Bank Transfers should use the following account details; **Sort Code:** 834700 **Account Number:** 11571138 Education Contributions For Education contributions please quote the following ledger code: 1-30-0060-0001-859136 Direct Debit The Council operate an electronic direct debit system whereby payments may be made over the phone. To make such a payment please call 01738 475300 in the first instance. When calling please remember to have to hand: a) Your card details. b) Whether it is a Debit or Credit card. c) The full amount due. d) The planning application to which the payment relates. e) If you are the applicant or paying on behalf of the applicant. f) Your e-mail address so that a receipt may be issued directly. **Indexation** All contributions agreed through a Section 75 Legal Agreement will be linked to the RICS Building Cost Information Service building Index. **Accounting Procedures** Contributions from individual sites will be accountable through separate accounts and a public record will be kept to identify how each contribution is spent. Contributions will be recorded by the applicant's name, the site address and planning application reference number to ensure the individual commuted sums can be accounted for.
Date comments returned	26 May 2017

M e m o r a n d u m

To Development Quality Manager

From Regulatory Services Manager

Your ref 17/00875/FLL

Our ref LRE

Date 6 June 2017

Tel No [redacted]

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission
PK17/00875/FLL RE: Erection of a dwellinghouse land 40 metres South West of Glencoe Baird Terrace Crieff for Mr and Mrs G McOmish

I refer to your letter dated 22 May 2017 in connection with the above application and have the following comments to make.

Environmental Health (assessment date –06/06/17)
Recommendation
I have no objection in principle to the application but recommend the under noted condition be included on any given consent.

Comments
This Service made comment in memorandum dated 20April 2016 with regards to previously refused planning application 16/00517/FLL for the erection of a dwellinghouse.

The applicant proposes to erect a single storey dwellinghouse within an existing residential area of Crieff. The plans submitted with the application indicate that the applicant proposes to install a stove within the lounge area of the property.

Air Quality
The Environment Act 1995 places a duty on local authorities to review and assess air quality within their area. Technical Guidance LAQM.TG (16) which accompanies this act advises that biomass boilers within the range of 50kW to 20MW should be assessed in terms of nitrogen dioxide and particulate matter. The pollution emissions of concern from biomass are particulate matter (PM_{10}/$PM_{2.5}$) and nitrogen oxides (NOx).

As the proposed stove to be installed is a small domestic stove it is well below the range to be assessed, therefore I have no adverse comments to make with regards to local air quality.

Nuisance
However this Service has seen an increase in nuisance complaints with regards to smoke and smoke odour due to the installation of biomass appliances. Nuisance conditions can come about due to poor installation and maintenance of the appliance and also inadequate dispersion of emissions due to the inappropriate location and height of flue with regards to surrounding buildings.

The flue exhaust sits above the roof ridge of the proposed building and emissions should disperse adequately.

However I recommend the undernoted condition be included on any given consent to protect residential amenity from nuisance from smoke/ smoke odour.

There are five letters with objection comments at the time of writing this memorandum, raising concerns with regards to access to the site, privacy and removal of trees.

Condition

EH50 The stove shall only operate on fuel prescribed and stored in accordance with the manufacturer's instructions. The stove and flue and any constituent parts shall be maintained and serviced in accordance with the manufacturer's instructions. No changes to the biomass specifications shall take place without the prior written agreement of the Council as Planning Authority

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	17/00875/FLL	**Comments provided by**	Niall Moran
Service/Section	Transport Planning	**Contact Details**	[redacted]
Description of Proposal	Erection of a dwellinghouse		
Address of site	Land 40 Metres South West Of Glencoe Baird Terrace Crieff		
Comments on the proposal	Insofar as the Roads matters are concerned I do not object to the proposed development provided the conditions indicated below are applied.		
Recommended planning condition(s)	Prior to the occupation or use of the approved development the vehicular access shall be formed in accordance with specification Type A, Fig 5.5 access detail to the satisfaction of the Planning Authority. The gradient of the access shall not exceed 3% for the first 5 metres measured back from the edge of the carriageway and the access shall be constructed so that no surface water is discharged to the public road. RAR04 Reason - In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary. Prior to the occupation or use of the approved development a minimum of 2 car parking spaces shall be provided within the site. RAR01 Reason - In the interests of road safety; to ensure the provision of adequate off-street car parking facilities.		
Recommended informative(s) for applicant	The applicant should be advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.		
Date comments returned	16 June 2016		

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	**16/00517/FLL**	**Comments provided by**	David Williamson
Service/Section	Strategy and Policy	**Contact Details**	[redacted]
Description of Proposal	Erection of a dwellinghouse		
Address of site	Land 40 Metres South West of Glencoe, Baird Terrace, Crieff		
Comments on the proposal	**Part 214 of the Scottish Planning Policy states**: The presence (or potential presence) of a legally protected species is an important consideration in decisions on planning applications. If there is evidence to suggest that a protected species is present on site or may be affected by a proposed development, steps must be taken to establish their presence. The level of protection afforded by legislation must be factored into the planning and design of the development and any impacts must be fully considered prior to the determination of the application. Certain activities – for example those involving European Protected Species as specified in the Conservation (Natural Habitats, &c.) Regulations 1994 and wild birds, protected animals and plants under the Wildlife and Countryside Act 1981 – may only be undertaken under licence. Following the introduction of the Wildlife and Natural Environment (Scotland) Act 2011, Scottish Natural Heritage is now responsible for the majority of wildlife licensing in Scotland. **The RTPI GOOD PRACTICE GUIDE - PLANNING FOR BIODIVERSITY provides the following guidance**: The presence of a protected species is a material consideration in planning decisions. It is important to bear in mind that the granting of planning permission can provide a legal justification for Undertaking operations that would harm a protected species. In dealing with cases that may involve protected species it is important to ensure that an expert survey is undertaken and specialist advice is obtained, either from the applicant (through consultants) or from the statutory agencies or local nature conservation organisations, many of which have valuable local knowledge and experience of the species. In most cases harm could be overcome by modifications to the proposals or by the use of conditions or agreements related to any permission granted. However, it should be born in mind that mobile species frequently range beyond designated sites or sites where they are known to breed, roost, rest or hibernate. They may be equally		

dependent upon more extensive foraging, hunting or feeding areas (for example, barn owls and bats).

The Association of Local Government Ecologists Guidance on Validation of Planning Applications provides the following guidance:

The planning authority has a duty to consider the conservation of biodiversity when determining a planning application; this includes having regard to the safeguard of species protected under the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats etc) Regulations 1994 or the Badgers Act 1992. Where a proposed development is likely to affect protected species, the applicant must submit a ***Protected Species Survey and Assessment*.**
If the application involves any of the development proposals shown in **Table 1** (Column 1), a protected species survey and assessment must be submitted with the application. Exceptions to when a survey and assessment may not be required are also explained in this table. The **Survey** should be undertaken and prepared by competent persons with suitable qualifications and experience and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines/methods where available*. The survey may be informed by the results of a search for ecological data from a local environmental records centre. The survey must be to an appropriate level of scope and detail and must:

- Record which species are present and identify their numbers (may be approximate);
- Map their distribution and use of the area, site, structure or feature (*e.g.* for feeding, shelter, breeding).

The **Assessment** must identify and describe potential development impacts likely to harm the protected species and/or their habitats identified by the survey (these should include both direct and indirect effects both during construction and afterwards). Where harm is likely, evidence must be submitted to show:

- How alternatives designs or locations have been considered;
- How adverse effects will be avoided wherever possible;
- How unavoidable impacts will be mitigated or reduced;
- How impacts that cannot be avoided or mitigated will be compensated.

