

**LRB-2020-17 - 20/00093/FLL – Erection of a maintenance/  
storage shed, land 100 metres north east of Old Church,  
Lawers**

## **INDEX**

(a) Papers submitted by the Applicant (***Pages 43-138***)

(b) Decision Notice (***Pages 61-62***)

Report of Handling (***Pages 63-71***)

Reference Documents (***Pages 81-138***)

(c) Representations (***Pages 141-154***)



**LRB-2020-17 - 20/00093/FLL – Erection of a maintenance/  
storage shed, land 100 metres north east of Old Church,  
Lawers**

**PAPERS SUBMITTED  
BY THE  
APPLICANT**







Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: [onlineapps@pkc.gov.uk](mailto: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 100254533-001

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.

## 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:	DM Hall		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Donald	Building Name:	The Mill
Last Name: *	Yellowley	Building Number:	
Telephone Number: *	01786833800	Address 1 (Street): *	Station Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Bridge of Allan
Fax Number:		Country: *	United Kingdom
		Postcode: *	FK9 4JS
Email Address: *	duncan.clow@dmhbl.co.uk		

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

☒ Individual ☐ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="Angus"/>	Building Number: <input type="text"/>
Last Name: *	<input type="text" value="Thomson"/>	Address 1 (Street): * <input type="text"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text"/>
Extension Number:	<input type="text"/>	Country: * <input type="text"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="donald.yellowley@dmhall.co.uk"/>	

## Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

<input type="text" value="Land 100 Metres North East Of Old Church Lawers"/>
--

Northing	<input type="text"/>	Easting	<input type="text"/>
----------	----------------------	---------	----------------------

## 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 maintenance/storage shed

## Type of Application

What type of application did you submit to the planning authority? \*

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? \*

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please see Local Review 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)

Planning Application as submitted. Report of Handling. Decision Notice.

## Application Details

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

20/00093/FLL

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

21/01/2020

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

28/03/2020

## 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)

See Local Review Statement.

Please select a further procedure \*

By means of inspection of the land to which the review relates

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)

See Local Review Statement.

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

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

## 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 Donald Yellowley

Declaration Date: 27/05/2020



## Local Review Statement on behalf of Mr Angus Thomson

LPA Reference no: 20/00093/FLL

### Erection of a maintenance/storage shed

### Land 100 metres North East of Old Church, Lawers

#### INTRODUCTION

This Local Review Statement has been prepared on behalf of Mr Angus Thomson (hereafter referred to as the Applicant) by DM Hall chartered surveyors. It accompanies the Applicant's Local Review against the refusal of his Detailed Planning Application for the "Erection of a maintenance/storage shed" on land 100 metres North East of Old Church, Lawers (Reference no. 20/00093/FLL).

The Application was refused Planning Permission by decision notice dated 23<sup>rd</sup> March 2020 for the following three reasons:

- 1. The proposal is contrary to Policies 1A and 1B 'Placemaking', of the Perth and Kinross Local Development Plan 2 (2019), as there is no justification for a shed of this scale in this highly sensitive location. A shed of this scale would be of detriment to the surrounding environment. As such, the proposal is not considered to contribute positively to the quality of place and detracts from the character and amenity of the place.*
- 2. The proposal is contrary to Policy 26A 'Scheduled Monuments and Archaeology', of the Perth and Kinross Local Development Plan 2 (2019), as the contemporary design of the shed in this location would introduce a modern element into an area that has remained largely unchanged since the settlement was in use and would therefore compromise appreciation of the monument. There is also no sound justification or exceptional circumstances to grant this application, as required by the policy.*
- 3. The development would establish an undesirable precedent for developments of a similar nature which would be to the detriment of the overall visual amenity and established rural character of the area, and therefore contrary to the established policies of the Local Development Plan 2 (2019) and Scottish Planning Policy.*

The Applicant is requesting that there is a hearing held to allow him and DM Hall to respond to the above concerns raised by the Council in person, and also for there to be an accompanied site visit to allow councillors to visit the Site, so that they can see the context and the Scheduled Monument for themselves.

The remainder of this Local Review Statement otherwise uses the same sub-headings as the Report of Handling. Where the Report of Handling is accepted that is stated and, where the Applicant raises issue with the Report, the reasons for that are explored further.

## **BACKGROUND TO APPLICATION SITE AND DESCRIPTION OF PROPOSAL**

### **Background to Application Site**

The Application Site is located on the North shore of Loch Tay just outside the village of Lawers.

Part of the site comprises the Scheduled Ancient Monument (SAM) of the Old Village of Lawers. The Site is also part of the Breadalbane Environmentally Sensitive Area, The River Tay Special Area of Conservation and the Loch Tay Special Landscape Area.

The Application Site is a large open field, with the remains of the Old Village of Lawers located on the Northern edge within a now wooded area. The old village is in a state of decay and the ongoing growth of trees and plants throughout the ruins is increasing the decay and damage to this historic site.

A raised access track runs along the rear of the Application Site opposite the Loch shore.

To the South, the Site borders a further portion of the old Lawers village, but this is outwith the ownership boundary of the Applicant.

The Northern edge and shoreline are lightly wooded, with the remainder of the Site comprised of an open grassed area.

The Applicant has a Memorandum of Understanding with Breadalbane Heritage Society to protect the existing ruins, to include action to cut back trees and other vegetation that pose a risk to the stability of the ruins in accordance with a Schedule to be agreed with Historic Environment Scotland; and to sympathetically stabilise the ruins in accordance with a further Schedule to be agreed with Historic Environment Scotland. The two Schedules of Works will also be agreed with Perth and Kinross Heritage Trust in due course.

The intention is to submit a Scheduled Monument Consent Application once Planning Permission has hopefully been granted by the Council, and no work will be undertaken until that Consent has been received and all requirements of it and any planning conditions discharged, including a full archaeological investigation, as requested by the Heritage Trust.

The nature of these remedial works requires the siting of a hut such as proposed to enable the worker to complete the proposals before the historic buildings completely degrade. The repair and consolidation work proposed relies on there being some secure form of site storage for tools and materials as well as amenity facilities. Without this, the work will be difficult and dangerous to carry out.

Part of the proposed works also includes clearing invasive vegetation from within and around the old buildings. Once cleared, ongoing maintenance of the land surrounding the SAM will be essential to prevent it becoming invaded again in the future.



## Description of Proposal

The Application essentially seeks Detailed Planning Permission for the erection of a storage/maintenance hut that will be used by the Applicant to store materials and as an amenity facility whilst he undertakes the works that are agreed to the SAM.

The hut has been designed with that in mind, but in a way that can be adapted for other uses either on the Application Site, with the appropriate planning permission, or so that it can be taken down and relocated elsewhere. That is principally why it has the appearance it does rather than being a simple container or shed. Indeed, containers have been applied for already and refused by the Council (Reference no.17/00831/FLL) so there is no point re-visiting that idea. The previous Application also led to 28 objections being submitted whereas the current Application has generated none, proving that the Applicant has listened to the criticisms and has adapted accordingly. The Applicant has also considered installing off the shelf temporary buildings on wheels or skids, but doesn't want to go down that route given his concern at the impact these will have on the surrounding landscape.

The proposal is thus to create a low impact off grid hut for shelter on the Site during maintenance and for storage of tools and materials.

The location of the hut has been carefully thought out and arrived at through site analysis and discussion with local stake holders, including the Breadalbane Heritage Society and Historic Environment Scotland, who have importantly not objected to this Application

The hut is sited well back from the Loch edge and more than 5 metres from the boundary of the SAM. The wooded areas around this location will help to minimise the impact of the hut from both the Loch and the nearby public roads.

The size of the hut has also been carefully considered to minimise its impact on the Site and fit within established hutting guidelines. Scottish Planning Policy (SPP), which is Scottish Government policy on how nationally important land use planning matters should be addressed across the country, sets out a definition of a 'hut' in its glossary as follows;

*"A simple building used intermittently as recreational accommodation (ie. not a principal residence); having an internal floor area of no more than 30m<sup>2</sup>; constructed from low impact materials; generally not connected to mains water, electricity or sewerage; and built in such a way that it is removable with little or no trace at the end of its life. Huts may be built singly or in groups."*

The floor area of the hut is below 30sqm, which is in line with this recommendation, as well as those recommended during discussion with Historic Environment Scotland regarding the scale of the proposals in relation to the existing SAM. The footprint has been designed to ensure the hut does not detract from the SAM and does not have any detrimental effects on the fragile nature of the heritage asset

In line with the surrounding area, the materials and scale of the hut have been carefully considered to have as minimal an impact as possible. Natural timber cladding will weather to a silver grey. The large front shutter, which doubles as decking, can be closed up to further disguise the hut against the backdrop of trees when not in use.

The hut will be supported off foundations composed of steel helical screw piles. These can be screwed down into the ground with minimal impact and no excavation required. They can then be completely removed at the end of their life leaving no trace of their existence. If even this level of attachment is considered too much, then it would be possible to slightly re-design the building to be on skids and tethered.

A composting toilet system will contain all waste materials in a closed system, which is periodically removed and disposed of off-site. No ground excavation is required for the system and no waste runoff will occur onto the land.

What is important to bear in mind is that this building can be taken down and removed, if no longer required. In that sense, it is much like the sort of buildings that farmers, foresters and construction companies often place on land, usually under permitted development rights, to allow them to undertake activities on land.

It also means that the Applicant can keep the hut, in the sense that he owns a hut that can be used here on this Site, kept on this Site for another consented purpose, or moved elsewhere if necessary, and the only costs to him are erecting it in the first instance and taking it down and moving it, if that is required at some point in the future.

#### **SITE HISTORY OF RELEVANCE**

No comment.

#### **PRE-APPLICATION CONSULTATION**

It is wrong to say that the Applicant has undertaken no formal pre-application consultation, as that neglects to mention all the discussions he has had with regard to the earlier Application, including a pre-application discussion and response dated 27<sup>th</sup> September 2018, and with Breadalbane Heritage Society and Historic Environment Scotland.

#### **NATIONAL POLICY AND GUIDANCE**

No comment.

#### **DEVELOPMENT PLAN**

No comment.

#### **OTHER POLICIES**

No comment.

#### **CONSULTATION RESPONSES**

It is accepted that Perth and Kinross Heritage Trust have objected, but this has to be balanced against the fact that Historic Environment Scotland, who are the responsible body for the SAM, have not and, indeed, the Applicant has had very constructive discussions with them and they have welcomed his proposals to maintain the SAM.

As for the comments of the Biodiversity/Tree Officer, then it should be noted that this is more than simply tree works.

## **REPRESENTATIONS**

The fact that no letters of representation were received regarding the Application is important and should carry weight in the determination of this Local Review.

## **APPRAISAL**

### **Justification for Proposal**

There is clear justification for this hut and this has been explained in detail above. It is there for the storage of materials and tools associated with the maintenance works to the adjacent SAM and for the welfare of the Applicant in doing that work. The fact that Scheduled Monument has still to be obtained for this work is correct, but the response from Historic Environment Scotland strongly suggests that this will be forthcoming, and this Planning Permission can be made conditional on a Schedule of Works being approved by them and the Heritage Trust and Scheduled Monument Consent having been granted.

The fact that someone at the Heritage Trust considers that a welfare facility is not required is somewhat naive. It suggests a limited knowledge of existing health and safety legislation, and what we will all be facing soon, which is Covid-19 related guidance that will increase the importance of hygiene facilities being available to site workers. Even the existing Health and Safety Executive (HSE) guidance requires welfare facilities to be available on all (even temporary) work sites, which includes the provision of water, toilet facilities, a suitable seating area for workers and changing and storage facilities. That is only likely to increase in future once new Covid-19 construction guidance comes in, which is currently being consulted on.

The only concern that bears scrutiny in this case is the design of the hut, which it is fair to say, is more akin to a recreational hut than the sort of portakabin that you might normally have on a construction site. However, the Applicant has tried and failed to secure planning permission for a functional container and so the decision has been taken to design something that suits the Site and the context, and is adaptable either to another use on this Site, with planning permission, or that can be taken down and relocated elsewhere. That is why it is of such a high-quality design simply so that it is adaptable and can be used for other things in future.

The Applicant is content to accept a planning condition that restricts the use to storage and maintenance and, if absolutely necessary, will accept a condition that this is a temporary planning permission. If that route is taken, then the Applicant requests a period of 5 years for the hut to be on the Site, which will cover the works and future maintenance. This may seem like a long time, but the Applicant will be doing the work himself on weekends and during holidays, as he is otherwise employed, and so it will take him longer than a situation where he was on site all the time.

Furthermore, given that the work needs Scheduled Monument Consent, and various bodies will need to check the work as it progresses, the Application Site will likely be visited by all sorts of people over the years and so enforcement will actually be quite easy.

### **Design, Layout and Impact upon Scheduled Monument**

It should be noted that the case officer concedes that the hut is of a high-quality design, as do Historic Environment Scotland who are the responsible body for the SAM. Therefore, it is odd that this is nonetheless seen as a basis for determining its acceptability by the case officer who then takes the leap of faith to say that it is inappropriate to its setting. The Applicant would ask that little weight is given to the opinion of the case officer in this regard and far more to the views of Historic Environment Scotland, who are the experts, and Breadalbane Heritage Society. The councillors are also invited to go and look at the Site themselves to assess the impact, and will hopefully agree that there is no impact at all on the SAM, which seems to be agreed by everyone else, other than the case officer and the Heritage Trust.

### **Impact upon Land Designations and Landscape**

We agree with the case officer that *“Due to the scale of the development and its secluded location, it is not considered that the development would have any major impact upon these land designations or the wider landscape setting”*.

### **Residential Amenity**

We agree that there will be no impact.

### **Roads and Access**

We agree that there will be no impact.

### **Drainage and Flooding**

No comment.

### **Developer Contributions**

No comment.

### **Economic Impact**

We accept that the economic impact of the proposal is likely to be minimal. However, the positive heritage impact will be significant, and weight should be given to that and to the fact that the Applicant is using his own money and time to do works to the SAM that are critically important and everyone wants.

### **CONCLUSION**

In conclusion, we say that the proposal will have no impact on the SAM, which is the position taken by the responsible body Historic Environment Scotland, or the local landscape, which is accepted by the case officer, and thus can be supported. Even if councillors have some lingering concern on these

matters, then the importance of allowing work to the SAM to take place is a material consideration that should also be weighed in the balance.

It is appreciated that the hut is a bit more than the functional building you might find on a construction site, but the reasons for that have been explained above. It has been designed to be high quality, suitable for the Site, adaptable and a hut that can be moved, if necessary.

A justification for the hut to be on the Site has been explained and, if councillors take the view that the maintenance and storage use should be time limited, the Applicant will accept that, but requests 5 years, as he is doing the work himself on weekends and holidays. That period of time will also allow him to explore the acceptability for its use on this Site for another purpose, and will allow him to put in motion its removal to another Site, if an acceptable use cannot be found.

For all of the above reasons, it is requested that Detailed Planning Permission is granted.



Angus Thomson

27 May 2020

Dear Sir/Madam,

If consent for this site maintenance hut is not approved, the HES requested works will not happen and the stabilisation works which we are certain their structural survey will flag up will not happen. On this basis this SAM will degrade further and soon be unrecognisable as an ancient settlement. There will be a complete loss of their character as gable end walls get blown down in storms due to lack of support from degraded mortar and as the surrounding supporting walls have already collapsed. As such refusing this will be condemning the nationally important settlement to history.

Further to this; it is a health and safety concern there as there is a real and present risk to the public who visit the site.

