

Planning Application ref.	22/01706/FLL	Comments provided by	Joanna Dick Tree and Biodiversity Officer
Service/Section	Strategy and Policy	Contact Details	Phone 75377 Email biodiversity@pkc.gov.uk
Description of Proposal	Erection of a dwellinghouse, change of use and alterations to former reservoir building to form linked ancillary building and associated works		
Address of site	Former Water Reservoir Blairgowrie Road Dunkeld		
Comments on the proposal	<p>Policy 40: Forestry, Woodland and Trees</p> <p>The Council will apply the principles of the Scottish Government Policy on Control of Woodland Removal and there will be a presumption in favour of protecting woodland resources. Where the loss of woodland is unavoidable, mitigation measures in the form of compensatory planting will be required.</p> <p>A maximum of 10 trees will be removed to allow this development to proceed. This is lower than the original proposed location of the house consented in 2016 due to a change in position and because some trees have already been felled to create the access route which is now in place.</p> <p>The submitted Tree Survey outlines the health of trees present and the impact of the proposed development but fails to acknowledge the presence of deadwood within a woodland as a naturally occurring process and subsequent value to wildlife. Standing dead trees should only be removed if they pose a health and safety threat. Deadwood has considerable biodiversity value with a third of the most threatened species dependent on it for a part of their life cycle. Creating, maintaining, and managing deadwood habitats are key components of improving the condition of native woodland, reflected in the UK Biodiversity Action Plan. Furthermore, the creation of log piles is encouraged to create more variety of habitats and to benefit lichens, fungi, bryophytes, invertebrates, hole-nesting birds, and mammals.</p> <p>A tree protection plan should be submitted providing details of proposed physical protection methods to be used at this site, and their position/route.</p> <p>There is a strong presumption against the removal of ancient semi-natural woodland in the Scottish Government Policy on Control of Woodland Removal unless removal of woodland would achieve significant and clearly defined additional public benefits.</p> <p>The submitted Woodland Management Plan 2021-2040 provides a list of actions which will “have strong positive effect on the biodiversity value of the wood; would minimise the local landscape impacts of the development and maintain local access.” The Plan proposes gradual removal and control of non- native species with the overall aim of enhancing the native character of the woodland.</p>		

I note the change to maintain the footpath through the site instead of re-directing which I welcome. It is noted that the woodland is currently in an unfavourable condition due to lack of management, and high deer pressure and non-native species such as beech, sycamore and *rhododendron ponticum* are expanding.

Most actions in the Woodland Management Plan would contribute towards restoring the ancient woodland by removing invasive non-native species, planting 100 trees, and creating an understory through deer fencing. Although requires more detail on deadwood provision and type and locations of bird and bat boxes. However, there are areas of the Woodland Management Plan that cause concern:

1. Action to maintain views, "Ensure future tree planting does not compromise existing views"
2. Fell trees at housing site, dangerous trees, trees impeding views or light.
3. Action to harvest firewood from the site "timber production"
4. Risk to existing woodland through tree loss once house is occupied

It is my view that those who build a house within an ancient woodland would be aware that co-existing with trees means that views would be restricted as well as low light and sun levels due to shade and issues of leaf litter etc.

My concern is ongoing uncontrolled loss of trees and woodland once the house is occupied and how the woodland is protected in the long term. Although building the house will lead to a loss of 10 trees, how many trees will be lost in future to allow light, views, firewood and space for a garden and sheds etc. If more trees are to be removed than the 10 highlighted to allow light and views, these should be indicated to the Planning Authority prior to consent being issued to ensure the impact of this development on Ancient Woodland is fully understood and to ensure adequate compensatory planting.

Without controls in place trees may be lost and the area of woodland reduced. It is my opinion that control of tree removal is required to comply with the requirements of Policy 40 of the Local Development Plan and the Scottish Government's Policy on the Control of Woodland Removal.

To provide protection to the trees within this site, primarily through the development phase, the use of appropriate tree protection planning conditions should be used.

It is recognised that within the Woodland Management Plan are actions necessary to promote and enhance the woodland. However, in order to provide statutory protection for valued trees at this site, the promotion of a Tree Preservation Order is recommended.

Once this is secured, an updated Woodland Management Plan would be required reflecting tree protection and revised management actions. It or a separate plan should indicate type, location and quantity of bird and bat boxes, provision of deadwood and locations of proposed lighting. Monitoring and reporting to the Planning Authority regarding the implementation of the actions within the Woodland Management Plan across its lifetime is required.

Removal of Permitted Development Rights may also be appropriate, in order to control additional development that may arise at the site, and potentially conflict with existing trees.

I object due to potential loss of trees and woodland.

Policy 41: Biodiversity

The Council will seek to protect and enhance all wildlife and habitats, whether formally designated or not, considering natural processes in the area. Planning permission will not be granted for development likely to have an adverse effect on protected species unless clear evidence can be provided that the ecological impacts can be satisfactorily mitigated.

The submitted Ecological Survey dated September 2022 was not easy to understand and I would have benefitted from a clearer explanation of survey times and methods in section 3. No dates are provided for the red squirrel or botanical survey, so I assume they too were carried out in August 2022. No buffer around the site was included in the survey area. No signs of protected species were found to be using the site.

European Protected Species

Bats

All bat species found in Scotland are classed as European protected species. They receive full protection under the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) making it an offence to disturb a bat in a roost, obstruct access to a roost and damage or destroy a breeding or resting place of such an animal.

The submitted Bat Survey Report was not undertaken in accordance with my earlier comments of three surveys from April to mid-August, instead survey was undertaken in July, late August and mid-September 2022, which are out with the timings we recommend (mid-August being the latest time for surveying). The submitted Bat Survey Report concludes the Reservoir building does not contain bat roosts. However, 40 bats of three species were recorded commuting and foraging in the woodland, highlighting its importance for local biodiversity.

The proposed mitigation includes bat boxes, native planting, and creation of an understory as well as open glades and lighting around the site should be minimized. Details of these measures such as quantity, locations, techniques, timescales, and monitoring arrangements are required.

	<p>Breeding Birds</p> <p>No breeding bird survey was submitted for the site, but it is known to be well used by birds. For all wild bird species in Great Britain, it is an offence to intentionally or recklessly kill, injure or take a bird; take, damage, destroy or interfere with a nest of any bird while it is in use or being built; or obstruct or prevent any bird from using its nest. Clearance of vegetation should not take place during the bird breeding season between 1st March and 31st August inclusive.</p> <p>Biodiversity Enhancement</p> <p>Enhancement for biodiversity should be an objective of all planning projects and can be realised in several ways depending on location, surrounding habitats and landscape character.</p> <p>Most actions in the submitted Woodland Management Plan would result in biodiversity enhancement only if tree removal was controlled and appropriate trees were removed.</p>
Recommended planning condition(s)	
Recommended informative(s) for applicant	
Date comments returned	25 January 2023