In addition, proposals are to be encouraged that will enhance, restore or add to features or habitats used by protected species. The Assessment should also give an indication of how species numbers are likely to change, if at all, after development *e.g.* whether there will be a net loss or gain.
The information provided in response to the above requirements are consistent with those required for an application to Scottish Natural Heritage for a European Protected Species Licence. A protected species survey and assessment may form part of a wider Ecological

	Assessment and/or part of an Environmental Impact Assessment. **Biodiversity Officer Comments** The site is currently covered with a mix of trees as described in the tree survey report submitted with the application, indicating 24 separate trees. The proposal will result in the loss of 19 of these trees with no justification. Note, Trees tagged 862 and 863 (Category A) are omitted from the Landscape plan, conveniently. In addition, the close proximity of mature trees to the proposed building may create a danger to the building and occupants of branches or whole trees falling as a result of the root disturbance which will inevitably occur during construction works. Any proposals should recognise the importance of the existing trees to the ecology of the site and surrounding area. I previously requested an ecological survey of the site, not least because of the 16 different bird species which are recorded within 100m of the site along with bats and red squirrels which are also recorded close to the site. Previous applications for this site have been refused in 2002 and in 2016. An earlier application in 1983, long since expired, was approved prior to the introduction of the majority of current wildlife protection legislation, this means wildlife is a material consideration, which was not required 34 years ago at the time of the previous approval.
Recommended planning condition(s)	If you are minded to approve the application then I recommend the following conditions be included in any approval: **TR04** Prior to the commencement of any works on site, all trees on site (other than those marked for felling on the approved plans) and those which have Root Protection Areas which fall within the site shall be retained and protected. Protection methods shall be strictly in accordance with BS 5837 2012: Trees in Relation to Design, Demolition and Construction. Protection measures, once in place, shall remain in place for the duration of construction unless otherwise agreed in writing by the Council as Planning Authority. **RTR00** Reason - To ensure a satisfactory standard of development and environmental quality and to reserve the rights of the Planning Authority. **TR14** All trees identified for retention and any peripheral trees bounding the vehicular access, which may be affected by any element of the approved development and its associated construction, (including land within the blue site area) shall be protected in full accordance with BS 5837: 2012 'Trees in relation to design, demolition and construction'. Approved Tree Protection measures shall not be removed breached or altered without prior written authorisation from the local planning authority but shall remain in a functional condition throughout the entire development or as per the phasing plan. If such protection

	measures are damaged beyond effective functioning then works that may compromise the protection of trees shall cease until the protection can be repaired or replaced with a specification that shall provide a similar degree of protection. **RTR00** Reason - To ensure a satisfactory standard of development and environmental quality and to reserve the rights of the Planning Authority. **TR10** All trees on site, other than those marked for felling on the approved plans, shall be retained. **RTR01** Reason - In the interests of visual amenity and to ensure the satisfactory implementation of the proposed planting scheme. **NE01** Measures to protect animals from being trapped in open excavations and/or pipe and culverts shall be implemented for the duration of the construction works of the development hereby approved. The measures may include creation of sloping escape ramps for animals, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day and open pipework greater than 150 mm outside diameter being blanked off at the end of each working day. **RNE02** Reason - In order to prevent animals from being trapped within any open excavations.
Recommended informative(s) for applicant	• The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage or destroy the nest of any wild birds while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.
Date comments returned	9 June 2017

REPORT OF HANDLING

DELEGATED REPORT

Ref No	**17/00875/FLL**	
Ward No	**P6- Strathearn**	
Due Determination Date	**21.07.2017**	
Case Officer	**John Williamson**	
Report Issued by		**Date**
Countersigned by		**Date**

PROPOSAL: Erection of a dwellinghouse

LOCATION: Land 40 Metres South West Of Glencoe Baird Terrace Crieff

SUMMARY:

This report recommends **refusal** of the application as the development is considered to be contrary to the relevant provisions of the Development Plan and there are no material considerations apparent which justify setting aside the Development Plan.

DATE OF SITE VISIT: 25 May 2017

SITE PHOTOGRAPHS

BACKGROUND AND DESCRIPTION OF PROPOSAL

This application relates to a plot of land in the Callums Hill area of Crieff which is a heavily wooded area of hillside located on the eastern edge of the town which was partially developed for housing in 1960/70's. The site which extends to approximately 900 sqm is a very steep area of partially wooded ground located directly to the rear of no. 8 Baird Terrace and to south west of the property known as Glencoe. Access to the site can only be gained via a very narrow strip of land just 3.2 metres wide between the private dwellings at no. 8 and 10 Baird Terrace.

In 2000 and 2002 outline planning permission was refused for the erection of a single dwellinghouse within the site. Both applications were refused as the access was considered to be contrived and the elevated and steep nature of

the site was considered to be unsuitable for residential development due to the impact that it would have on both the character of the landscape and amenity of the area.

Full planning permission is now being sought for the erection of a dwellinghouse within the same site. The proposed house is a split level single storey building with weatherboarding and white roughcast to the walls and grey roof tiles. Access to the proposed house is to be taken from Baird Terrace via the narrow strip of ground between the properties at no. 8 and 10. This application is an identical re-submission of an application refused in April 2016 (16/00517/FLL). Additional information has been presented in this new submission which relates to the planning history of the site. It indicates that planning consent was granted on this site in 1983 and believes that this should have been taken into account previously. Additional information relating to the visual impact of the proposal has also been presented, together with updated drainage information and a tree survey.

SITE HISTORY

PKD 83/512 Erection of House and garage – 27.6.1983 – Now expired

00/01678/OUT Erection of dwellinghouse Refused 13.12.2000

02/00022/OUT Erection of dwellinghouse Refused 17.02.2002

16/00517/FLL Erection of dwellinghouse Refused 23.5.2006 Delegated Powers

PRE-APPLICATION CONSULTATION

Pre application Reference: None

NATIONAL POLICY AND GUIDANCE

The Scottish Government expresses its planning policies through The National Planning Framework, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2012-2032 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the Tay Plan should be noted. The vision states *"By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice, where more people choose to live, work and visit and where businesses choose to invest and create jobs."*

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

The Local Development Plan is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are, in summary:

Policy PM1A - Placemaking
Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. All development should be planned and designed with reference to climate change mitigation and adaption.

Policy PM1B - Placemaking
All proposals should meet all eight of the placemaking criteria.

Policy PM3 - Infrastructure Contributions
Where new developments (either alone or cumulatively) exacerbate a current or generate a need for additional infrastructure provision or community facilities, planning permission will only be granted where contributions which are reasonably related to the scale and nature of the proposed development are secured.

Policy TA1B - Transport Standards and Accessibility Requirements
Development proposals that involve significant travel generation should be well served by all modes of transport (in particular walking, cycling and public transport), provide safe access and appropriate car parking. Supplementary Guidance will set out when a travel plan and transport assessment is required.

Policy NE2B - Forestry, Woodland and Trees
Where there are existing trees on a development site, any application should be accompanied by a tree survey. There is a presumption in favour of protecting woodland resources. In exceptional circumstances where the loss of individual trees or woodland cover is unavoidable, mitigation measures will be required.

Policy RD1 - Residential Areas
In identified areas, residential amenity will be protected and, where possible, improved. Small areas of private and public open space will be retained where they are of recreational or amenity value. Changes of use away from ancillary uses such as local shops will be resisted unless supported by market evidence that the existing use is non-viable. Proposals will be encouraged

where they satisfy the criteria set out and are compatible with the amenity and character of an area.

Policy EP3B - Water, Environment and Drainage
Foul drainage from all developments within and close to settlement envelopes that have public sewerage systems will require connection to the public sewer. A private system will only be considered as a temporary measure or where there is little or no public sewerage system and it does not have an adverse effect on the natural and built environment, surrounding uses and the amenity of the area.

Policy EP3C - Water, Environment and Drainage
All new developments will be required to employ Sustainable Urban Drainage Systems (SUDS) measures.

OTHER POLICIES

Developer Contributions and Affordable Housing Supplementary Guidance

CONSULTATION RESPONSES

INTERNAL

Transport Planning – no objection subject to conditions

Contributions Officer – contribution required

Environmental Health – conditions recommended relating to stove and flue

Bio Diversity Officer – concerns regarding lack of protected species survey and inaccuracy of tree felling information

EXTERNAL

Scottish Water – no response within statutory period

REPRESENTATIONS

The following points were raised in the 7 representation(s) received:

- Visual impact on character of landscape
- Represents backland development
- Access width too narrow for safe access, parking and traffic movement
- Gradient of site and access
- Loss of trees

- Excessive height
- Overlooking
- Increased surface water from access
- Failure to relate to building line
- Bio Diversity
- Previous refusal

The above issues are addressed within the appraisal section below.

ADDITIONAL STATEMENTS RECEIVED:

Environment Statement	Not Required
Screening Opinion	Not Required
Environmental Impact Assessment	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Submitted/Not Required
Report on Impact or Potential Impact eg Flood Risk Assessment	Tree Survey, Landscape Plan and Supporting Planning Statement submitted

APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan 2012 and the adopted Perth and Kinross Local Development Plan 2014.

The determining issues in this case are whether; the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy.

Policy Appraisal

The site is located within the settlement boundary of Crieff where Policies RD1 'Residential Areas' and PM1A & PM1B 'Placemaking' of the Perth and Kinross Local Development Plan (LDP) are applicable. The site is located within the settlement boundary of Crieff in an area where residential and compatible uses are accepted subject to criteria.