My proposals seek to site a small and sustainable site maintenance hut on an open field in a hidden location. It has been sited to minimise its impact both visually and to the landscape. The proposals fall within the Scottish Government's guidance on Hutting and have been designed to be made of sympathetic and natural materials. the proposal is in line with Scottish Planning Policy. The proposals have also been discussed and agreed with the local heritage society who are in support of this application. The hut is for the ongoing maintenance of the SAM and its long term care. Without this hut, I will not be able to undertake any of the requested Schedule of Works.

I request you approve this appeal to help me conserve this degrading monument before it is too late.

Yours faithfully,



Angus Thomson







Mr Angus Thomson



Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date 28th March 2020

## **TOWN AND COUNTRY PLANNING (SCOTLAND) ACT**

Application Reference: **20/00093/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 17th February 2020 for Planning Permission for **Erection of a maintenance/storage shed Land 100 Metres North East Of Old Church Lawers** for the reasons undernoted.

**David Littlejohn**  
**Head of Planning and Development**

### **Reasons for Refusal**

1. The proposal is contrary to Policies 1A and 1B 'Placemaking', of the Perth and Kinross Local Development Plan 2 (2019), as there is no justification for a shed of this scale in this highly sensitive location. A shed of this scale would be of detriment to the surrounding environment. As such, the proposal is not considered to contribute positively to the quality of place and detracts from the character and amenity of the place.
2. The proposal is contrary to Policy 26A 'Scheduled Monuments and Archaeology', of the Perth and Kinross Local Development Plan 2 (2019), as the contemporary design of the shed in this location would introduce a modern element into an area that has remained largely unchanged since the settlement was in use and would therefore compromise appreciation of the monument. There is also no sound justification or exceptional circumstances to grant this application, as required by the policy.

3. The development would establish an undesirable precedent for developments of a similar nature which would be to the detriment of the overall visual amenity and established rural character of the area, and therefore contrary to the established policies of the Local Development Plan 2 (2019) and Scottish Planning Policy.

## **Justification**

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

## **Notes**

**The plans and documents relating to this decision are listed below and are displayed on Perth and Kinross Council's website at [www.pkc.gov.uk](http://www.pkc.gov.uk) "Online Planning Applications" page**

Plan Reference

20/00093/1

20/00093/2

20/00093/3

20/00093/4

20/00093/5

20/00093/6

20/00093/7

20/00093/8

20/00093/9

20/00093/10

## REPORT OF HANDLING

### DELEGATED REPORT

Ref No	20/00093/FLL	
Ward No	P4- Highland	
Due Determination Date	16.04.2020	
Report Issued by		Date
Countersigned by		Date

**PROPOSAL:** Erection of a maintenance/storage shed.

**LOCATION:** Land 100 Metres North East of Old Church, Lawers.

#### 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:** 4<sup>th</sup> March 2020

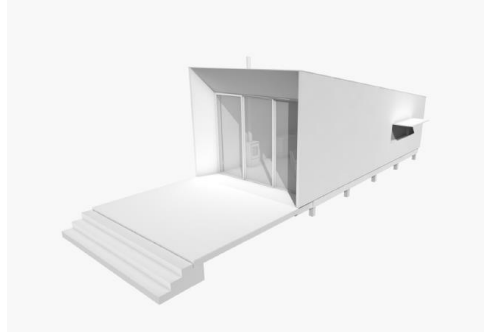
#### SITE PHOTOGRAPHS



#### BACKGROUND AND DESCRIPTION OF PROPOSAL

The application site is on land 100metres North East of Old Church, Lawers. The site forms part of the Breadalbane Environmentally Sensitive Area, The River Tay Special Area of Conservation and the Loch Tay Special Landscape Area. The site is also adjacent to Old Lawers Village, which is a Scheduled Monument. The application seeks detailed planning permission for the erection of a storage/ maintenance shed.

The proposed shed appears as a recreational / holiday cabin, however it has been indicated that the shed is not for this use and is instead for storage and maintenance associated with proposed works to the adjacent Scheduled Monument (Old Lawers). A 3D model of the proposed shed as shown in the submitted Design Statement is shown below:



This application forms the resubmission of application 17/00831/FLL for the siting of 2 storage containers. This said application was refused and was appealed to the Local Review Body, where the appeal was dismissed.

### **SITE HISTORY OF RELEVANCE**

12/00628/IPL – Erection of a dwellinghouse (in principle): Application Refused

17/00251/FLL – Siting of 2no. storage containers 1 May 2017: Application Withdrawn

17/00831/FLL – Siting of 2no. storage containers 27 June 2017: Application Refused

### **PRE-APPLICATION CONSULTATION**

No formal pre-application consultation undertaken.

### **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 2016-2036 and the Perth and Kinross Local Development Plan 2019.

**TAYplan Strategic Development Plan 2016 – 2036 – Approved October 2017**

Within the approved Strategic Development Plan, TAYplan 2016, the primary policies of specific relevance to this application are Policies 2 and 9.

#### Policy 2: Shaping Better Quality Places

Part A of Policy 2 seeks to 'deliver distinctive places by ensuring that the arrangement, layout, design, density and mix of development are shaped through incorporating and enhancing natural and historic assets'.

#### Policy 9: Managing TAYplan's Assets

Part C of Policy 9 aims to safeguard the integrity of natural and historic assets through understanding and respecting the regional distinctiveness and scenic values of the TAYplan area.

### **Perth and Kinross Local Development Plan 2 (2019) – Adopted November 2019**

The Local Development Plan 2 is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are, in summary:

- 1A – Placemaking
- 1B – Placemaking
- 2 – Design Statements
- 26A – Scheduled Monuments and Archaeology: Scheduled Monuments
- 38C – Environment and Conservation: Local Designations
- 39 – Landscape
- 40B – Forestry, Woodland and Trees: Trees, Woodland and Development
- 47 – River Tay Catchment Area
- 52 – New Development and Flooding

### **OTHER POLICIES**

#### Placemaking Supplementary Guidance 2020

The Council has prepared Placemaking Supplementary Guidance (2020) to support Policy 1 (Placemaking) of the Perth and Kinross Local Development Plan 2 (2019). It is to be used in the assessment of planning applications and to assist in the placemaking process.

### **CONSULTATION RESPONSES**

#### Internal

Perth And Kinross Heritage Trust (PKHT):

PKHT **object** to the proposed development on the basis of its unnecessary impact on a nationally important site and its setting. Whilst the works to the

Scheduled Monument are welcomed, a structure such as this is not considered necessary.

Biodiversity/Tree Officer:

The Biodiversity / Tree officer **objects** to the proposed development as there is insufficient justification for the introduction of the structure as proposed. The extent of the tree works are not considered to require a structure such as this.

Environmental Health (Noise Odour):

No objection to the proposed development.

Structures & Flooding:

The site is at known risk of flooding however **on the basis that the shed is not used for habitual accommodation** the Structures & Flooding Team have no objection to the proposed development.

### External

Historic Environment Scotland (HES):

HES highlighted that the boundary of the Scheduled Monument has been amended since pre-application discussions with the applicant and the introduction of a modern element to this area could compromise appreciation of the monument.

Scottish Natural Heritage (SNH):

SNH did not respond to the consultation request.

## **REPRESENTATIONS**

No letters of representation were received regarding the proposed development.

## **ADDITIONAL STATEMENTS**

Screening Opinion	Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Submitted (Design Statement)
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

## **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 2016 and the adopted Perth and Kinross Local Development Plan 2 (2019).

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 proposal is for the siting of storage / maintenance shed adjacent to Old Lawers Village, which is a Scheduled Monument. The Placemaking Policies 1A and 1B, in addition to Policy 26A '*Scheduled Monuments and Archaeology: Scheduled Monuments*', are therefore directly applicable.

The site forms part of the Breadalbane Environmentally Sensitive Area, The River Tay Special Area of Conservation and the Loch Tay Special Landscape Area, therefore Policies 39 '*Landscape*' and 38C '*Environment and Conservation: Local Designations*' will also be applied.

As the site is also within a flood risk zone, Policy 52 '*New Development and Flooding*' will consequently be applied.

For reasons mentioned throughout this report, it is considered that the proposal does not comply with the relevant policies of the identified Local Development Plan.

### **Justification for Proposal**

Similar to the assessment of planning application 17/00831/FLL, it is considered that there is a lack of justification for the proposed development.

The submitted supporting information indicates that the shed is for the storage of materials and tools associated with the maintenance works to the adjacent Scheduled Monument. The shed also incorporates welfare facilities. At this point it should be noted that any works to the Scheduled Monument would require Scheduled Monument Consent from HES and this has not been granted.

My colleagues in Perth & Kinross Heritage Trust (PKHT) were consulted as part of this application and object to the proposed development. Whilst my colleagues welcome the works to restore the Scheduled Monument, the works proposed are not considered to require a facility such as this. Furthermore, the Council's Biodiversity/ Tree Officer was consulted as part of this application and also considers that a facility such as this is excessive and is not required for the proposed works. In my professional opinion, I agree with the consultees that this shed is excessive for the extent of the works proposed to the Scheduled Monument and therefore have doubts to its proposed use.

The shed is of a high-quality design and scale which could easily be used for holiday or recreational purposes. The shed has a large glazed element which

faces Loch Tay and incorporates a large balcony area. The unit itself also incorporates a kitchen a toilet area. If the shed was to be used for holiday or recreational purposes then minimal alterations would be required to be made. It is also noted that this shed has not been applied for on a temporary basis. On this basis, if the Planning Authority were minded to grant the application, conditional control could be applied to ensure that the shed is used for only storage and maintenance. However, in a location such as this, it would prove difficult for the Planning Authority to enforce such a condition. There is therefore significant doubt as to the intended use of this unit. I am also conscious of the site history and the precedent that the granting of this application could set. There has previously been an application for the erection of a dwellinghouse in principle (refer to 12/00628/IPL) which was refused. I am also concerned that the proposal has not been applied for on a temporary basis.

In conclusion, it is considered that there is no justification for a unit of this scale for the intended works to the Scheduled Monument. This will therefore be included as a reason for refusal on this report.

### **Design, Layout and Impact upon Scheduled Monument**

As mentioned above, the design of the proposed shed appears as a recreational / holiday cabin. It has however been indicated that the shed is not for this use and is instead for storage and maintenance associated with proposed works to the adjacent Scheduled Monument (Old Lawers).

Whilst the shed is considered to be of a high-quality design in its own right, particularly for a storage shed, it is considered to be inappropriate for its setting. This was also recognised within the response received from Historic Environment Scotland. Building a modern structure in this location would have some impact on the setting of the scheduled monument. A design such as this here would introduce a modern element into an area that has remained largely unchanged since the settlement was in use, and, could to a degree compromise appreciation of the monument. It is however recognised that the scale and design of the shed, and the lack of associated landscaping works and infrastructure, contribute to limiting the setting impact. Views between different elements of the scheduled monument would be largely unaffected, and there would not be a major impact on most views to and from the monument.

In conclusion, whilst the shed is considered to be of a high-quality design for a storage shed, it is considered to be inappropriate for its setting. As such, this will be included as a reason for refusal on this report.

### **Impact upon Land Designations and Landscape**

The site forms part of the Breadalbane Environmentally Sensitive Area, The River Tay Special Area of Conservation and the Loch Tay Special Landscape Area. It is also in close proximity to the Forest of Clunie Special Protection Area.



Due to the scale of the development and its secluded location, it is not considered that the development would have any major impact upon these land designations or the wider landscape setting.

### **Residential Amenity**

The proposal is not in close proximity to any residential receptor. I therefore have no concerns in relation to residential amenity. It is also noted that no letters of representation were received regarding the proposed development.

### **Roads and Access**

On assessing the application, and due to the nature of the proposal being for a storage and maintenance shed, I have no concerns in relation to roads and access. The traffic likely to be generated by this proposal is likely to be minimal and there is an existing track which is suitable which leads directly to the site.

### **Drainage and Flooding**

The site falls within a 1 in 200 year flood zone and the adjacent burn is prone to flash flooding. Consequently, the Structures & Flooding team were consulted as part of this application. Although the site is at known risk of flooding, on the basis that the shed is not used for habitual accommodation, the Structures & Flooding Team have no objection to the proposed development.

### **Developer Contributions**

The Developer Contributions Guidance is not applicable to this application and therefore no contributions are required in this instance.

### **Economic Impact**

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

### **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 is not considered to comply with the approved TAYplan 2012 and the adopted Local Development Plan 2014. I have taken account of material considerations 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**

- 1 The proposal is contrary to Policies 1A and 1B '*Placemaking*', of the Perth and Kinross Local Development Plan 2 (2019), as there is no justification for a shed of this scale in this highly sensitive location. A shed of this scale would be of detriment to the surrounding environment. As such, the proposal is not considered to contribute positively to the quality of place and detracts from the character and amenity of the place.
- 2 The proposal is contrary to Policy 26A '*Scheduled Monuments and Archaeology*', of the Perth and Kinross Local Development Plan 2 (2019), as the contemporary design of the shed in this location would introduce a modern element into an area that has remained largely unchanged since the settlement was in use and would therefore compromise appreciation of the monument. There is also no sound justification or exceptional circumstances to grant this application, as required by the policy.
- 3 The development would establish an undesirable precedent for developments of a similar nature which would be to the detriment of the overall visual amenity and established rural character of the area, and therefore contrary to the established policies of the Local Development Plan 2 (2019) and Scottish Planning Policy.

### **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**

Not Applicable.

### **Procedural Notes**

Not Applicable.

**PLANS AND DOCUMENTS RELATING TO THIS DECISION**

20/00093/1  
20/00093/2  
20/00093/3  
20/00093/4  
20/00093/5  
20/00093/6  
20/00093/7  
20/00093/8  
20/00093/9  
20/00093/10

**Date of Report** 20<sup>th</sup> March 2020





Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: [onlineapps@pkc.gov.uk](mailto: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 100226017-001

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)

The proposal seeks to erect a small off grid hut for ongoing site maintenance within the open field area of the site. This maintenance hut will act as a base to carry out the schedule of works requested by HES. It will be a store for tools, equipment, & WC. This enables safe undertaking of works to slow the degradation of the SAM + ongoing maintenance to prevent invasive vegetation. Following production of a HES report, the maintenance hut will enable stabilisation works in conjunction with HES

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

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="Angus"/>	Building Number: <input type="text"/>
Last Name: *	<input type="text" value="Thomson"/>	Address 1 (Street): * <input type="text"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text" value=""/>	Town/City: * <input type="text"/>
Extension Number:	<input type="text"/>	Country: * <input type="text"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value=""/>	

## Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="739539"/>	Easting	<input type="text" value="268443"/>
----------	-------------------------------------	---------	-------------------------------------

## Pre-Application Discussion

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

☐ Yes ☒ No

### Site Area

Please state the site area:

6369.22

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)

Open field

### Access and Parking

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

☐ Yes ☒ No

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

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

☐ Yes ☒ No

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

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? \*

0

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

### Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*

☐ Yes ☒ No

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)

No waste will be generated. If any is it will be taken away.

## Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? \*

☐ Yes ☒ No

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

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

☒ Yes ☐ No

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

For planning permission in principle applications, if you are unaware of the exact proposed floorspace dimensions please provide an estimate where necessary and provide a fuller explanation in the 'Don't Know' text box below.

Please state the use type and proposed floorspace (or number of rooms if you are proposing a hotel or residential institution): \*

Not in a Use Class

Gross (proposed) floorspace (In square meters, sq.m) or number of new (additional) Rooms (if class 7, 8 or 8a): \*

29

If Class 1, please give details of internal floorspace:

Net trading spaces:

Non-trading space:

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

Storage of tools and equipment for site maintenance



## 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: Mr Angus Thomson

On behalf of:

Date: 21/01/2020

☒ Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☒ Site Layout Plan or Block plan.

☒ Elevations.

☒ Floor plans.

☐ Cross sections.

☒ Roof plan.

☐ Master Plan/Framework Plan.

☒ Landscape plan.

☐ Photographs and/or photomontages.

☒ Other.

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

Report from HES on tree works Letter from HES on siting of hut Application details Various location and access plans

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)

## 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 Angus Thomson

Declaration Date: 21/01/2020

## Payment Details

Online payment: XXXXXXXXXX

Payment date: 21/01/2020 12:54:00

Created: 21/01/2020 12:55



Angus Thomson

21 January 2020

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT  
PROCEDURE SCOTLAND) REGULATION 2008  
APPLICATION FOR THE SITING OF AN OFF GRID HUT, LAND c.75 METRES  
NORTH EAST OF OLD CHURCH LAWERS  
THE OLD VILLAGE OF LAWERS, LOCH TAY, PERTSHIRE

## **1. Introduction**

The application is for an off-grid site maintenance hut on land adjacent to the Old Village of Lawers by Loch Tay.

The site is a large open field with the remains of the Old Village of Lawers within now wooded areas. The old village is in a state of decay and has been classified as a Scheduled Ancient Monument (SAM). The ongoing growth of trees and plants throughout the ruins is increasing the decay and damage to this historic site.

As the land owner I have been given a 'Schedule of Works and Method Statement' prepared by Historic Environment Scotland (HES), for work they would like to be undertaken to stabilise the ruins and prevent further decay by vegetation growth. If this application is successful, this work will be carried out as detailed in the schedule. HES have confirmed I do not need scheduled monument consent to undertake the works as specified in the schedule. See enclosed letter from HES dated 13 November 2018.

This supporting statement sets out the case for the proposed hut in this location and seeks to make the case that it is appropriately sited and can be viewed as satisfying the design criteria of the development plan policies and hutting policy.

## **2. Proposals**

The proposal seeks to erect a small off grid hut for ongoing site maintenance within the open field area of the site. The hut will be located to minimise any visual impact and away from the boundary of the Scheduled Monument. In discussion with HES the hut has been positioned over 5 metres from the boundary wall of the SAM.

The location of the hut has been carefully thought out and arrived at through careful site analysis and discussion with local stake holders, including the Breadalbane Heritage Society (BHS) who have agreed that the location does not impact the SAM.

There are ruins at each end of the site and the ground in between is an open field which would have been farmed in the past. The application is for this single structure at the eastern most end of that field close to but out-with the SAM boundary. The location was selected due to its hidden nature, and to minimize being seen from the road and surrounding fields. This hidden location does not disrupt the sight line and view between the two SAM's at either side of the infield enabling the connection to be maintained between them.

The hut will be under 30m<sup>2</sup> and be constructed of timber frame with timber cladding. There will be a large shutter to close off the main gable windows and smaller shutters to close off the side window. The proposed hut is also of similar foot print to the existing buildings and as such is not of a scale that would detract from the SAM and is located close to trees to help mask it and tie it in with the landscape.

The external cladding will be natural timber which will weather and blend in with the surrounding trees. The hut will be supported off foundations composed of steel helical screw piles. These can be screwed down into the ground with minimal impact and no excavation required. They can then be completely removed at the end of their life leaving no trace of their existence which is in accord with the definition of a hut given in national planning policy.

The hut will have no external service connections and be completely off grid.

Overall the proposals seek to erect a minimal structure in a carefully located site. The proposal aims to minimise any visual, environmental or ecological impact and be as sustainable in its life cycle as possible.

This site maintenance hut will act as a base from which to carry out the 'schedule of works' as requested by HES. The hut will act as both a secure store for tools and equipment, with a WC facility. This will allow the safe undertaking of these works in order to slow the rate of degradation of the SAM. And ongoing maintenance of the land to prevent the vegetation becoming invasive again in the future. I have also been in discussion with HES who have stated they would be; 'pleased to consider funding an architect's survey and report of the condition of the stone buildings within the SAM. The aim would be to identify and prioritise areas where masonry consolidation would be desirable.' (see section 4 of enclosed Letter from HES). As such once this report is done I would be able to use the site maintenance hut as a base to undertake any stabilisation works which this report would flag up (of course in conjunction with HES and with the relevant scheduled monument consent).

If consent for this site maintenance hut is not approved, the HES requested works will not happen and the potential stabilisation works which we envisage their structural survey will flag up will not happen. On this basis this SAM would inevitably degrade further. As well as being a health and safety risk, they would lose a lot of their character as gable end walls get blown down in storms due to lack of support from degraded mortar and as the surrounding supporting walls have already collapsed.

### **3. Planning Policy**

Hutting in Scottish Planning Policy:

A hut is defined in Scottish planning policy as:

*“A simple building used intermittently as recreational accommodation (i.e. not a permanent residence) having an internal area of no more than 30 sq.m; constructed from low impact materials; generally not connected to mains water, electricity or sewerage; and built in such a way that it is removable with little or no trace at the end of its life. Huts may be built singly or in groups.”*

The proposals have been designed to fit within this guidance and fulfil the definition of a hut.

### **4. Assessment**

My view is that this application should be assessed under the Hutting legislation. It is low impact in a hidden location between a stone dyke and a burn which is lined by trees. The aerial photo with this superimposed shows well the low impact as do the artists impression drawings.

### **5. Conclusions**

The proposals seek to site a small and sustainable site maintenance hut on an open field in a hidden location. It has been sited to minimise its impact both visually and to the landscape. The proposals fall within the Scottish Government’s guidance on Hutting and have been designed to be made of sympathetic and natural materials. the proposal is in line with Scottish Planning Policy. The proposals have also been discussed and agreed with the local heritage society who will support this application. The hut is for the ongoing maintenance of the SAM and its long term care. Without this hut, the landowner will not be able to undertake any of the requested Schedule of Works nor any works which it is expected will be requested following an architect’s survey and report. This will result in the further degradation of the SAM and its reduction to a pile of stones over time with far less resemblance to how the Old Village of Lawers once was.

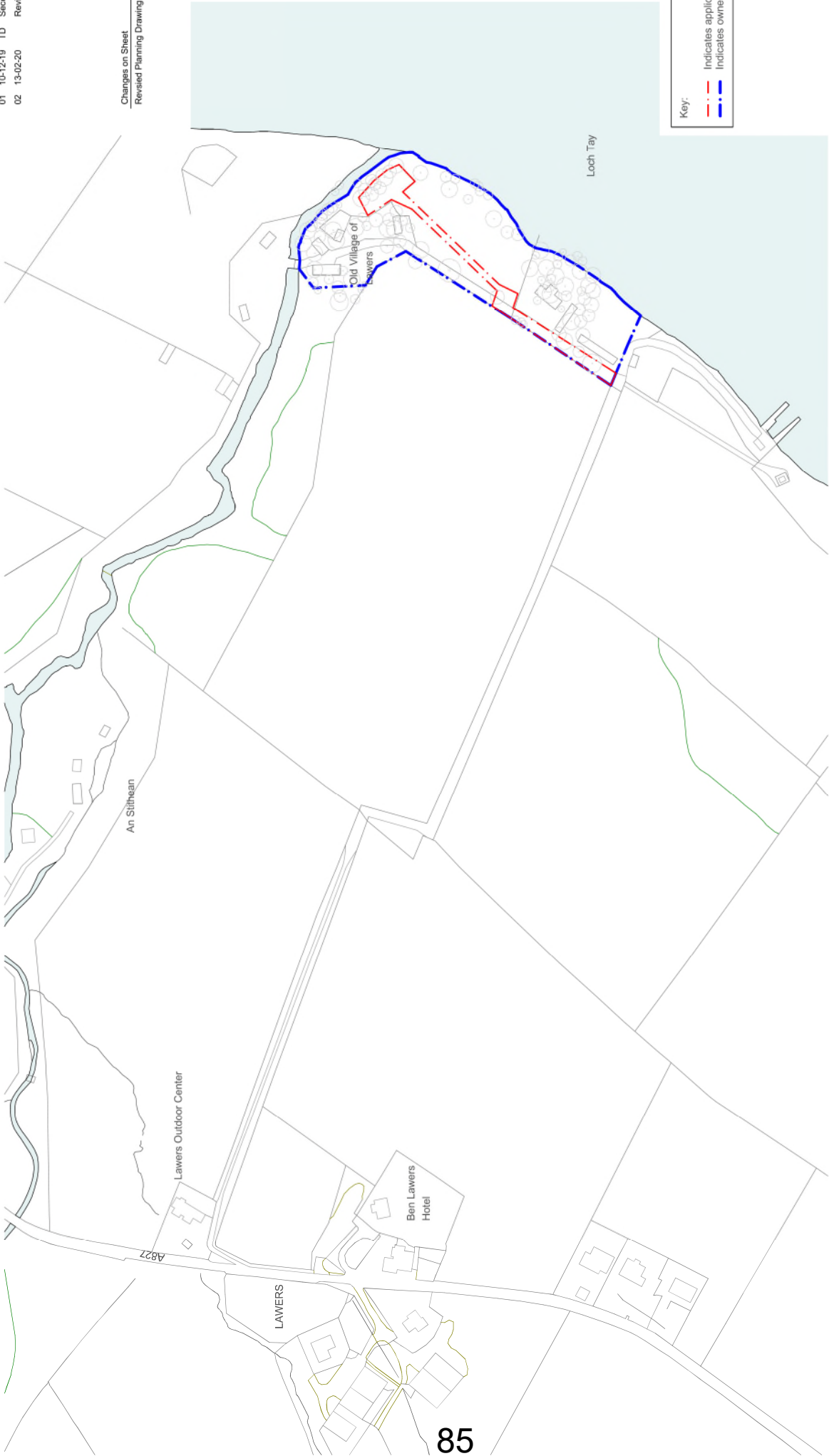




All levels and dimensions to be checked on site prior to construction / fabrication report discrepancies immediately. Do not scale for construction purposes. This drawing is copyright protected.

Issues	
01	10-12-19 TD Second Planning Issue
02	13-02-20 Revised Planning Issue

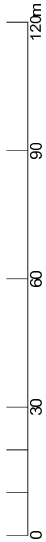
Changes on Sheet  
Revised Planning Drawings



All levels and dimensions to be checked on site prior to construction / fabrication report discrepancies immediately. Do not scale for construction purposes. This drawing is copyright protected.

Issues	
01	18-02-19 TD Planning Issue
02	10-12-19 TD Second Planning Issue
03	13-02-20 Revised Planning Issue

Changes on Sheet  
Revised Planning Drawings



Key:

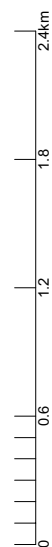
- Indicates application boundary.
- Indicates ownership boundary.

All levels and dimensions to be checked on site prior to construction / fabrication; report discrepancies immediately. Do not scale for construction purposes. This drawing is copyright protected.

Issues	01 10-12-19	TD	Second Planning Issue
	02 13-02-20		Revised Planning Issue

Changes on Sheet	Revised Planning Drawings
------------------	---------------------------

**Key:** — Indicates location plan area on drawing (PL)002



Drawing No.	Revision
-------------	----------

Drawing

Project Title

Old Lawers Cabin, Loch Tay	Location Plan
-------------------------------	---------------

18018 - FE(PL)001 - 02

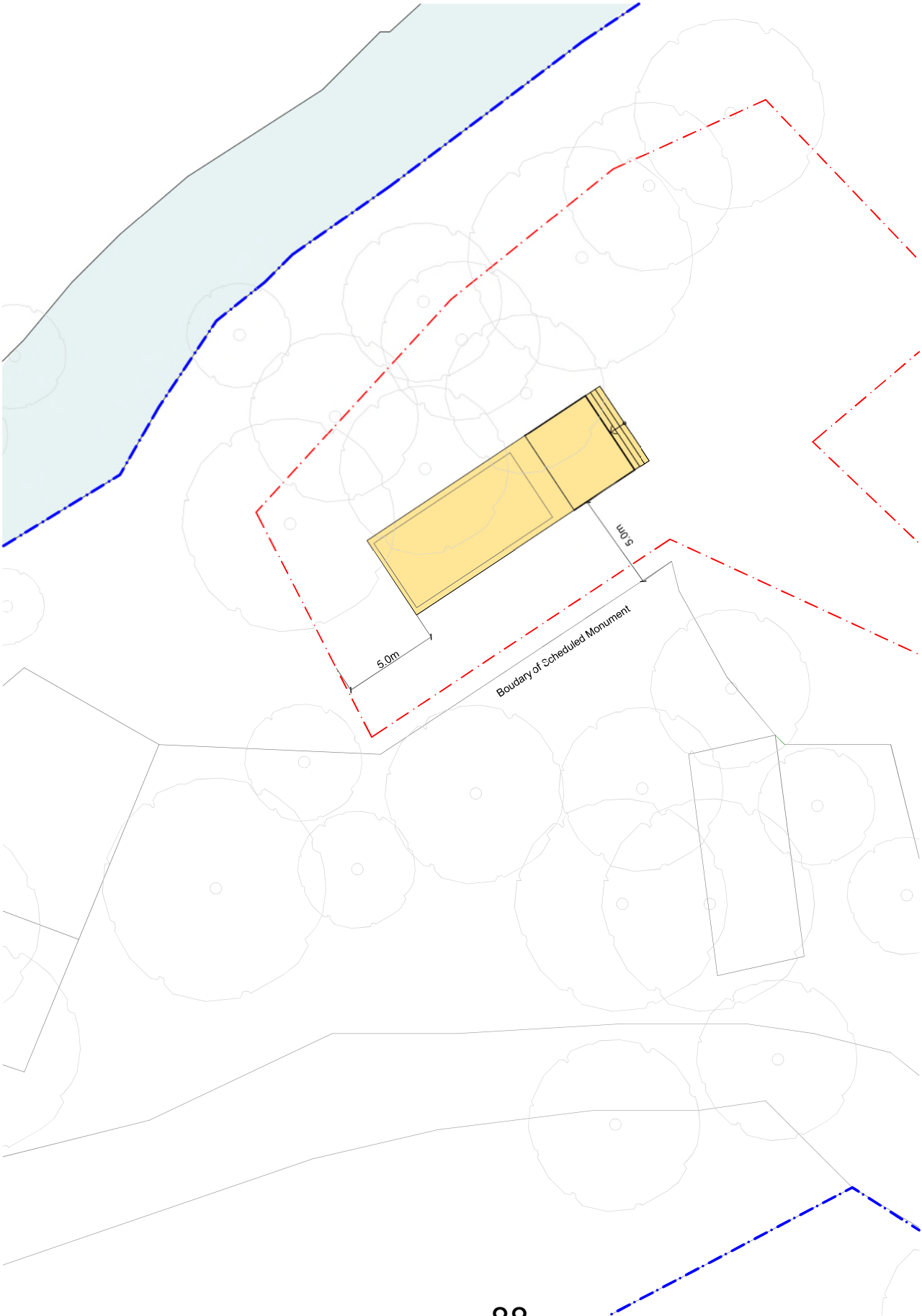
A3 1:25000



All levels and dimensions to be checked on site prior to construction / fabrication report discrepancies immediately. Do not scale for construction purposes. This drawing is copyright protected.

Issues	01	13-02-20	Revised Planning Issue
--------	----	----------	------------------------

Changes on Sheet  
Revised Planning Drawings



Key:	Indicates application boundary.	Indicates ownership boundary.
	---	---

Revision

Drawing No.