Policy RD1 states that residential amenity will be protected and, where possible, improved. Proposals will be encouraged where they satisfy the criteria set out and are compatible with the amenity and character of an area.

Policy PM1A and PM1B seeks to ensure that all developments contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place.

In this instance it is considered that the erection of residential development within this backland site would be entirely unacceptable and would result in a significant impact on the character and amenity of the area. As such, it is considered that the proposals are contrary to Policy RD1 and Policy PM1A & B of the LDP. This is discussed in greater detail below. I do not consider the additional information presented in this application to alter this view.

Principle of development - Backland Plot

In this instance the applicant is proposing to erect a dwelling within very steep site directly to the rear of garden of no 8 Baird Terrace. This clearly represents backland or tandem development which the Council has opposed on this site in refusals in 2000 and 2003. Whilst it is noted that consent was granted on this site in 1983 this has long since expired and was approved under policies and a Development Plan which no longer apply. With the exception of the neighbouring house at Glencoe, the introduction of backland development in this particular instance would not be in accordance with the established building pattern in the immediate area which sees all dwellings front onto Baird Terrace and would also set an unwelcome precedent for further tandem development in the Callum's Hill area which would be detrimental to the landscape character and amenity of the area.

It is therefore again considered that the principle of erecting a house within this backland site cannot be supported due to its impact on the character and amenity of the area. The approval of an application for this site in 1983 is considered to have limited weight, particularly as two further applications in 2000 and 2003 have been refused on this site. Furthermore the proposal now requires to be considered under current policies.

Landscape

The proposed site is located in a very prominent elevated area of ground on the northern slope of Callum's Hill. The elevated nature of the site means that any development will be clearly visible from Crieff Golf Course and the Knock of Crieff which is a popular walk that has views over the town, including Callum's Hill. The proposed site also contains a number of mature trees, the removal of which will erode the woodland that characterises the Callum's Hill and presently provides containment to the existing residential development on Baird Terrace. Whilst a photomontage has been submitted to indicate the impact of development on the site I do not consider this sufficient to address the policy concerns identified in the previous refusal and I still consider these to be relevant here. Furthermore a tree survey has now been submitted which indicates the condition of the trees on site and indicates the extent of felling of both trees and shrubs which would be required to accommodate the new development.

This demonstrates that much of the existing woodland landscape of this hillside would be lost to accommodate the dwelling. It is also noted that two of the category A trees identified within the tree survey (862 and 863) are omitted from the proposed landscape plan.

As such, it is considered that the development of a house on this site would have an adverse impact on the landscape character of the area.

Bio Diversity

The loss of trees from the site could also result in loss of habitat for wildlife species. On the basis of the identified tree felling, which was not clearly identified in the previous submission, the Council's Bio Diversity Officer has been consulted on the application. Policy NE3 of the LDP requires the impact on protected species to be considered and assessed. There are 16 different bird species which are recorded within 100m of the site and bats and red squirrels have also been recorded close to the site according to Council records. No survey of protected species has been submitted with this application. As such the proposal is contrary to policy NE3

Residential Amenity

It is considered that the proposed development would impact unduly on neighbouring amenity, particularly in relation to the existing private dwellings at no. 8 and 10 Baird Terrace. The elevated nature of the site will result in the proposed house being perched above the existing properties on Baird Avenue which will introduce a sense of overlooking of the rear gardens of the neighbouring properties. Furthermore proposed the driveway access will introduce an unacceptable level of overlooking of the rear gardens of no. 8 and 10 and will create an uncomfortable access arrangement which passes within feet of the conservatory on the side of no.8. As such the proposal is contrary to policy PM1A and RD1 where they relate to protecting residential amenity.

Roads and Access

The narrow width and steep gradient of the proposed access is not considered to be appropriate both in terms of servicing the proposed plot but also its impact on the amenity of the neighbouring dwellings. The proposed access is just 3.2 metres wide and whilst this may be sufficient to allow a car to pass, its narrow width coupled with the proximity of the garage of no. 8 and the side conservatory on the gable of no. 10 will result in a very uncomfortable access arrangement with cars passing just feet from the neighbouring properties.

In addition to the above, the gradient of the access rises steeply and this will undoubtedly require retaining walls to be constructed in order to form the access into the proposed plot. The applicant has not provided any detailed plans in relation to the engineering required to for the proposed driveway access but any retaining walls will not only have an adverse visual impact but

will also further narrow the width of access which could possibly impact on the ability to actually service the proposed plot.

It is also noted that concerns have been expressed regarding the ability for emergency vehicles to access the site due to the narrow width of the access and the topographical constraints. As outlined above, the narrow width and steep incline may pose problems for access, particularly in relation to larger vehicles but any issues in relation to the emergency vehicle access is a matter for the building standards and not a material consideration in the assessment of this application. Whilst I note that no objections have been received from Transport Planning relating to the access I remain concerned with the issues identified above and still consider the proposed access to be inappropriate for the reasons outlined above. Transport Planning are solely considering the road safety elements of the access rather than any associated impact on residential and visual amenity.

Drainage and Flooding

There are no known issues in relation to the flooding. The site is also not located within any areas at risk to a 1 in 200 year flood event, as per SEPAs indicative flood maps.

In regards to drainage, a drainage plan accompanies this application. This indicates that the site will connect to the public sewer with surface water also draining to a filtration trench, with a drain continuing down the access to the public road.

Developer Contributions

Crieff Primary School is currently considered to be at capacity by Education and Children's Services. Therefore the Council's recently approved Planning Guidance Note on Developer Contributions will apply. Under this guide, as it applies to education infrastructure, the developer will be required to make a contribution of £6,460 towards the cost of increasing school capacity.

As this proposal relates to one house the total amount required in this instance is £6,460.

There is no transportation contribution requirement for this site.

Economic Impact

The economic impact of the proposal is likely to be minimal and limited to the construction phase of the development.

Planning History

Whilst it is noted that planning consent was granted on this site in 1983, this consent expired almost 30 years ago and was determined under policies and a Development Plan which have been replaced on numerous occasions.

Previous planning refusals in 2000 and 2002 have also occurred since the 1983 approval. I therefore consider the 1983 decision to have very limited weight in the determination of an application on this site now which requires to be considered under current policies. As outlined clearly above, the proposal remains contrary to various policies of the current LDP and the presence of an expired consent in 1983 is not considered sufficient to outweigh the fact that the proposal remains contrary to policy and as such the proposal is recommended for refusal.

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal does not comply with the approved TAYplan 2012 and the adopted Local Development Plan 2014, specifically in regards to Policy PM1A & B 'Placemaking' and Policy RD1 'Residential Areas'. I have taken account of material considerations, including the planning history of the site and the information contained with Scottish Planning Policy (SPP) and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for refusal.

APPLICATION PROCESSING TIME

The recommendation for this application has been made within the statutory determination period.

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application

Reasons for Recommendation

The proposed development is contrary to Policy RD1 of the Perth and Kinross Local Development Plan 2014 as the proposals will introduce backland development which would have a significant impact on both neighbouring amenity and the character of the landscape. Its approval would also establish an unwelcome precedent for further similar developments which would have a serious detrimental impact on the amenity and character of the area.

The proposal is contrary to Policy PM1A and PM1B of the Perth and Kinross Local Development Plan 2014 as the proposed development would fail to

contribute positively to the quality of the surrounding built and natural environment and would introduce backland development which fails to respect the prevailing established building line within the area and would not be compatible with the amenity and character of the surrounding area.

The proposal is contrary to Policy NE3 of the Perth and Kinross Local Development Plan 2014 as the felling of trees on the site is considered to potentially impact on the habitat of protected species including birds, bats and red squirrels all of which have been identified as being present in the immediate area. No detailed survey has been undertaken to establish the presence and potential impact of development on any protected species on site.

Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan

Informatives

None

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

17/00875/1

17/00875/2

17/00875/3

17/00875/4

17/00875/5

17/00875/6

17/00875/7

17/00875/8

17/00875/9

17/00875/10

17/00875/11

17/00875/12

17/00875/13

17/00875/14

Date of Report

16 June 2017

PERTH AND KINROSS COUNCIL

Mr And Mrs G McOmish
c/o John Handley Associates Ltd
John Handley
1 St Colme Street
Edinburgh
UK
EH3 6AA

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 20th June 2017

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **17/00875/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 22nd May 2017 for permission for **Erection of a dwellinghouse Land 40 Metres South West Of Glencoe Baird Terrace Crieff** for the reasons undernoted.

Interim Head of Planning

Reasons for Refusal

1. The proposed development is contrary to Policy RD1 of the Perth and Kinross Local Development Plan 2014 as the proposals will introduce backland development which would have a significant impact on both neighbouring amenity and the character of the landscape. Its approval would also establish an unwelcome precedent for further similar developments which would have a serious detrimental impact on the amenity and character of the area.

2. The proposal is contrary to Policy PM1A and PM1B of the Perth and Kinross Local Development Plan 2014 as the proposed development would fail to contribute positively to the quality of the surrounding built and natural environment and would introduce backland development which fails to respect the prevailing established building line within the area and would not be compatible with the amenity and character of the surrounding area.

3. The proposal is contrary to Policy NE3 of the Perth and Kinross Local Development Plan 2014 as the felling of trees on the site is considered to potentially impact on the habitat of protected species including birds, bats and red squirrels all of which have been identified as being present in the immediate area. No detailed survey has been undertaken to establish the presence and potential impact of development on any protected species on site.

Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan

The plans relating to this decision are listed below and are displayed on Perth and Kinross Council's website at www.pkc.gov.uk "Online Planning Applications" page

Plan Reference

17/00875/1

17/00875/2

17/00875/3

17/00875/4

17/00875/5

17/00875/6

17/00875/7

17/00875/8

17/00875/9

17/00875/10

17/00875/11

17/00875/12

17/00875/13

17/00875/14

Baird Terrace
Proposed New Build Housing Site, Crieff,

Ecological Survey

Prepared by

Christopher Palmer Associates, Landscape Architects

For

Mr G McOmish

Christopher Palmer Associates, Landscape Architects, Apple Tree House, The Ross, Comrie, Perthshire, PH6 2JU
Tel. 01764 670177, Fax. 01764 670666 email: cpa.comrie@btconnect.com

Baird Terrace
Proposed New Build Housing Site, Crieff

Ecological Survey

Contents:

Figures:

Drawing C1708.003: 1:250 scale Phase 1 Habitat Survey Map

Christopher Palmer Associates, Landscape Architects, Apple Tree House, The Ross, Comrie, Perthshire, PH6 2JU
Tel. 01764 670177, Fax. 01764 670666 email: cpa.comrie@btconnect.com

1 Introduction

1.1 Christopher Palmer Associates have been commissioned by Mr G McOmish to prepare an Ecological survey report for a single house plot at Baird Terrace, Crieff. The purpose of the report is to assess the current ecological value of the site and how the proposed house development will impact on this and how biodiversity might be both protected & enhanced.

1.2 The survey also sets out to identify any notifiable or injurious plant species.

1.2 The report is based on the methodology set out for a Phase 1 Habitat Survey.

1.3 Christopher Palmer is a landscape architect, an Associate of the Landscape Institute and has an Msc in Ecology from Durham University. See Appendix for proof of qualification to carry out this assessment. Christopher Palmer is a practicing ecologist with a minimum of 3 years relevant experience within the last 5 years.

1.4

1.5 I am bound by the professional code of conduct of the Landscape Institute of which I am a full time Associate member and registered Landscape Practice. Member Number 545.

2 Site Context & Scope of the Development & Survey.

See Drawing C1708 .HS01

2.1 Boundaries

The Baird Terrace site is accessed via Callum's Hill off the A85 and sits on the edge of the Callum's Hill residential area to the south of the A85 on the eastern outskirts of Crieff, opposite the Crieff Golf Club. It is located above Baird Terrace with a narrow access between two existing dwellings on Baird Terrace. The total area of the site including the access driveway is approximately 1,075m2. The site opens to a rectangular area between gardens to east and west. It is fenced on all sides with a combination of post and wire fences and closeboard timber fences.

2.2 Site Designation:

The site would formerly been part of an area of broadleaved woodland but is now isolated between residential properties. It remains in a semi-wooded state with a mix of native and non-native trees and garden shrubs. An area of open ground and broadleaved woodland with an open character.

2.3 Topography and Aspect

A topographic survey of the site has been carried out. The site slopes down from a level of 24m at the south boundary with the woodland to 12.5 m at the top of the drive on the north boundary and continues to slope down the line of the proposed access drive.

2.4 Site Characteristics: Vegetation, Land Use, and Levels.

The site has a northerly aspect and is currently enclosed on the north and west boundaries by Lawsons Cypress high conifer hedging. The hedge on the west boundary is approximately 8 - 13mmetres high and the hedge on the north boundary approximately 3-4 metres high. There is no evidence of management of these hedges to date. This together with the northerly aspect and wooded ground to the south and the tree cover within the site makes for a heavily overshaded site which is reflected in the ground flora. Reduction in the height of these hedges would benefit the site through greater levels of sunlight being able to penetrate to the ground layers.

Soils appear to be mineral and relatively free draining in the main, although there are areas where the soil is damp and the tree survey report records that the central windblown birch is a result of the damp ground, as is the presence of moss throughout the ground flora.

3. Establishing the Ecological Status of the Site

3.1 Checklist for Land of Low Ecological Value' it is confirmed that:

- There are trees with a trunk diameter greater than 100mm.
- There are no ponds rivers or streams running through the site.
- There is no marsh or other wetland present on the site.
- There are no meadows or species rich grassland present on the site.
- There is no heathland present on the site.

The site backs onto the wooded slope of Callum's Hill and to the south of Crieff Golf Course. The presence of exotic garden shrubs including Philadelphus, Berberis and garden varieties of Juniper indicate that the site has perhaps been used as a woodland garden in the past.

3.2 Ground flora is limited, with a dense area of bracken within the entrance to the site at the top of the proposed drive and along the south boundary with the woodland. The remainder of the site is dominated with overshaded grass and mosses, including sphagnum moss indicating wet ground.

There was no indication of animal burrows or animal tracks through the site.

3.3 A tree survey has been carried out by Langton Tree Specialists in April 2017. A total of 24 trees were surveyed and were found to be of mixed age and quality. Birch is the dominant species accounting to 50% of the trees on the site. Other species include Rowan (4), semi-mature Oak (3) and a semi-mature Sycamore. Overall the tree cover on the site is of relatively low and moderate quality and includes a fallen Birch tree in the centre of the site. The trees have relatively short term potential due to species make up, age and location. Approximately 50% of the trees were assessed as Category C or U (BS 5837: 2012.

Drawing C1708.003 shows the trees which would be required to be removed to accommodate the dwelling and ancillary works and the tree which can be retained.

3.4 Although the trees are assessed as being of moderate to low quality and the ground flora is limited, it is not to say that the site does not have some ecological value. The boundary hedges, tree & shrub cover provide nesting sites for birds and cover for small mammals.

3.5 It is recognized that the proposed development will lead to a temporary disturbance to the local ecology, but that wildlife will return once the site is complete, provided there is the right habitat available for it to do so.

4. Site Ecological Survey

4.1 Tree Species Recorded on the Site:

Oak, Quercus robur
Rowan, Sorbus aucuparia
Silver Birch, Betula pendula
Sycamore, Acer pseudoplatanus
Lawsons Cypress hedges

4.2 Shrub species Recorded on Site

Rhododendron sp
Bramble, Rubus ulmifolius
Juniper (garden variety)

4.3 Herbaceous & Moss species
Damp grassland grass species
Moss species including *Spagnum sp*

Dandelion, *Taraxacum officinale*
Ribwort Plantain, *Plantago lanceolata*
Speedwell, *Veronica sp* (growing in gravel on access)
Bracken, *Pteridium aquillinum*
Wood Sorrel, *Oxalis acetosella*
Wild raspberry, *Rubus idaeus*

4.4 Bird Species recorded
Robin, *Erithacus rubecula*

4.5 Invertebrates recorded
Black Garden Ants, *Lasius niger* foraging in moss
Black garden ants is one of the most common ant spoecies found in Europe.9 Statutory Wildlife Obligations

4.6 Statutury Wildlife Obligations
The Wildlife and Countryside Act 1981 as amended by the Nature Conservation (Scotland) Act 2004 provides statutory protection to birds, bats and other species. Priortoundertaking tree works or ground works the site should be inspected to establish the presence of birds nests, bat roosts, red squirerel dreys etc. If identified Scottish Natural Heritage (SNH) should be contacted and agreement made with regard to measures to be undertaken to protect protected species before undertaking work which might constitute an offence.

Photographic Survey

View looking north from top of slope showing grass dominated sward, areas of braken and windblown Birch

View looking north from top of slope showing grass dominated sward, Birch trees , garden shrubs, areas of braken .