Project Title

Old Lawers Cabin,  
Loch Tay

Site Plan as Proposed

18018 - FE(PL)004

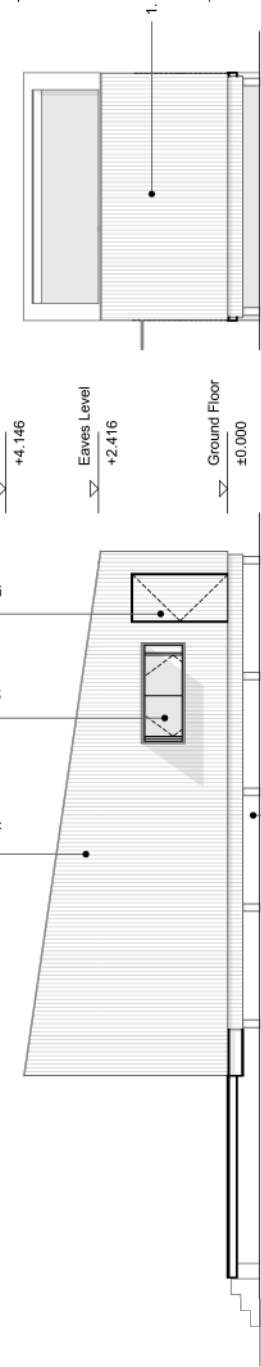
- 01

A3 1:200

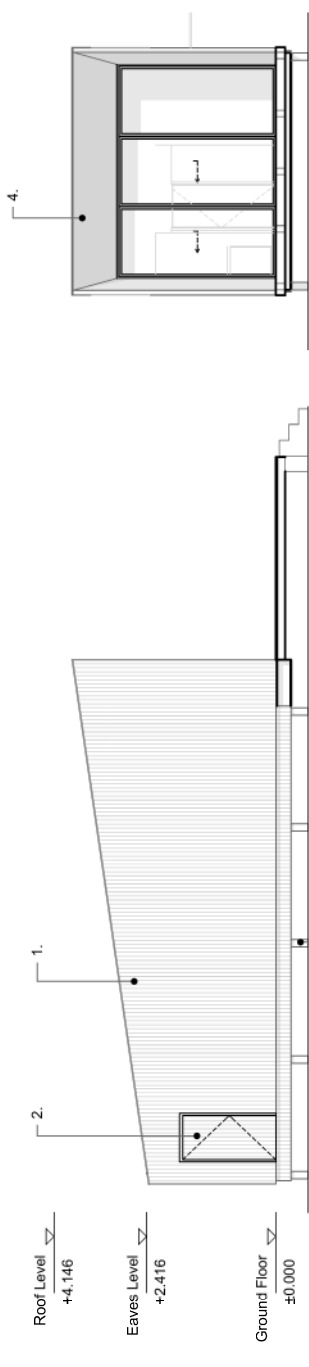
All levels and dimensions to be checked on site prior to construction / fabrication report discrepancies immediately. Do not scale for construction purposes. This drawing is copyright protected.

Issues	
01 18-02-19	TD Planning Issue
02 10-12-19	TD Second Planning Issue
03 13-02-20	Revised Planning Issue
04 17-02-20	Revised Planning 3

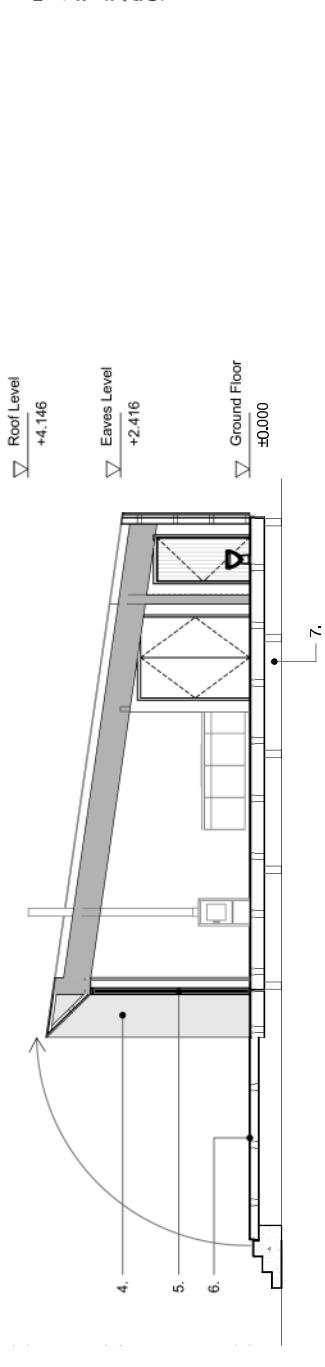
Changes on Sheet  
Room labels added



East Elevation 1:100 North Elevation 1:100

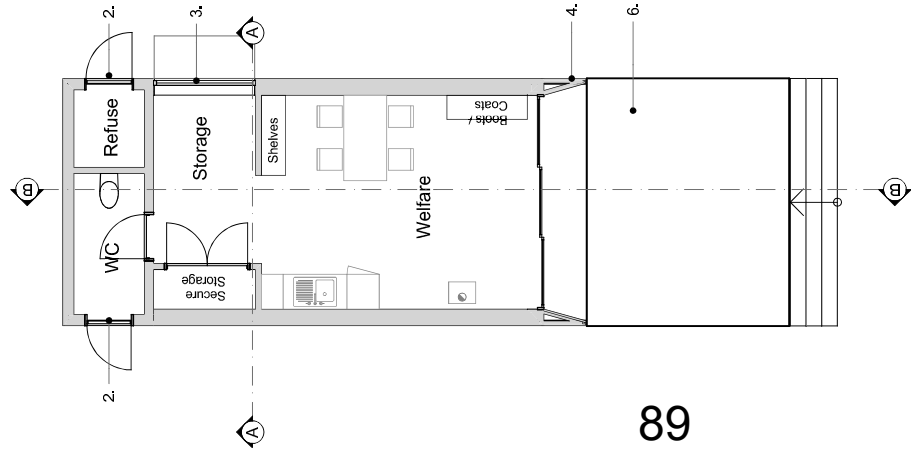


West Elevation 1:100 South Elevation 1:100



Section BB 1:100

- Key:
- 1. Weathered vertical timber cladding.
  - 2. External floor clad in timber to match walls.
  - 3. Timber framed fixed glazing.
  - 4. Corten Steel inner face to chimney.
  - 5. Timber frame sliding glass doors.
  - 6. Retractable front decking.
  - 7. Timber supports on steel helical piles.

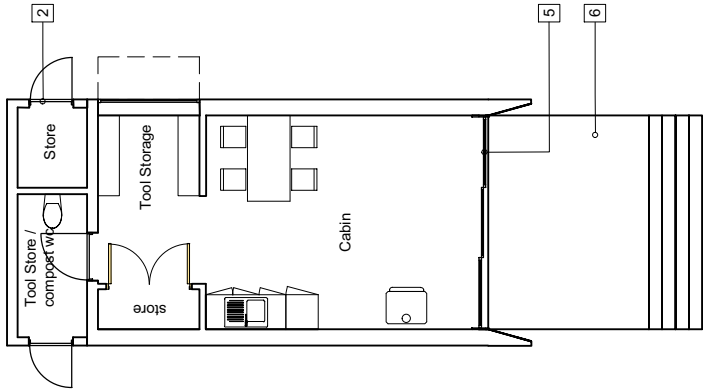


Ground Floor 1:100

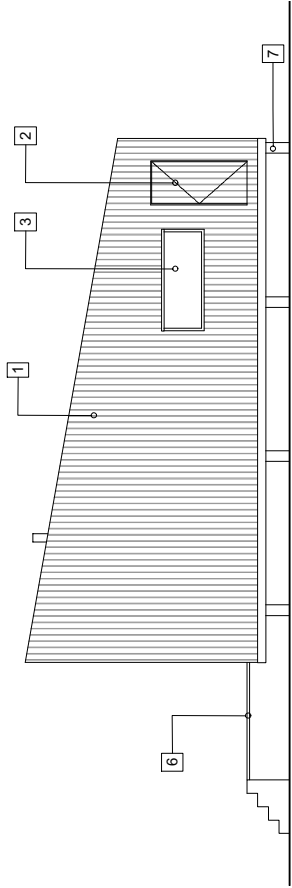


All levels and dimensions to be checked on site prior to construction / fabrication; report discrepancies immediately. Only scale dimensions from this drawings for planning purposes. This drawing is copyright protected.

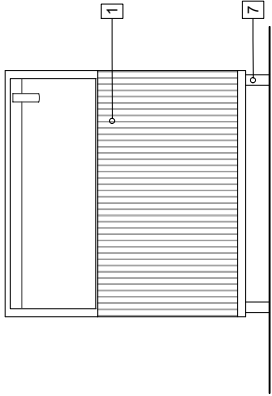
REVISIONS  
- 18-09-2019 Planning Issue  
A 27-11-19 TD North Elev Added



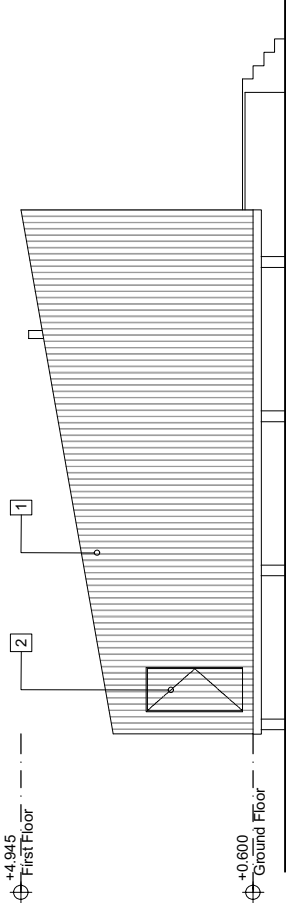
01 Plan 1:100



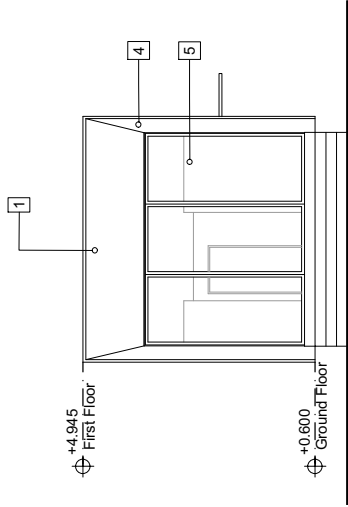
02 East Elevation 1:100



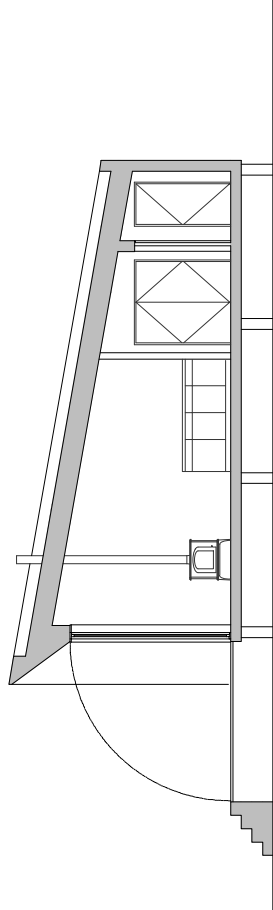
05 North Elevation 1:100



03 West Elevation 1:100



04 South Elevation 1:100



06 Section 1:100

- KEY:
1. Weathered vertical timber cladding.
  2. External doors clad in timber to match walls.
  3. Timber framed fixed glazing.
  4. Corten inner face to chamfer.
  5. Timber frame sliding glass doors.
  6. Retractable front decking
  7. Steel helical piles.



# Contents

1.1	Executive Summary	3
2.1	Site Location	4
2.2	Site Description	5
2.3	Site Photos	6
2.4	Site Analysis	7
2.5	Historic Listing and History	8
3.1	Precedent	9
3.2	Design Concept	10
3.3	Proposed Site Plan	11
3.4	Proposed Drawings	12
3.6	Proposed Visuals	13

**Disclaimer**

*Please note that all drawings included within this document are not to scale and refer to scaled planning drawings should be made.*



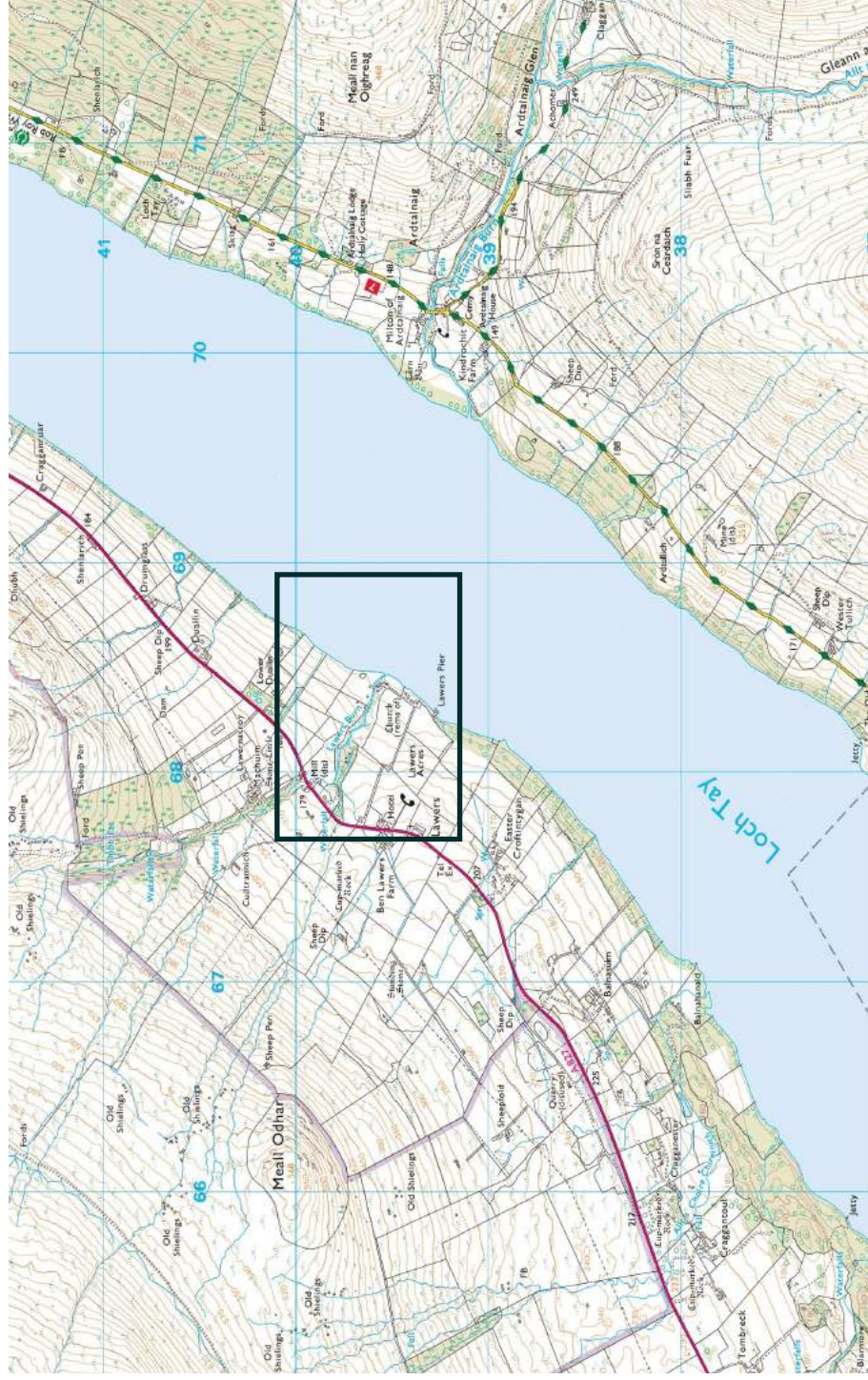
## 1.1 Executive Summary

This design statement is in support of the proposals to form an off-grid site maintenance hut on land adjacent to the Old Village of Lawers by Loch Tay.

Old Lawers Hut | Loch Tay

## 2.1 Site Location Plan

The site is located on the North shore of Loch Tay just outside the village of Lawers. Part of the site comprises the Scheduled Ancient Monument of the Old Village of Lawers.



## 2.2 Site Description

The site is a large open field with the remains of the Old Village of Lawers located to the North edge within a now wooded area. The old village is in a state of decay and has been classified as a Scheduled Ancient Monument (SAM). The ongoing growth of trees and plants throughout the ruins is increasing the decay and damage to this historic site.

A raised access track runs along the rear of the site opposite the shore which occupies the whole edge of the site.

To the south the site borders another portion of the old village but this is outwith the ownership boundary.

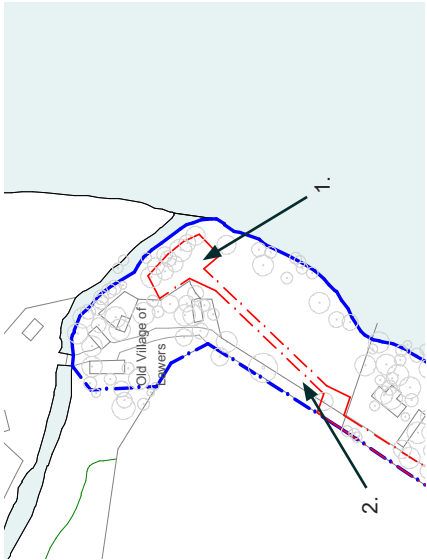
The northern edge and shoreline are lightly wooded with the remainder of the site comprised of an open grassed area.



Aerial view of site.



2.3 Site Photos



1.



2.

Key:

- 1. Proposed site of hut as viewed from Loch.
- 2. Site as viewed from entrance gate.

## 2.4 Site Analysis

**Existing Buildings** - The current site comprises of a large open field along the edge of Loch Tay. The remains of The Old Village of Lawers are within a now wooded area to the North of the site set back from the edge of the Loch. The site is lightly wooded with a concentration of trees within the old village as well as along the loch edge.

**Access** - There is one point of access into the site which is both pedestrian and vehicular. This is accessed down a narrow farm track.

**Surrounding Use** - The site is surrounded by farmland on 3 sides. A small river forms the boundary to the North edge with the West edge being the shore of the Loch. To the south more buildings from the Old Lawers Village sit just outside the site ownership boundary.

**Outlook** - The site has an open outlook to the East across the Loch and to the West towards Lawers and the hills behind.



# 2.5 Historic Listing or General History

## Scheduled Monument

*Old Lawers Village, deserted settlement and burial ground 250m NNE of Lawers Pier.*

Reference: SM6280

Added: 20/12/1995

Local Authority: Perth and Kinross

Parish: Kenmore

National Grid Reference: NGR: NN 68350 39396

## Historic Applications

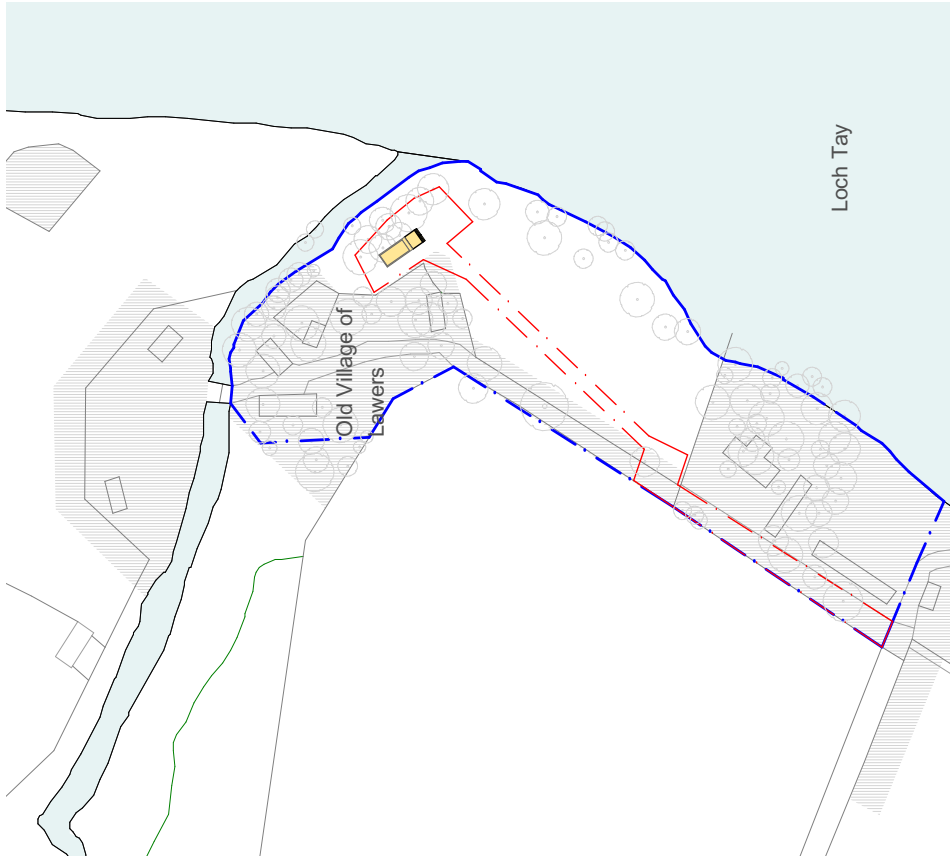
There have been several previous applications on the site for a variety of different structures. The previous applications are:

17/00831/FLL | Siting of 2no. storage containers

Status: Refused 27-06-2017

12/00628/IPL | Erection of a dwellinghouse (in principle)

Refused: 21-11-2012Status



Site plan showing site boundary and area of Scheduled Monument.

## 3.1 Precedent

### Precedent

Loch Tay has a wide range of timber cabins and huts all around it's shores. There is also a strong and growing Scottish design idea for small off grid huts and cabins.

Loch Tay holiday park just north of the site, while a commercial development, contains a wide range of both suitable and less appropriate designs on a dense site.

Natural materials are a consistent part of this "hut" vernacular and form the basis for this proposal. Untreated timber cladding will weather down and form a natural patina and silvery colour typical of many timber buildings throughout Scotland.

Large glazed areas frame views and allow access minimising the number of openings required and overlooking issues.



1.



2.



3.

Key:

1. Scottish cabin in the highlands.
2. Larch cladding to small off grid cabin.
3. Timber clad cabin in Dumfries.



## 3.2 The Design Concept

### Design Vision

The vision is to bring the site back into use and prevent any further damage occurring to the buildings which form the Old Village of Lawers.

The proposal is to create a low impact off grid hut for shelter on the site during maintenance and for storage of tools and materials.

The location of the hut has been carefully thought out and arrived at through site analysis and discussion with local stake holders, including the Breadalbane Heritage Society (BHS) and Historic Environment Scotland (HES)

The hut is sited well back from the loch edge but more than 5m from the boundary of the Scheduled Ancient Monument (SAM). The wooded areas around this will help to minimise the impact of the building from both the loch and the nearby public roads.

The size of the hut has also been carefully considered to minimise the impact of on the site and fit within the guidelines set out in the Huting guidelines. The floor area of the hut is below 30m<sup>2</sup> which is in line with these recommendation as well as those recommended during discussion with HES regarding the scale of the proposals in relation to the existing buildings. The footprint has been designed to ensure the hut does not detract from the SAM and does not have any detrimental effects on the fragile nature of the ancient buildings.

In line with the surrounding area the materials and scale of the hut has been carefully considered to have as minimal an impact as possible. Natural timber cladding will weather on the exposed site to a silver grey. The large front shutter which doubles as decking can be closed up to further disguise the hut against the backdrop of trees when not in use.

The hut will be supported off foundations composed of steel helical screw piles. These can be screwed down into the ground with minimal impact and no excavation required. They can then be completely removed at the end of their life leaving no trace of their existence.

A composting toilet system will contain all waste materials in a closed system which is periodically removed and disposed of off site. No ground excavation is required for the system and no waste run off will occur onto the land.

### Legacy of Historic Village

The proposals have the potential to bring the Old Village of Lawers back into a state which can be more easily visited and retain it's historic significance. The village is in a serious state of decay and without vital consolidation works will continue to collapse.

HES have set out a schedule of work required for the Old Lawers Village site. The nature of these works require the siting of a hut such as proposed to enable workers to complete the proposals before the buildings completely degrade.

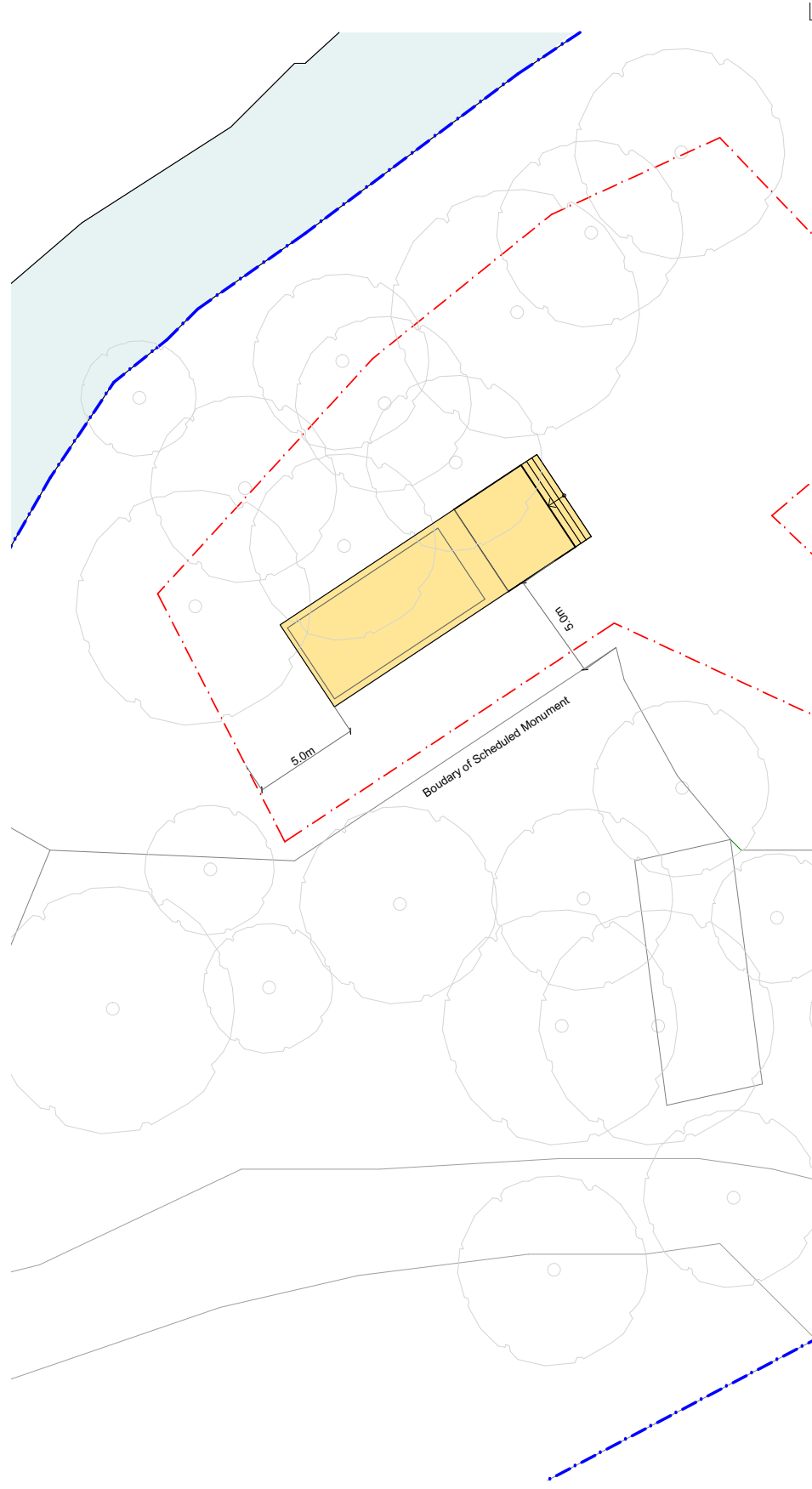
The repair and consolidation work proposed relies on there being some secure form of site storage for tools and materials as well as somewhere to shelter from the weather when required. Without this the work can be difficult and possibly dangerous to carry out.

Part of the proposed works also include clearing invasive vegetation from within and around the old buildings. Once cleared ongoing maintenance of the land surrounding the SAM is essential to prevent the it becoming invasive again in the future.