View looking north showing grass dominated sward and fallen birch

View looking north showing lopped Sycamore.

Proposed Drive access to site

5. Ecological Enhancement

5.1 The site area available for landscaping and ecological enhancement is limited. New planting associated with the proposed house development will include replacement trees to have a balance between domestic scale garden using a mix of native and introduced trees and shrubs. The site would benefit from reduction in height of the west and north boundary Lawson Cypress hedges

6 Conclusions and Recommendations

6.1 The development proposals will involve a change of land use from semi-natural woodland to domestic garden. The Survey demonstrates that the moderate to poor quality tree cover and sparse ground flora has inherently low ecological value.

6.2 Summary of Potential Impacts

During the construction phase, the development will result in:

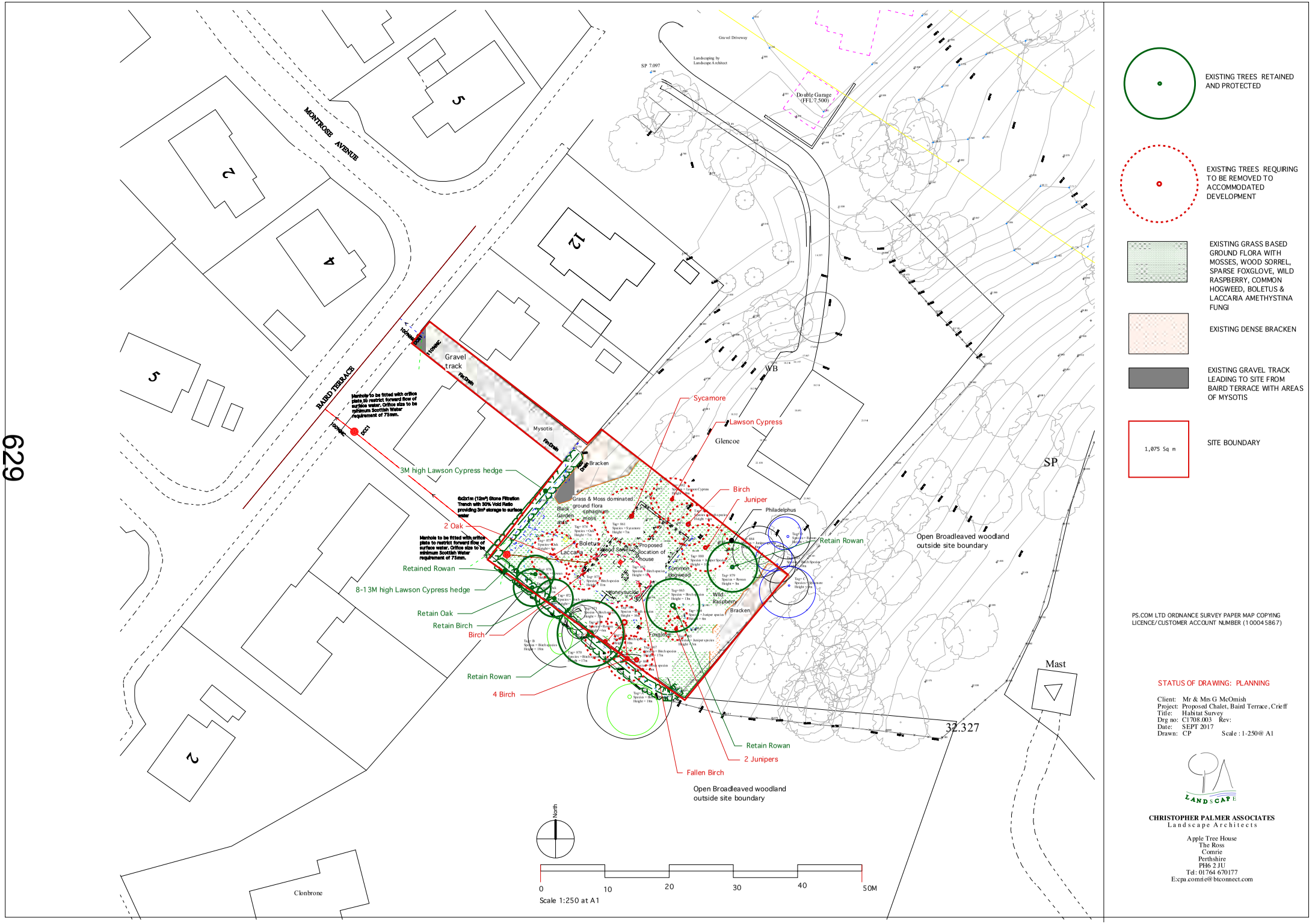
- Direct loss of native broadleaved trees
- Loss of internal shrubbery.
- Disturbance including noise may be higher during construction period and deliveries of plant and construction materials.

During the occupational phase, the development will result in

- Increased but limited vehicle movements (domestic cars)
- Increased human activity and disturbance within garden
- Increased lighting (limited to domestic lighting.

6.3 In summary, this report provides an appropriate assessment of the ecology of the site, including an assessment of protected species. It confirms that the site has inherently low ecological value, and no protected species were recorded.

6.4 Accordingly, the proposed development on the site would have no detrimental impact on the habitat of protected species including birds, bats and red squirrels. The proposed new landscaping for the site will provide opportunities to enhance the existing habitat and bio-diversity of the site".


629
MONTROSE AVENUE
BAIRD TERRACE
2
4
5
12
Gravel track
Mysotis
Bracken
Grass & Moss dominated ground flora
Sphagnum moss
Black Garden ants
Laccaria
Boletus
Wood Sorrel
Proposed location of house
Common Hogweed
Honeysuckle
Wild Raspberry
Foxglove
Sycamore
Lawson Cypress
Glencoe
Birch
Juniper
Philadelphus
Retain Rowan
Open Broadleaved woodland outside site boundary
3M high Lawson Cypress hedge
2 Oak
Retained Rowan
8-13M high Lawson Cypress hedge
Retain Oak
Retain Birch
Birch
Retain Rowan
4 Birch
Fallen Birch
2 Junipers
Retain Rowan
Open Broadleaved woodland outside site boundary
Manhole to be fitted with orifice plate to restrict forward flow of surface water. Orifice size to be minimum Scottish Water requirement of 75mm.
6x2x1m (12m³) Stone Filtration Trench with 30% Void Ratio providing 3m³ storage to surface water
Double Garage (FFL 7.500)
Gravel Driveway
Landscaping by Landscape Architect
SP 7.007
WB
SP
Mast
32.327
Clonbrone
North
0
10
20
30
40
50M
Scale 1:250 at A1
EXISTING TREES RETAINED AND PROTECTED
EXISTING TREES REQUIRING TO BE REMOVED TO ACCOMMODATED DEVELOPMENT
EXISTING GRASS BASED GROUND FLORA WITH MOSSES, WOOD SORREL, SPARSE FOXGLOVE, WILD RASPBERRY, COMMON HOGWEED, BOLETUS & LACCARIA AMETHYSTINA FUNGI
EXISTING DENSE BRACKEN
EXISTING GRAVEL TRACK LEADING TO SITE FROM BAIRD TERRACE WITH AREAS OF MYSOTIS
1,075 Sq m
SITE BOUNDARY
PS.COM LTD ORDNANCE SURVEY PAPER MAP COPYING LICENCE/CUSTOMER ACCOUNT NUMBER (100045867)
STATUS OF DRAWING: PLANNING
Client: Mr & Mrs G McOmish
Project: Proposed Chalet, Baird Terrace, Crieff
Title: Habitat Survey
Drg no: C1708.003 Rev:
Date: SEPT 2017
Drawn: CP Scale : 1-250@ A1
LANDSCAPE
CHRISTOPHER PALMER ASSOCIATES
Landscape Architects
Apple Tree House
The Ross
Comrie
Perthshire
PH6 2 JU
Tel: 01764 670177
E:epa.comrie@btconnect.com

TCP/11/16(490) – 17/00875/FLL – Erection of a dwellinghouse on land 40 metres south west of Glencoe, Baird Terrace, Crieff

PLANNING DECISION NOTICE *(included in applicant's submission, see pages 617-618)*

REPORT OF HANDLING *(included in applicant's submission, see pages 603-615)*

REFERENCE DOCUMENTS *(included in applicant's submission, see pages 519-520 and 529-583)*

TCP/11/16(490) – 17/00875/FLL – Erection of a dwellinghouse on land 40 metres south west of Glencoe, Baird Terrace, Crieff

REPRESENTATIONS

(part included in applicant's submission, see pages 591-602)

8 Baird Terrace
Callum's Hill
Crieff
Perthshire
PH7 3 LT

[redacted]

29 May 2017

Perth & Kinross Council
Planning & Development
Pullar House
35 Kinnoull Street
Perth PH1 5GD

Dear Sirs,

Planning Application on Neighbouring Land
Planning Application Reference 17/ 00875/FLL

Thank you for the notification of the application, under the above reference, by Mr and Mrs G McOmish for the erection of a dwelling house as described in your notification.