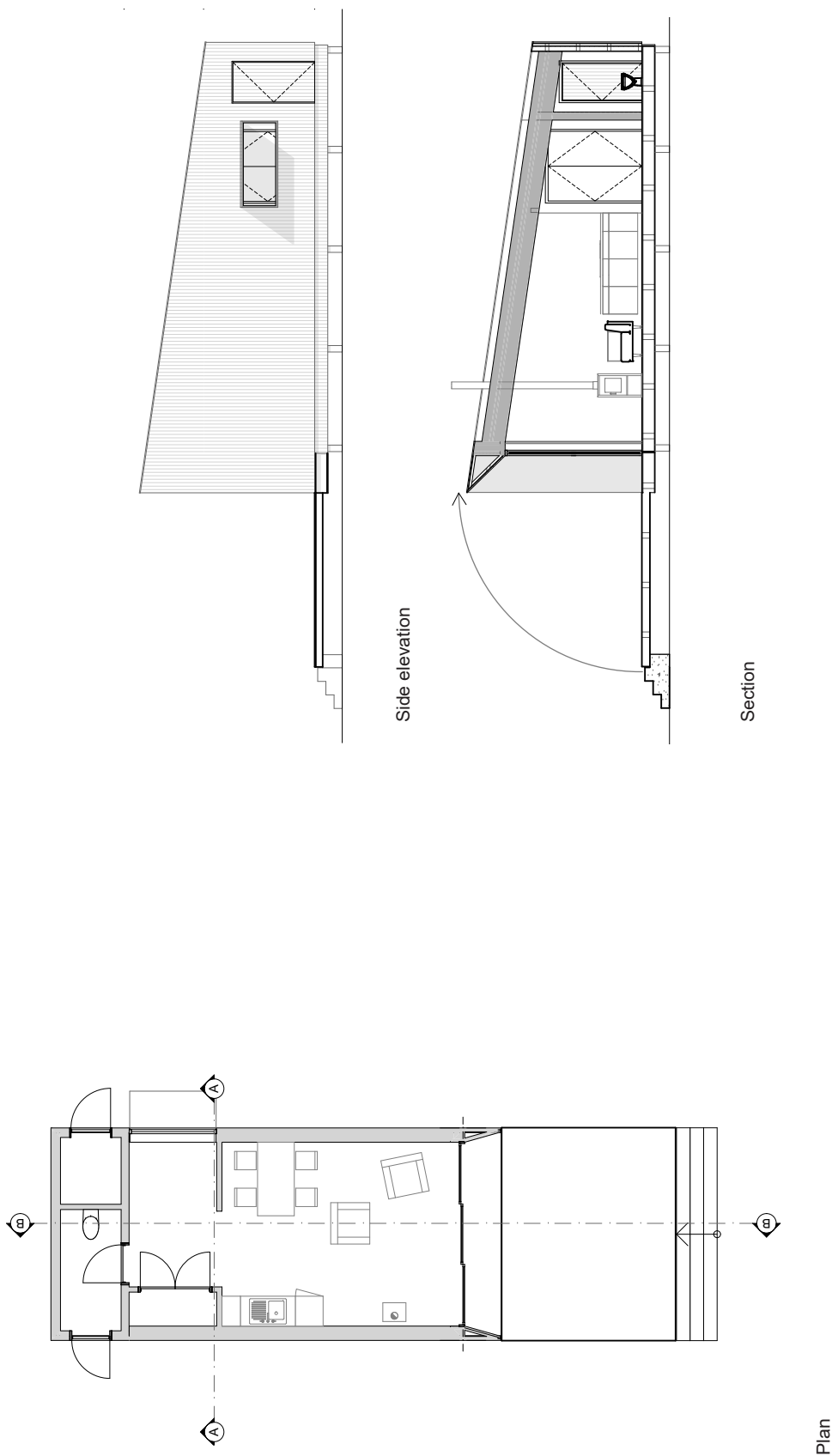


### 3.3 Proposed Site

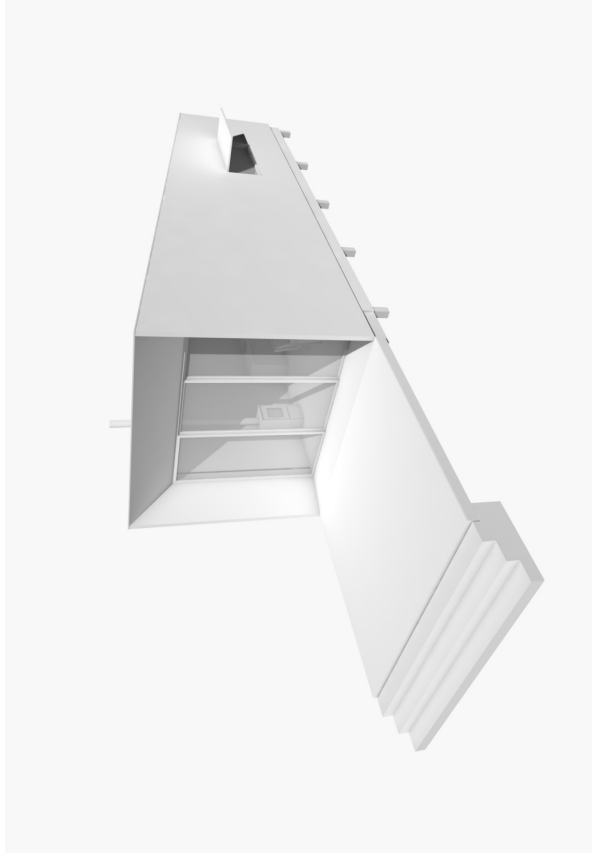
#### Proposed Site Plan



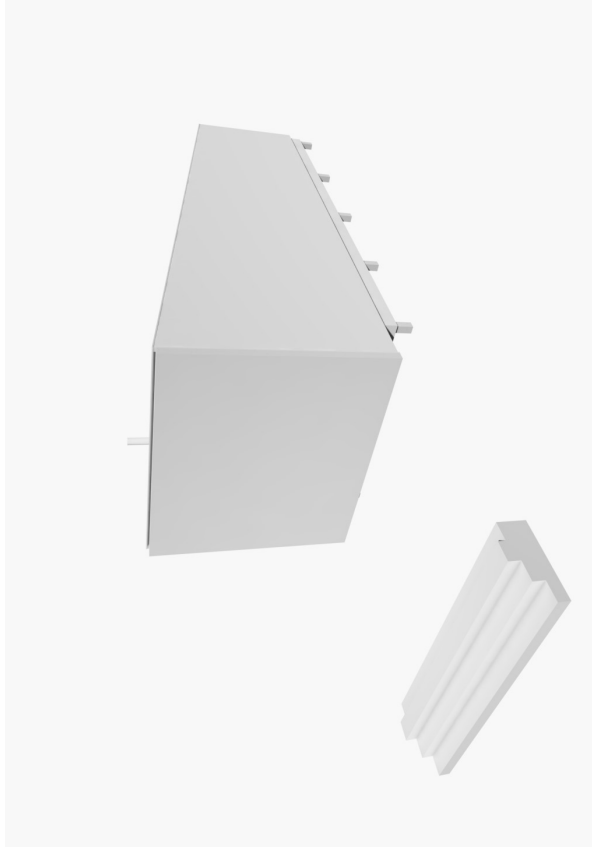
3.4 Proposed Drawings



## 3.6 Proposed Visuals



Site of hut when in use.



Site of hut when not in use.



## **SM 5580 Old Lawers Village, deserted settlement, Lawers Acres**

### **Tree and scrub control as part of positive monument management works**

#### **Schedule of works and method statement**

**Prepared by HES in April 2016**

#### **Background**

Old Lawers Village comprises the remains of a village of 17<sup>th</sup> century and later date, containing a number of key buildings with strong cultural associations (the Old House of Lawers and the former Lawers Church). It has been subject to a number of detailed surveys, and is designated as a scheduled monument - see <http://portal.historic-scotland.gov.uk/designation/SM6280> for details.

Abandoned in the later 19<sup>th</sup> century, the village has gradually decayed and whilst the more substantial buildings remain in places to gable height, others have been less fortunate. Vigorous tree and scrub regeneration is present on and within structures, and this is causing ongoing damage to structural elements of the monument. However, Old Lawers Village has a distinct sense of place in the public conscience that the trees contribute to, so any works that benefit the archaeological preservation of the monument need to be balanced against any impact on the landscape amenity.

It is therefore proposed to reduce or halt this ongoing decay by removing trees and scrub where it is directly affecting structural elements of the monument. This is not wholesale removal of all trees on the monument, but rather selective removal of those that are dead or dying, those that are at the greatest risk of causing most damage, and those where their removal can benefit the preservation of the monument without detriment to the sense of place and contribution to the wider landscape that the trees make.

The scheduled area comprises three separate areas. The southern area contains the Old House of Lawers and the former Lawers Church. The central area by the Lawers Burn contains a series of mill buildings. The northern area is in separate ownership and contains a series of domestic ancillary buildings on the other side of the burn to the mill buildings. This proposal is for the southern and central areas.

The southern and central areas of the monument are also subject to a Conservation Agreement between the National Trust for Scotland and the landowner, which was set up in 1983 and is binding on successors of the title. This agreement states that the subjects must be conserved in their 1983 condition for amenity reasons but also prevents any felling or lopping of trees without the prior express permission of the NTS.

This schedule of works therefore sets out a series of tree and scrub control works that should meet the landowners aspirations of being able to better manage the monument, meet the requirements of Historic Environment Scotland in terms of preserving the monument, and meet the requirements of NTS in terms of ensuring the amenity value of the monument is retained as per the Conservation Agreement. It is similar to the schedule of works for a NTS Thistle Camp in 1999 for the monument, although the 1999 proposals were never fully enacted.

### **General methodology**

Trees and scrub should be cut by hand as close to ground level as possible, with the stumps then poisoned using an appropriate herbicide (being mindful of the River Tay Special Area of Conservation immediately adjacent).

Arisings should either be removed from the scheduled area for disposal, or stacked away from upstanding structures and allowed to rot down for biodiversity purposes.

Larger limbs or trees that cannot safely be felled/lopped in one go should be sectionally felled by an experienced tree surgeon, using ground protection if necessary and/or with limbs being lowered to the ground.

Where trees or limbs are close to masonry walls, protection (ie a small piece of sheet timber) shall be placed between the tree and the masonry so that the chances of accidental damage by the saw to the masonry are lessened.



The likelihood of bats being present on site should also be assessed; whilst most of the proposed works are to younger saplings and tree limbs rather than wholesale removal of mature trees, checks should be made that bats are not utilising any of the limbs or trees proposed for removal.

A brief photographic record should be made of the works so as to aid future management of the monument.

Naming convention below follows the ACFA 1998 survey and subsequent 1999 condition statement.

## Detailed schedule of works – photos as a guide only

### Feature 2: Old House of Lawers

	<p>Large rowan tree in SW corner (2.1). Some dead limbs already shed. Adjacent trees leaning over walls. Although a key specimen, fell or remove any limbs which are dead or dying or leaning over walls. Remove fallen timber.</p>
	<p>As above. (2.7)</p>





Elder (2.6). Fell, and also coppicing multi stem growing out of wall. Cut back blackthorn growing closest to building exterior S wall, but leave the remainder as it is probably discouraging cattle from approaching the building.



Leave large tree in N corner (2.9), but trim back limbs where they over hang E gable. This tree should be monitored due to its proximity to the gable. Leave blackthorn in interior.



### Feature 3



Cut down all young ash saplings growing out of spread walls.

### Feature 5: Lawers Church



Cut down all young ash saplings within and close to building (5.1).



As above (5.5).



Take down sapling on W gable.





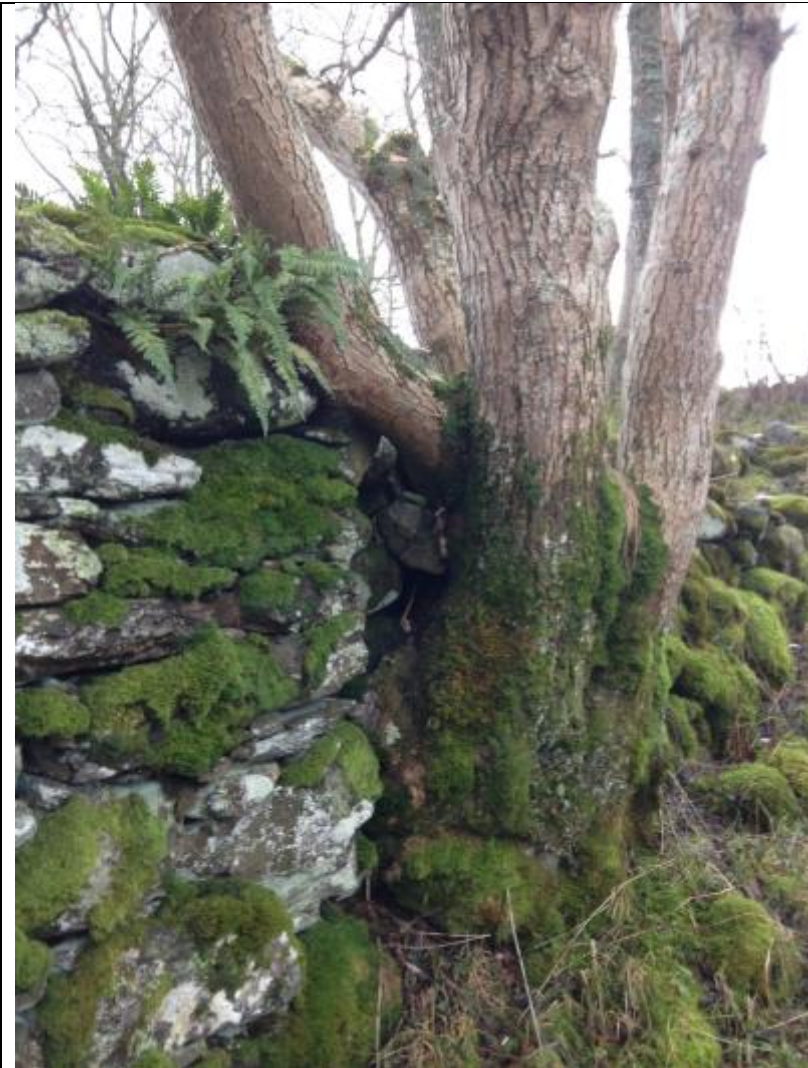
Take down coppicing ash growing at angle out of SW wall into interior (5.3).



Trim back any limbs from mature tree in interior which are crossing walls or which are dead/dying (5.6).






## Feature 6: Mill



Cut back limb growing on top of N wall (6.2).



Cut back and treat coppicing ash at end of wheel pit (6.4 and 6.5).

	<p>As above (6.4 and 6.5).</p>
	<p>Cut back any young ash saplings and dead limbs crossing walls (6.8).</p>
	<p>On the edge of the track to the W of Building 4, fell young ash on edge of retaining wall (6.14, 6.15, 6.18).</p>



## Feature 8



Fell limbs crossing walls and saplings growing close to wall bases (8.8).



As above (8.1 to 8.6).



As above (8.1 to 8.6).

### Feature 9 and Feature 10






Fell saplings in building interior.

### Feature 11: Mill

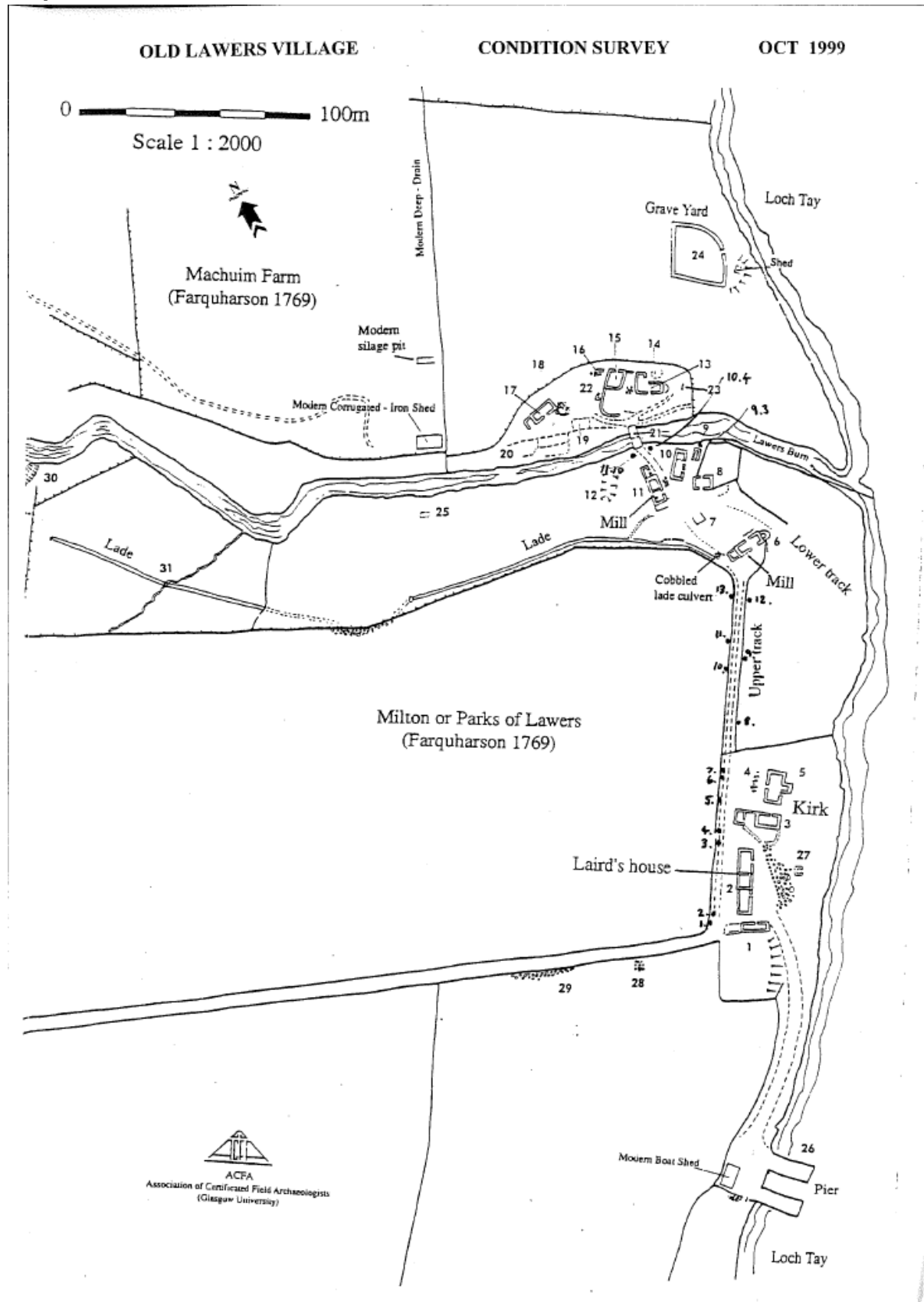


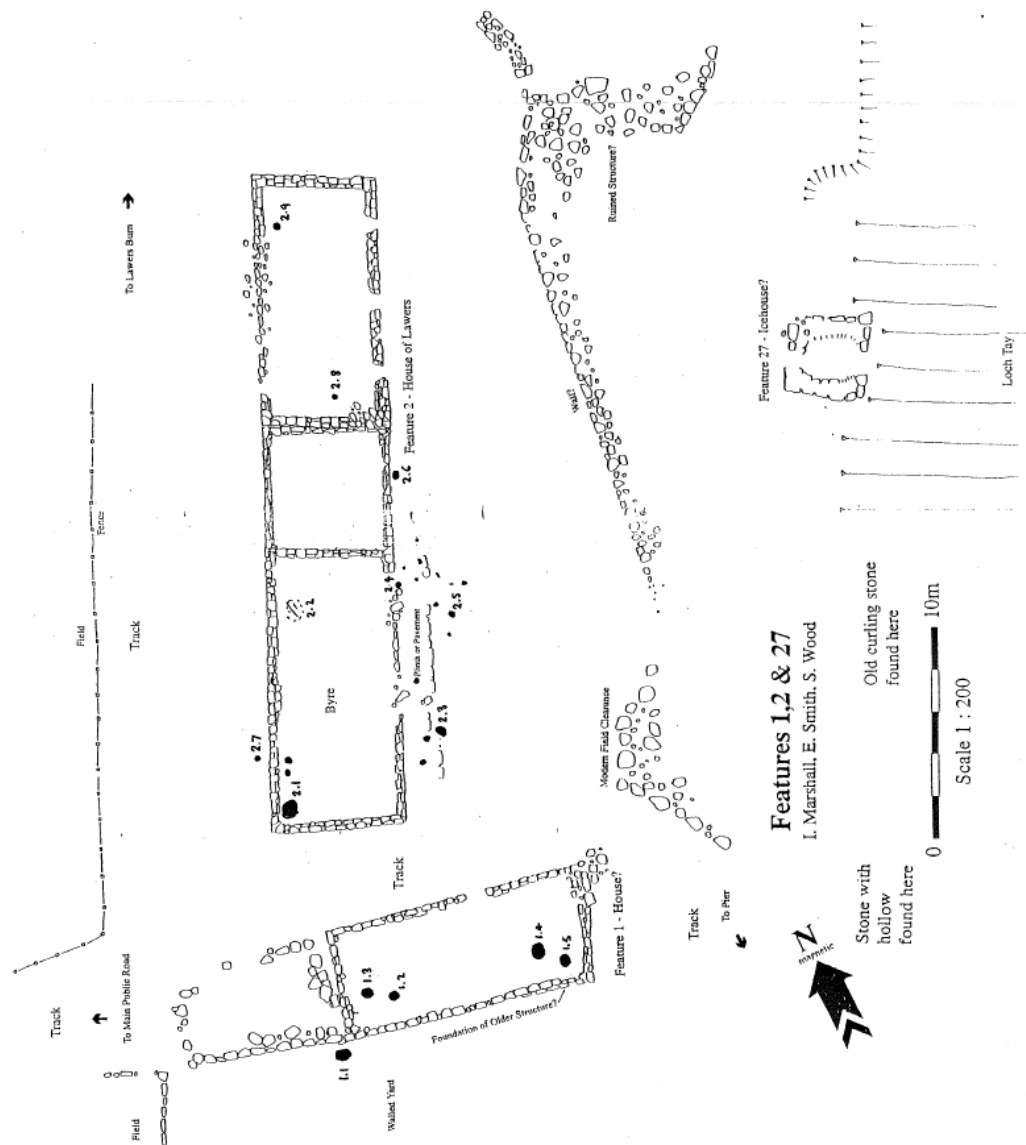
Cut and treat coppicing ash on E wall (11.7 and 11.8).



	<p>Cut and treat coppicing ash on W wall (11.9).</p>
	<p>Take down dead limbs and those crossing gable walls or leaning at S end of building (11.5 and 11.6).</p>
	<p>As above (11.5 and 11.6).</p>