In response to this, we should like to raise the following matters for your consideration:

1. the proposed development of the existing pathway would present difficulties in terms of the adjacent gardens of nos 8 and 10 Baird Terrace, given that that access is only approximately three metres wide, and has a three foot retaining wall, about half way up the length of the access

2. neither the essential installation of robust retaining walls on both sides of the access path, nor the severity of the existing gradient seem to have been considered , particularly the latter in terms of health and safety.

3 with regard to the proposed dwelling house, its style and location could present a threat to the direct privacy of our back garden and south east facing rooms of 8 Baird Terrace;

Given that similar proposals for the property have been considered and refused by your colleagues in the past, we find it difficult to understand why they are being submitted yet again since there is there is nothing of substance or detail to support change in circumstances.

Please refer to applications, submissions and relevant correspondence back to 1991.

Yours sincerely,

[redacted]

John B Morrison

[redacted]

Diane M Morrison

4 Baird Terrace

CRIEFF

1 June 2017

Development Quality Manager

Perth & Kinross Council

PERTH PH15GD

Dear Sir

PLANNING APPLICATION REF 17/00875/FLL

I refer to your letter of 22nd May and wish to raise the following objections.

1 This site has been the subject of several applications (the last refusal as recently as March 2016) and nothing has changed in that time.
2 The access driveway is just over 3 metres in width with a length to the site of 32 metres of 1 in 6 gradient. To form the driveway retaining walls will be necessary at the adjacent gardens thus narrowing further the driveway. Apart from being unable to open a car door ,no emergency vehicle access would be possible.
3 This is backland development which would impact on the character of the neighbourhood. Combined with the elevated nature of the site any structure would be perched above the existing properties thus overlooking 4,6,8,and 10 Baird Terrace.
4 Removal of the mature trees on the site would adversely affect the view to Callum's Hill from the Knock of Crieff and Crieff Golf Course.

For all these reasons I hope once again this application is refused.

Yours faithfully,

[redacted]

Alistair Stewart

[redacted]

Yvonne Stewart

R A F Dawson.
10 Baird Terrace
Crieff
PH7 3LT

2 June 2017

Perth & Kinross Council
Planning Department

Reference Planning Application – 17/00875/FLL

Dear Sirs.

Thank you for the above notification. I wish to raise the following matters for your consideration and its possible rejection.

1. The indicated entrance driveway between numbers 8 and 10 Baird Terrace is too narrow for the access of emergency vehicles let alone construction vehicles.

2. The driveway would be too steep for safe entry and egress especially in winter.

3. If such a driveway were approved it would need retaining walls throughout its length to prevent the gardens of numbers 8 and 10 from subsiding into it. This would make it even narrower.

4. The proposed new construction is not on the building line.This would spoil the aspect of Callums Hill from The Knock.

5. Felling mature trees would spoil the aspect from The Knock and affect wildlife.

6. If constructed traffic on the driveway would pass within 1 [one] metre of the conservatory at 10 Baird Terrace.

Thank you again for keeping me informed about events, I await the outcome with interest.

Yours sincerely,

[redacted]

R A F Dawson

6 Baird Terrace
Crieff
PH7 3LT

2 June 2017

Perth & Kinross Council
Planning & Development
Pullar House
35 Kinnoull Street
PERTH PH1 5GD

Dear Sirs

Planning Application 17/00875/FLL

I wish to record my objection to the above planning application.

My reasons are as follows:

The narrowness of the access driveway, the steep gradient of the driveway and the fact that any house built on the site will have a detrimental effect on my privacy. It will also have a detrimental effect on the skyline. It will also involve the cutting down of many venerable trees which will damage the ecology on Callums Hill, and the resultant change in drainage could cause severe slippage which could affect my property.

Yours faithfully

[redacted]

S E GOODALL (MISS)

Tracy McManamon

From: Arthur.Frances [redacted]
Sent: 05 June 2017 15:55
To: Development Management - Generic Email Account
Subject: Planning Application Re. 17/00875/FLL

Dear Sir/Madam,

I wish to make comment on the planning application reference number 17/00875/FLL for the erection of a dwelling house on land 40 metres South West of Glencoe, Baird Terrace , Crieff.
The application is a resubmission of the one which was refused permission in 2016 :-reference number 16/00517/FLL
I objected then and do so again for the same reasons

This is backland development being directly behind 8 Baird Terrace.
The proposed access is up a very steep incline and the width extremely narrow which in my opinion would make it dangerous.
The loss of local identity and landscape character as viewed from the Knock and Crieff Golf course.

As the reasons for refusal were that the proposed plan ref. 16/00517/FLL did not comply with

I quote

"Development Quality Manager
Reasons For Refusal.

1. The proposed development is contrary to Policy RD1 of the Local Development Plan as the proposals will introduce backland development which would have a significant impact on both neighbouring amenity and the character of the landscape. Its approval would also establish an unwelcome precedent for further similar developments which would have a serious detrimental impact on the amenity and character of the area.

2. The proposal is contrary to Policy PM1A and PM1B of the Local Development Plan 2014 as the proposed development would fail to contribute positively to the quality of the surrounding built and natural environment and would introduce backland development which fails to respect the prevailing established building line within the area and would not be compatible with the amenity and character of the surrounding area.

3. The proposed development is contrary to Policy EP3C of the Local Development Plan as the proposals fail to employ Sustainable Urban Drainage Systems (SUDS) measures.

Justification

The proposal is not in accordance with the Local Development Plan and there are no material reasons which justify departing from the Development Plan"

As it would appear that the reason 3. Suds may have been addressed in the resubmission application but the other two 1 & 2 are materially the same I feel that the resubmission of the plans should also be refused.

Yours sincerely

Frances E. Robertson
12 Baird Terrace
Crieff
Perthshire
PH7 3LT

ENTERED IN COMPUTER
- 5 JUN 2017

Tracy McManamon

From: Gillian Reilly <[redacted]>
Sent: 11 June 2017 22:51
To: Development Management - Generic Email Account
Subject: Planning Application Reference 17/00875/FLL Erection of A Dwelling House

Glencoe
Baird Terrace
Crieff
PH73LT

11.06.2017

Dear Sir/Madam,
Regarding the re-application for a dwelling house to be built at the land 40 meters South West of Glencoe, Baird Terrace, Crieff
we write to object to permission being granted similarly to our objection in 2016, when this application was denied.
Nothing has changed since that application.
We object on the following basis:

1. This is a development proposal, not a dwelling house, as the same applicant already has permission in the same street for two house to be built already.
   Clearly the purpose of this application is not for domestic use.
2. As this is a greenfield site with mature foliage and trees it would be detrimental to have this removed from the hillside as most of the trees
   in this plot and in our neighbouring garden, are protected.
3. The land is extremely steep and potentially building on it could undermine the safety of the land surrounding the plot.
4. To allow access to heavy building vehicles would be extremely hazardous to neighbours during building and to heavy vehicles afterwards.
5. This is an established ecosystem on Callums Hill and Baird Terrace, where many species of wildlife and plants thrive in the woodland.
6. A previous application was denied in 2016 and we object for all the same reasons.

We have lived at Glencoe for 10 years now and based on previous history surrounding planning permissions granted to the dwelling house situated below us (land sold by the applicant) many trees that were not given permission to be removed were removed and abuse of rules around agreements to vehicle access were ignored e.g. the permission was granted on the basis that a vehicle would enter the site and could turn 360 degrees to come back out, this was ignored and we suspect this would be similar in the case of this application and Baird Terrace would bare the brunt of further multiple vehicle parking on our narrow streets.

We look forward to your response and acknowledgement.

Mr Hugh Graham and Gillian Graham

Comments for Planning Application 17/00875/FLL

Application Summary
Application Number: 17/00875/FLL
Address: Land 40 Metres South West Of Glencoe Baird Terrace Crieff
Proposal: Erection of a dwellinghouse
Case Officer: John Williamson

Customer Details
Name: Mr A Ogston
Address: Woodcroft, Baird Terrace, Crieff PH7 3LT

Comment Details
Commenter Type: Member of Public
Stance: Customer objects to the Planning Application
Comment Reasons:
- Loss Of Open Space
- Loss Of Trees
- Over Looking

Comment:We wish to object to the above application for planning consent on the following grounds:

1) Loss of privacy due to the orientation of windows that would overlook our property.

2) Concerns about the access drive in respect of width, gradient and length (for access by emergency vehicles).

3) Potential loss of mature trees on the site

CHX Planning Local Review Body - Generic Email Account

From: Arthur.Frances [redacted]
Sent: 03 October 2017 16:31
To: CHX Planning Local Review Body - Generic Email Account
Subject: Re: TCP/11/16(490)

To Gillian Taylor
Thank you for the email
I do not have any further representations to make but wish to say
I am pleased to hear that The Local Review Body will be given copies of my original representation.
In my opinion the Reasons for Refusal are correct.

Yours sincerely,

Mrs. F.E. Robertson
Lismore,
12 Baird Terrace
Crieff
PH7 3LT

R A F Dawson
10 Baird Terrace
Crieff
PH7 3LT

5 October 2017

Dear Ms Taylor

Reference - Application 17/00875/FLL and my previous letter dated 3 October 2017

I note that the Roads Department are recommending conditional approval. They also state quite incorrectly that the occupiers of no.10 Baird Terrace have raised no objections. I enclose copies of just two such objections that I have made in 2005 and 2017.
Mr McOmish has submitted multiple applications over many years, I am sure you will have copies of these and letters from myself raising objections.

Yours sincerely,

[redacted]

R A F Dawson

R A F Dawson.
10 Baird Terrace
Crieff
PH7 3LT

2 June 2017

Perth & Kinross Council
Planning Department

Reference Planning Application – 17/00875/FLL

Dear Sirs.

Thank you for the above notification. I wish to raise the following matters for your consideration and its possible rejection.

1. The indicated entrance driveway between numbers 8 and 10 Baird Terrace is too narrow for the access of emergency vehicles let alone construction vehicles.

2. The driveway would be too steep for safe entry and egress especially in winter.

3. If such a driveway to be approved it would need retaining walls throughout its length to prevent the gardens of numbers 8 and 10 from subsiding into it. This would make it even narrower.

4. The proposed new construction is not on the building line.This would spoil the aspect of Callums Hill from The Knock.

5. Felling mature trees would spoil the aspect from The Knock and affect wildlife.

6. If constructed traffic on the driveway would pass within 1 [one] metre of the conservatory at 10 Baird Terrace.

Thank you again for keeping me informed about events, I await the outcome with interest.

Yours sincerely,

R A F Dawson

R A F Dawson
10 Baird Terrace
Crieff
Perthshire
PH7
3LT

7 November 2005

Mrs A Bendall - Planning and Transportation Department.

Dear Mrs Bendall,

Reference - Planning Application for "Glencoe" Baird Terrace, Crieff, PH7 3LT

I wish to register my opposition to the above application for the following reasons.

1. The formation of a driveway between numbers 10 and 8 Baird Terrace will affect the stability of the adjacent gardens causing slippage to their detriment.

2. Any work will destroy the root system of a mature birch in the rear garden of no.10 Baird Terrace.

3.The proposed driveway into land to the south-west of "Glencoe" will necessitate the felling of mature trees.

4. The proposed driveway and traffic would pass within an unsociable 60cms of my conservatory for a distance of approximately 6 metres.

5. Any exit onto Baird Terrace would be extrememly narrow and exiting traffic would be unable to see approaching vehicles from the right. Similarly traffic along Baird Terrace would be unsighted of exiting vehicles.

6. The width available for any entrance/driveway is understood to be too narrow for such a purpose. Please refer to previous application 0001678OUT of 23/10/2000 and your letter dated 5/1/2001 refusing this and your reasons. Also to PK/91/0149 dated 21/3/1991 refusing an earlier application for similar reasons.

7. The proposed construction of a double garage with superimposed patio will invade the privacy of the houses at 8, 10, and12 Baird Terrace giving unrestricted views into rear gardens and bedrooms.

For these reasons I feel that this application as a whole and in particular that part relating to the construction of driveway should be rejected.

Yours sincerely,

4 Baird Terrace

CRIEFF

6/10/2017

Clerk to Review Body

Perth & Kinross Council

PERTH

Dear Sir

PLANNING APPLICATION REF 17/0085/FLL

I wish to make further representations to this review in addition to my objections in my letter of 1st June 2017.

Having looked at the 140 pages of the applicant's reasons for the review I am of the opinion that it is flawed since it is based on an approval in 1983. In 34 years there have been considerable changes to planning considerations, development plans, and attitudes to the environment.

In stating that the Council did not refer to the history of the site the applicant ignores the fact that planning was refused in 2000,2002,2016 and 2017.

With regard to the Ecological survey conclusion that a transition from woodland to a tree cleared building site would improve the habitat is surely completely absurd.

Having re-examined the upper part of the proposed driveway it would be 3 metres at best once retaining walls are in place to support the adjacent gardens and with a gradient of 10%. Since vehicles are considerably wider now than in 1983 it would surely be a dangerous descent in wet or icy conditions. The photo on page 137 demonstrates this.

This development would not contribute positively to the quality of the surrounding environment .

It is also purely a development project since the applicant already possesses planning approval for a nearby site on which he has not yet built.

I therefore hope the Council stands by its original refusal.

Yours faithfully,

Alistair Stewart

FAO Gillian A Taylor
Clark to the Local Review Body
Council Building,
2 High Street,
PERTH,
PH1 5PH
07.10.017

Glencoe
Baird Terrace
Crieff
PH73LT

Further representations to Application Ref: 17/00875/FLL – Erection of a dwellinghouse on land 40 metres south west of Glencoe, Baird Terrace, Crieff – Mr and Mrs McOmish TCP/11/16 (490)

Dear Gillian Taylor,

In response to your letter of 27th September referenced TCP/11/16(490) with regard to the above application we write to make further representations.

Firstly, we wish to make absolutely clear to the council, the planning department, employees and planning and review boards associated with planning in this area that Glencoe is our property. It has belonged to us since 2007. This may come as a surprise, as the developer, applicants of this and numerous other applications, band around the name of our house and our property as if it belonged to them. Not only is this infuriating and embarrassing for us that we are associated in any way with this developer, but surmounts to trickery, confusion and deception of council planning systems and filing of such both in the council office and on the website. In the ten years we have owned this property it has been extremely difficult for us and our neighbours to research, find, follow and object to the continual stream of numerous applications that have been submitted by the developer in the name of our house, Glencoe. When we phone for assistance to the Council Planning Department, they also have trouble sourcing the correct plans due to the sheer volume of plans under the name of Glencoe. We would like the developer to discontinue to use the name of Glencoe and would request the review board make this clear, preventing further confusion and promotion of his development cause.

Secondly, the developer unknown to us, commissioned a tree survey as part of his application and this survey included the trees, our large trees, within our garden in Glencoe. Again without permission the developer assumes he can survey our property and gives the impression that he owns Glencoe and the land within our perimeter, to promote and endorse his development applications. Setting aside the trespass issue involved, we request that this survey be completely disregarded by the review board as part of the development application case, as it has come about by dishonest means and reflects an overstated representation of the truth.

Thirdly, we can confirm that Glencoe and the surrounding fields and woods are a haven for many protected species including birds, bats, and red squirrels. Glencoe is registered as of 02.07.2017 as having a surveyed bat roost harbouring the Pipistrelle species. We strongly believe that to tamper further with the current eco system would cause potential disturbance to the roost which is well established and the bats return every year.

Finally, we would request that the review board consider the constant harassment of having to deal year on year with the level of applications this developer submits in the name of Glencoe for personal and development gain. He has already been granted permission to build two large houses on one site at the other side of our property. We

repeat this is a development, not for personal use, and is clearly unwanted by the local people here and unnecessary in the extreme. If this application is granted he has other land surrounding us on Callums Hill which we fear will be developed next. We need Callums Hill protected for both the eco system and for the general maintenance of the panoramic views in Crieff. The neighbourhood is tired of the continual development chaos that ensues when this developer is granted permission, or while preparing for further submissions. We have personally been dragged through the courts to great expense and pain to protect our perimeter and the environment here.

We have lost faith in the planning process over the years for the following reasons:

- we have been prevented from accessing our own driveway while building progresses
- we are prevented from using our woodland walkway, a right of way, which is still closed by his building rubble when erecting a caravan on the building site
- a recent building on Baird Terrace was built ten feet higher than planned with no consideration to meet planning consent
- the driveway with granted permission for two cars now holds 6 to 8 cars regularly and a lorry parked up in the evenings, all reversing onto Baird Terrace
- the developers residential caravan is parked up on a building site next to our house and has been there for nearly two years while we all await his decision to start building and creating more mess and the ensuing building chaos

This application needs to be concluded for all the neighbours in Baird Terrace who have suffered enough at the hands of this developer and we request the support of the review board in doing so.

Yours sincerely,

Mr and Mrs H Graham

Crieff
Perthshire
PH7 3LT

8 October 2017

Ms Gillian Taylor
Council Building
2 High Street
PERTH
PH1 5PH

Dear Ms Taylor

Planning Application Ref 17/00875/FLL

Further to our letter to you of 28 September 2017, it has been brought to our attention that the original plan submitted by Mr McOmish contained what we are told is a main sewerage outlet running straight from the proposed plan site through our grounds at number 8 Baird Terrace and exiting at Baird Terrace itself. This can be seen on the plan as a single red line on page 93 of that original plan..

If this is the case, then we would advise you that we would object in the strongest possible terms but without prejudice to any other matters of objection under consideration by the Council.

Yours sincerely,

[redacted]

John B Morrison

Diane M Morrison

[redacted]

Crieff
Perthshire
PH7 3LT

28 September 2017

Ms Gillian Taylor
Council Building
2 High Street
PERTH
PH1 5PH

Dear Ms Taylor

Planning Application Ref 17/00875/FLL

Thank you for your letter of 27 September 2017 with regard to the above planning application.

Having reviewed the substantial correspondence on file relating to this matter over such a protracted length of time, and the overwhelmingly robust conclusions supporting the decision to refuse this latest application, we can only endorse our latest position as presented to the Council.

Therefore, we have nothing further to add, other than to hope that this will represent once and for all an end to the matter

Yours sincerely,

[redacted]

John B Morrison

[redacted]

Diane M Morrison

CHX Planning Local Review Body - Generic Email Account

From: John Handley <john.handley@johnhandley.co.uk>
Sent: 24 October 2017 18:09
To: CHX Planning Local Review Body - Generic Email Account
Subject: RE: TCP/11/16(490)
Attachments: Baird Terrace, Crieff - List of Appeal Documents.pdf

Importance: High

Dear Ms Brown,

Town & Country Planning (Scotland) Act 1997
The Town & Country Planning (Schemes of Delegation & Local Review Procedure) (Scotland) Regulations 2013
Application Ref: 17/00875/FLL – Erection of a dwellinghouse on land 40 metres south west of Glencoe, Baird Terrace, Crieff – Mr and Mrs McOmish

LRB Reference: TCP/11/16(490)

We refer to you letter and email of 11 October advising us of the representations received from interested parties in response to the above appeal.

Your letter offered an opportunity to make any comments on these representations by 25 October 2017.

We can now confirm that we have reviewed the various representations submitted by third parties. However, none of these representations raise any new matters, and all matters, where relevant and related to planning considerations, have already been addressed in full within our Grounds of Appeal Statement and the Supporting Documents submitted in support of this appeal.

This includes: the principle of the development which was accepted by the Council and established by the 1983 planning permission (Documents SD06 and SD07); the Council's acceptance of the proposed means of access for the development (Documents SD08, SD09 and SD19); the acceptability of the development's setting in the landscape (Documents SD07 and SD11); the proposed drainage arrangements for the development (Document SD15); and the limited ecological value of the site (Document SD23).

On this basis, we have no further comments to make on the representations submitted, but would ask that the Local Review Body is directed to the documents listed above when it considers this case.

We have also enclosed a further copy of the submitted List of Documents to assist the Local Review Body's consideration of these matters.

We trust this response will be helpful to the Local Review Body in its consideration of this case.

We would be grateful if you would acknowledge safe receipt of this email submission, and confirm when the Local Review Body is expected to consider this case.

Kind regards

John Handley
Director

John Handley Associates Ltd
Chartered Town Planning Consultants

Appeal against the refusal of planning permission by the Interim Head of Planning for the erection of a dwellinghouse

At Land 40 Metres South West of Glencoe, Baird Terrace, Crieff

On behalf of: Mr & Mrs G McOmish

Planning Application Ref: 17/00875/FLL

eplanning Reference: 100042066-002

List of Documents submitted on behalf of the Appellant:
(All Documents have been submitted electronically on separate CD)

Appeal Documents:		
	Completed Appeal Form	15 September 2017
	Grounds of Appeal Statement	15 September 2017
	Appeal Covering Letter	15 September 2017
	List of Appeal Documents	15 September 2017
Planning Application Documents:		
SD01:	Application Covering Letter	
SD02:	Submitted Application Form	
SD03:	Location Plan	
SD04:	Site Plan, Elevations & Sections	
SD05:	Supporting Planning Statement	
SD06:	SPS Appendix 1 - Copy of the 1983 Planning Permission for the site.	
SD07:	SPS Appendix 2 - Copy of the Director of Planning's Memorandum to the Chief Executive of Perth and Kinross District Council confirming positive assessment of the proposed development of this site, June 1983	
SD08:	SPS Appendix 3 - Copy of the Roads Department Consultation Response from 2016 confirming no objections to the proposed access arrangements for the site.	
SD09:	SPS Appendix 4 - Copy of Plan showing location of approved access for the site.	
SD10:	Landscape Layout	
SD11:	Photomontage	
SD12:	Tree Survey and Arboricultural Report	
SD13:	Tree Survey Appendix 2 - Schedule	
SD14:	Tree Survey Appendix 3 - Plan	
SD15:	Drainage Layout Plan	
SD16:	Application Registration Letter	
SD17:	Consultation Response - Contributions	

SD18:	Consultation Response – Environmental Health
SD19:	Consultation Response – Transport Planning
SD20:	Consultation Response – Biodiversity Officer
SD21:	Report of Handling
SD22:	Decision Notice
Perth & Kinross Council Planning Portal link to original Planning Application: http://planningapps.pkc.gov.uk/online-applications/simpleSearchResults.do?action=firstPage	
Additional Documents prepared to address reasons for refusal:	
SD23:	Phase 1 Habitat Survey

JOHN HANDLEY ASSOCIATES LTD
Chartered Town Planning Consultants
1 St Colme Street
Edinburgh
EH3 6AA

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E: john.handley@johnhandley.co.uk

TCP/11/16(490) – 17/00875/FLL – Erection of a dwellinghouse on land 40 metres south west of Glencoe, Baird Terrace, Crieff

FURTHER INFORMATION

Audrey Brown - CHX

From: John Williamson - TES
Sent: 14 December 2017 09:25
To: CHX Planning Local Review Body - Generic Email Account
Subject: Application Ref: 17/00875/FLL – Erection of a dwellinghouse on land 40 metres south west of Glencoe, Baird Terrace, Crieff – Mr and Mrs McOmish TCP/11/16 (490)

Dear Danny

I refer to your email below and your letter dated 1 December regarding the above application which is currently under review. I have had the opportunity to discuss the submitted Ecological Survey with the Council's Bio Diversity Officer and have the following comments:

It is a brief assessment of the site undertaken with the knowledge that the site is expected to be developed. A full survey should have mapped the different vegetation types, e.g. bracken, hedges etc. and this has not been included in the report, although because of the scale of the site, approximately 40 x 20m, there are not large areas of different vegetation types so this is not critical.

It refers to the tree survey and states "Approximately 50% of the trees were assessed as category C or U (BS5837:2012)" the alternative view is that approximately 50% of the trees are in categories A and B, worthy of keeping and with a long expected lifespan. So, to quote the report paragraph 3.4 "Although the trees are assessed as being of moderate to low quality and the ground flora is limited, it is not to say that the site does not have some ecological value. The boundary hedges, tree and shrub cover provide nesting sites for birds and cover for small mammals." The tree survey appears to contradict the "moderate to low quality" stated in the report.

The timing of the survey would exclude a breeding birds survey and therefore is not complete as the survey was undertaken outside of the breeding season. If approved there should be a condition about the timing of vegetation clearance.

In conclusion, the report has some gaps, e.g. breeding bird survey, and is contradicted by the tree survey regarding the condition of the trees. It appears as if the survey report has been written with the view that the development would go ahead and aims to justify the loss of trees, shrubs and hedges.

I trust the above is sufficient and allows the above to be reported back to the LRB. If you have any questions please let me know.

Kind Regards

John Williamson
Planning Officer
Development Management
Perth and Kinross Council
Pullar House, 35 Kinnoull Street
Perth
PH1 5GD

[redacted]