## Maps





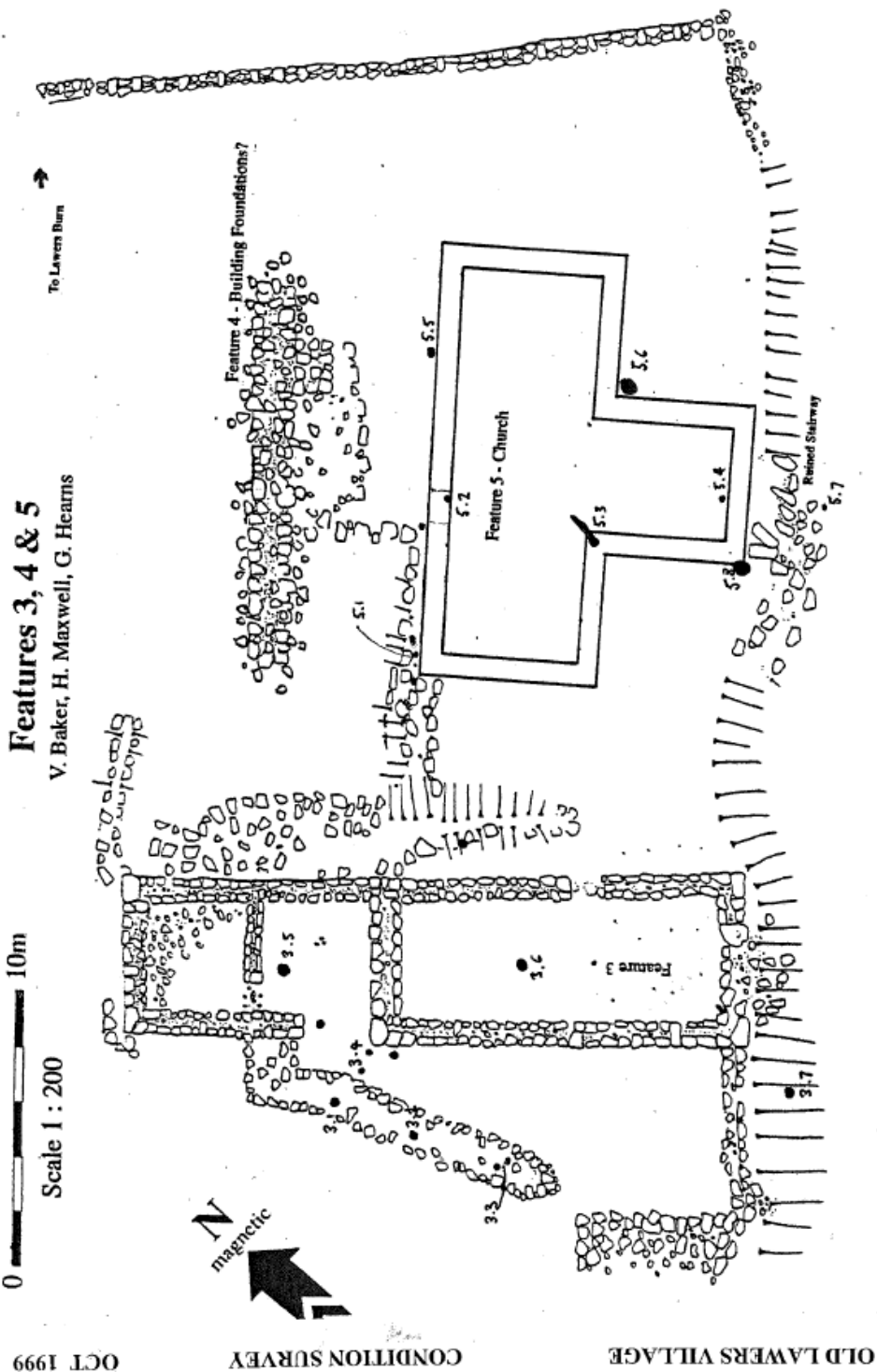
# Features 1, 2 & 27

I. Marshall, E. Smith, S. Wood

Stone with hollow found here

Old curling stone found here

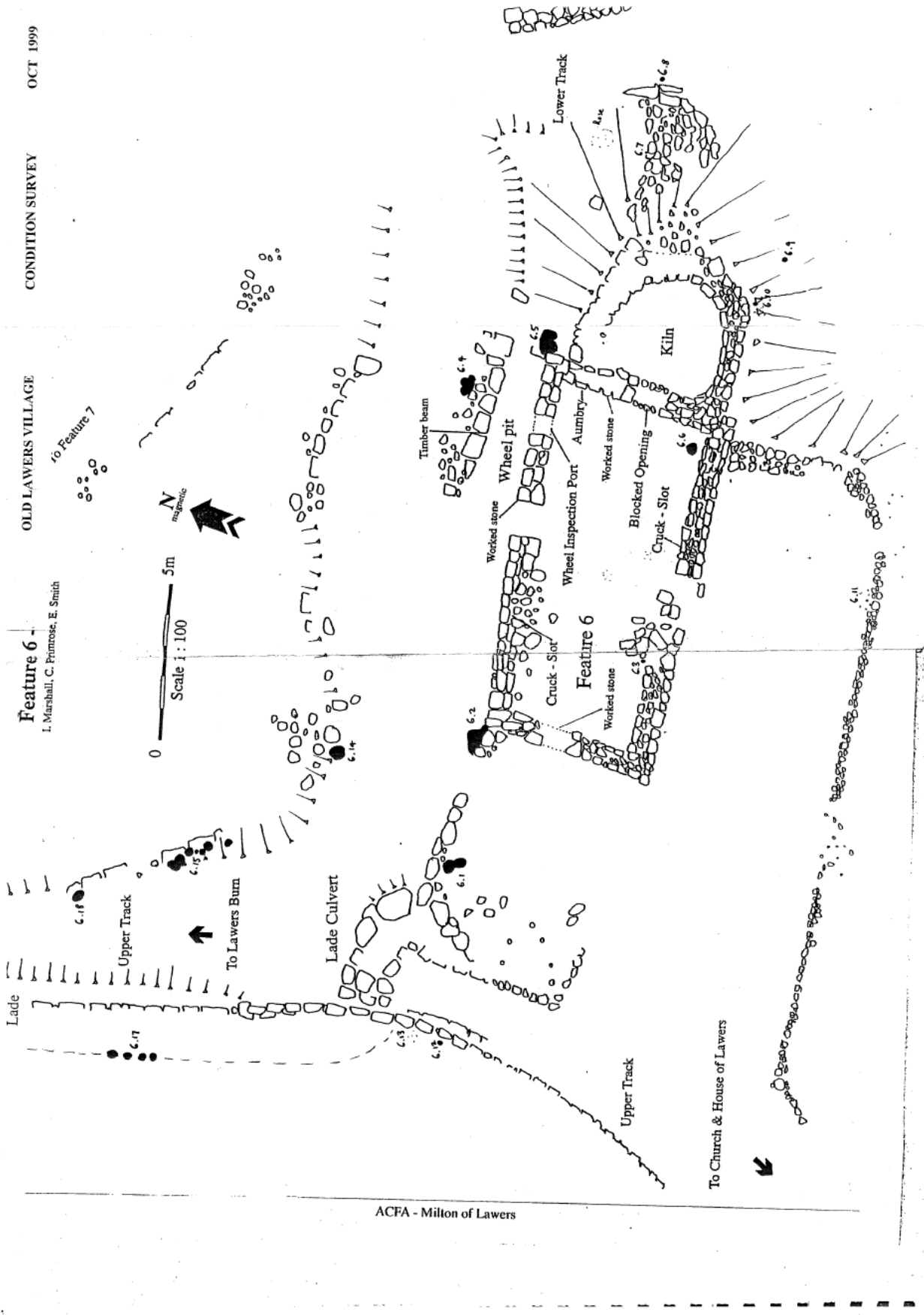




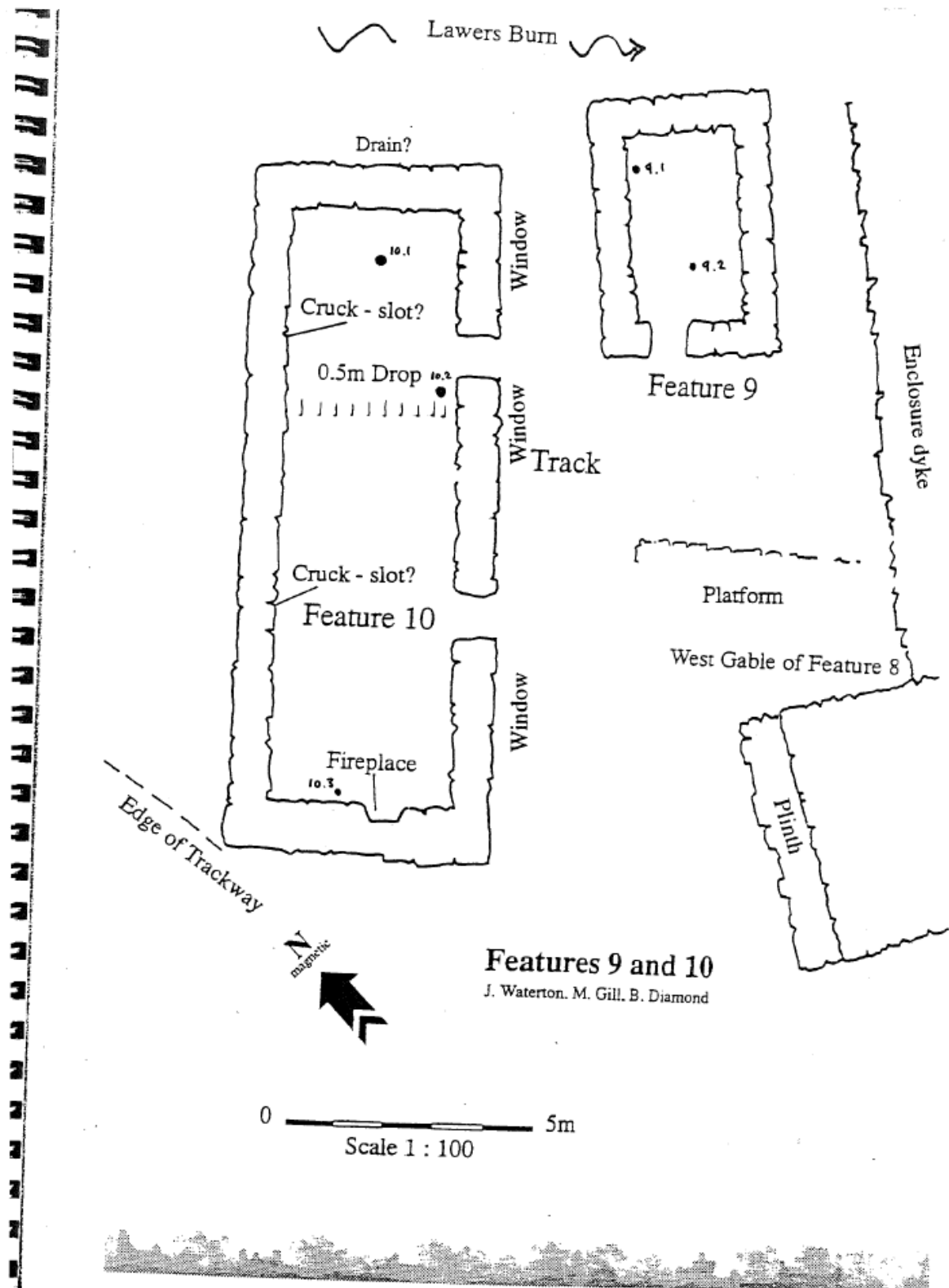
OLD LAWERS VILLAGE

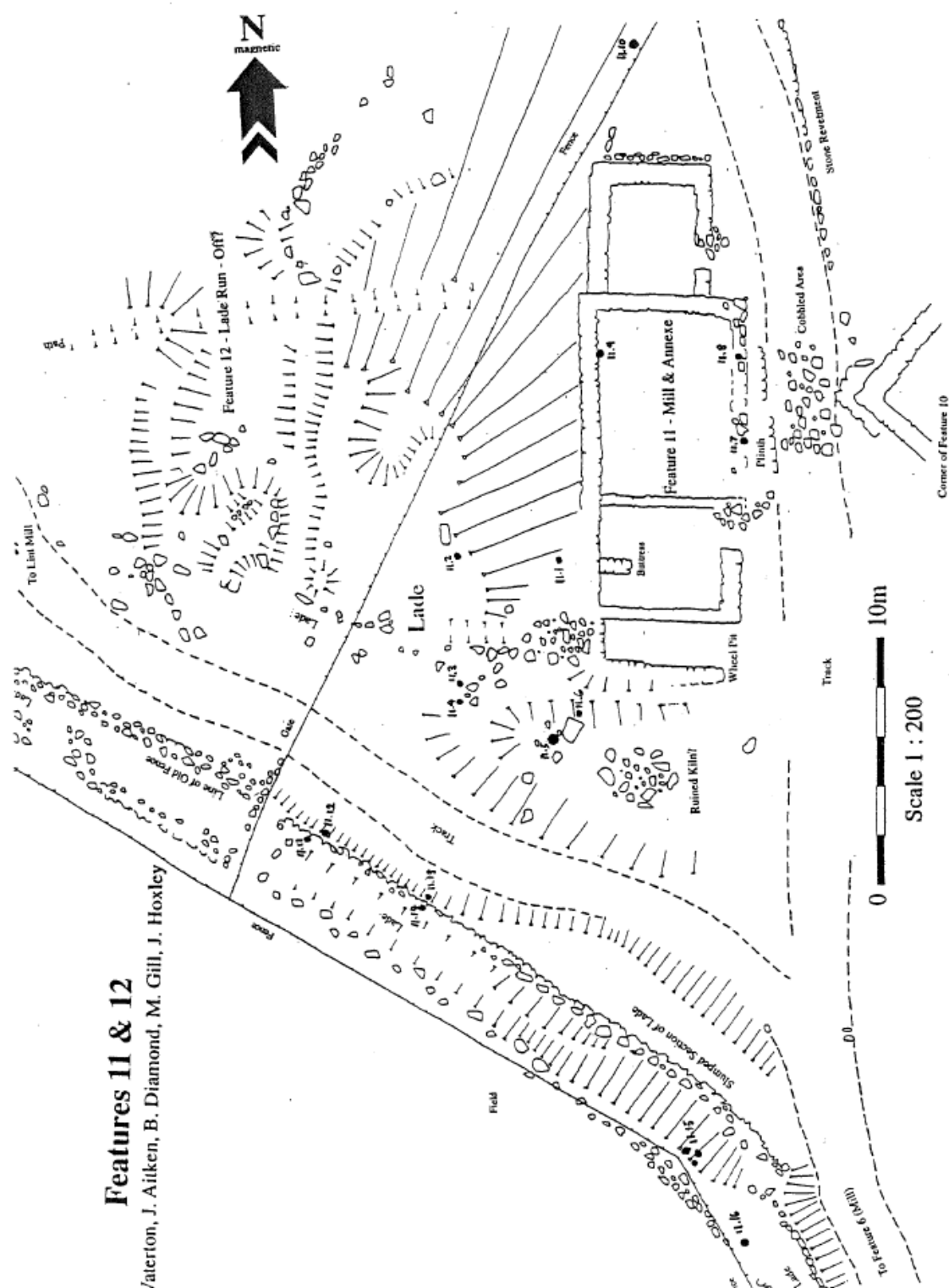
Feature 6

I. Marshall, C. Pimrose, E. Smith











# Firefox 5CB (Clean Burn)

DEFRA APPROVED FOR BURNING WOOD IN A SMOKE CONTROLLED AREA  
CE APPROVED.



## Clean burn cast iron wood burning stove Installation & operating instructions. To be left with user.

This appliance must be installed by a competent person and must comply with all building regulations including those referring to local authority by-laws, National and European Codes of Practice . Unless the installer is qualified to approve the installation, then approval must be sought from your local building control officer. It is an offence under UK law not to comply with this advice. After installation the appliance should be ready for use and instruction as to use and control given.

FFXCB 01/10A

## Health & Safety

- The Firefox 5 CB stove does not contain asbestos.
- Do not use in a shared flue.
- Do not use this appliance as an incinerator.
- Use only the recommended fuel – do not use liquid fuels.
- The surfaces, glass panel, and stove pipe reach very high temperatures. All persons in the vicinity of the stove must be warned of the potential dangers
- No combustible materials to be within 450mm from any surface of the stove, including the stove pipe.
- No soft furnishings to be within 900mm of stove surfaces or stove pipe.
- Fire cement contains caustic material, avoid contact with skin.
- Do not make any unauthorised modifications to this appliance.
- If replacement parts are required, use only parts recommended by manufacturer.

**Fires can be dangerous** - the Firefox 5 CB stove operates at very high temperatures. Always use a fire guard to BS6539 specification in the presence of children, the elderly or the infirm. Inform all persons the dangers of high temperatures during operation of appliance including the stove pipe and use the operating tools provided. The mitten provided is a tool.

**Do not over fire** - it is possible to fire the stove beyond its design capacity. This could damage the stove, so watch for signs of over-firing, if any part of the stove starts to glow red, the fire is in an over fire situation and the controls should be adjusted accordingly. Never leave the stove unattended for long periods without adjusting the controls to a safe setting. Careful air supply control should be exercised at all times.

**Warning- Fume emissions** - properly installed and operated, this appliance will not emit fumes. Occasionally fumes from de-ashing and refuelling may occur. Persistent fume emission must NOT be tolerated.

If fume emission does persist, then following immediate action should be taken-

1. Open doors and windows to ventilate the room.
2. Let the fire out, or eject and safely dispose of fuel from the appliance.
3. Check for flue chimney blockage, and clean if required.

Do not attempt to relight the fire until the cause has been identified. If necessary seek professional advice.

**Do not fit an extractor fan in the same room as the appliance**

## Parts & Assembly

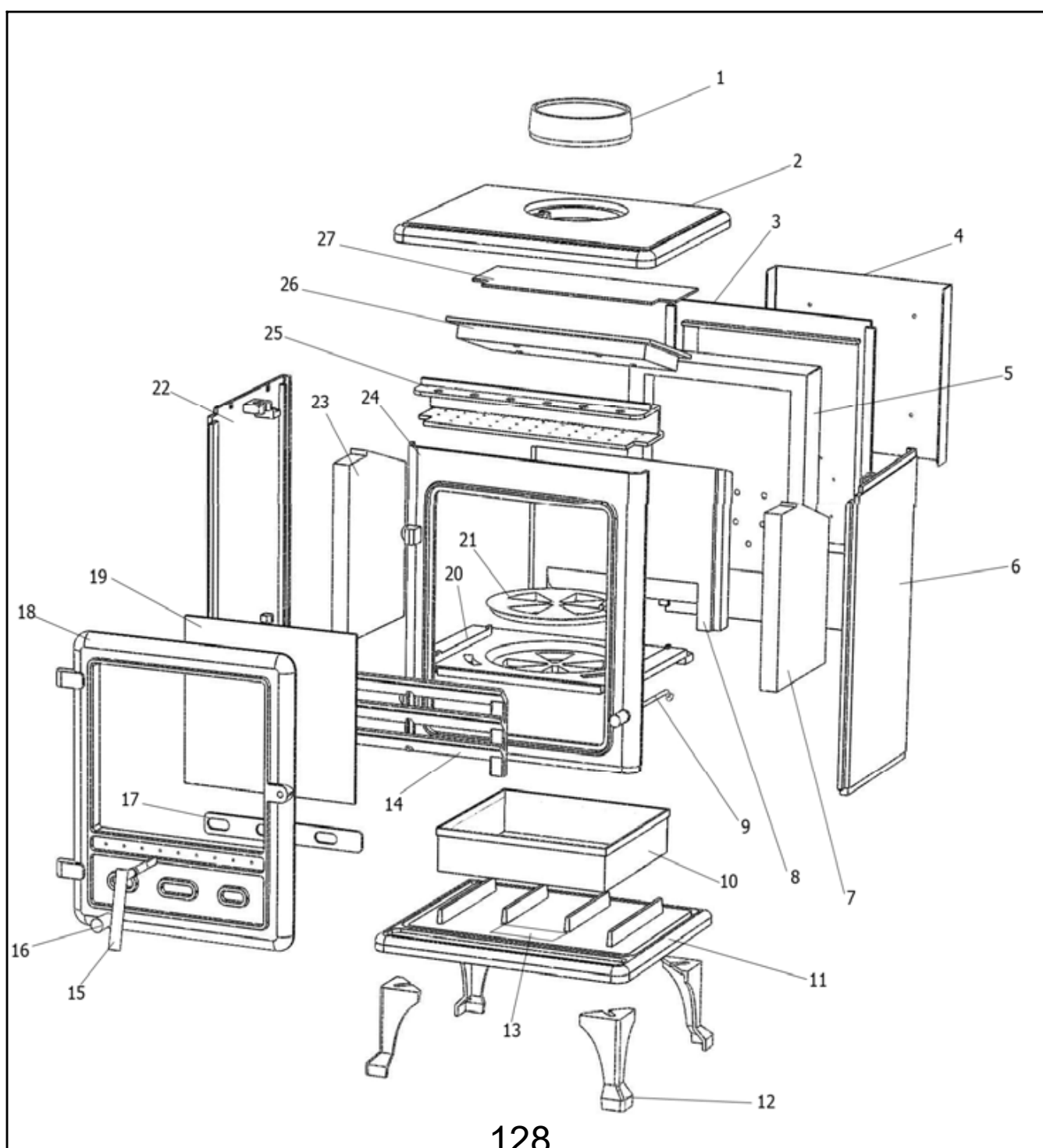
### Stove Assembly

The stove legs will be found inside the stove, they will require fitting. The two front legs have optional positions either at front of ash lip or rearward inline with body panels. Two of the legs have holes for hearth fixing fit these in desired position.

**Filment of legs** - lean stove backwards and prop under base panel, fit studs supplied in desired position for legs, locate legs, fit washers and nuts and tighten. Lean stove forwards and prop under base panel, fit rear legs using studs washers and nuts provided. **Note** - the Firefox 5 CB is heavy take care when handling.

Item	Description	Part No	Qty
1	Flue Collar	FFX008 CB	1
2	Stove Top Panel	FFX003 CB	1
3	Stove Back Panel	FFX034 CB	1
4	Heat Shield	FFX030 CB	1
5	Ceramic Chamber Lining	FFX 023 CB	1
6	Right Side Panel	FFX036 CB	1
7	Side Brick	FFX012 CB	1
8	Back Brick	FFX013 CB	1
9	Grate Riddling Rod & Knob	FFX015 CB	1
10	Ash Pan	FFX014 CB	1
11	Base Panel	FFX002 CB	1
12	Leg	FFX010 CB	4
13	Data Plate	FFX031 CB	1
14	Fret	FFX011 CB	1
15	Door Handle	FFX016 CB	2
16	Primary Air Slide Knob	FFX022 CB	1
17	Primary Air Slide	FFX020 CB	1
18	Door	FFX004 CB	1
19	Glass	FFX018 CB	1
20	Grate Support Plate	FFX 005 CB	1
21	Grate	FFX 006 CB	1
22	Left Side Panel	FFX036 CB	1
23	Side Brick	FFX012 CB	1
24	Front Panel	FFX035 CB	1
25	Secondary Air Duct	FFX 024 CB	1
26	Top Brick Assembly	FFX009 CB	1

Item	Description	Part No	Qty
27	Baffle Plate	FFX007 CB	1
<b>Items Not Shown on Diagram</b>			
28	Glass Panel Seal	FFX027 CB	1
29	Door Seal	FFX026 CB	1
30	Operating tool	FFX029 CB	1
31	Mitten	FFX1 CB	1
32	Door Catch	FFX017 CB	1
33	Door Glass Retaining Tabs	FFX019 CB	4
34	Hinge Pin	FFX028 CB	2
35	De-ashing Tool	FFX039 CB	1



## Installation

Check the chimney is in good condition, dry, free from cracks and obstructions. The diameter of the flue should not be less than 150mm and not more than 230mm. If any of these requirements are not met, the chimney should be lined by a suitable method.

The chimney height and the position of the chimney terminal should conform to Building Regulations.

A flue draught of minimum 12 Pascals water gauge is required for satisfactory appliance performance. The flue draught should be checked under fire at high output and if it exceeds the recommended maximum, a draught stabiliser must be fitted so that the rate of burning can be controlled, and to prevent over firing. If you have any doubts about the suitability of your chimney, consult your local dealer/stockist.

The chimney must be swept before connection to the stove and swept every six months thereafter. If there is an excessive build up of soot, then the chimney must be swept and the reason for build up investigated.

An existing fireplace opening can be bricked up or sealed with a register plate, 2.5mm steel sheet or concrete. A short length of flue pipe no smaller in diameter than the stove flue outlet or the manufacturer's stated flue size may then be used to connect the stove to the chimney. This flue pipe should be of cast iron, 316 grade stainless steel or vitreous enamelled, nominal thickness 1.2mm. Ensure that the pipe end is no closer than 76mm to the side or rear chimney walls.

Ideally, the old fireplace should be filled in so that there is a smooth streamlined entry into the flueway.

The length of any horizontal run of the flue pipe must not exceed the flue outlet diameter on the stove.

It is essential that all connections between the stove and chimney-flue are sealed and made airtight.

Both chimney and flue pipe must be accessible for cleaning and if ALL parts of the chimney cannot be reached through the stove, a soot door must be fitted to enable this to be done.

If a change in direction is required in the pipe work then it should be no less than 45 degrees. If a 90 degree bend is required then a swept elbow should be used, or 2 x 45 degree elbows. A clean out point at every change of direction is recommended.

## Installation Continued

The stove can be recessed in a suitable sized fireplace but a permanent free air gap of at least 100mm must be left around the sides and top to obtain maximum heat output and for access to the rear of the stove. There should not be any combustible material within a distance of 450mm from any surface of the stove. Furniture and general soft furnishings should not be within 900mm of any stove surfaces including the stove pipe. In all instances the stove should be positioned on a non-combustible hearth. Allow an apron of at least 300mm at the front of the stove and 150mm on either side. The hearth on which the stove is to be placed should not be less than 125mm thick if the floor is made of combustible material, and care should be taken to level the stove and secure the hearth. If existing floors do not have adequate load bearing capacity then suitable modifications i.e. load bearing plates must be adopted.

When the stove is desired position mark hearth through holes in feet, remove stove drill and plug hearth for securing stove and levelling.

Upon completion of installation, the appliance should be checked under fire for soundness of joints and seals, and also that all smoke and fumes are taken from the appliance, up the chimney and emitted safely.

Care should be taken that all flues, hearths, and combustion air supplies are in accordance with the current Building Regulations, Local Authority Bye-Laws, British Standards and Codes of Practice. The Firefox 5 CB has no ventilation requirement but a fixed vent is advisable as this will enhance the pull of the chimney and reduce unwanted draughts. Care should be taken that these opening cannot become obstructed. Considerations and provisions must be made for any other appliances requiring ventilation. An extractor fan must not be used in the same location as the appliance. This appliance is not to be used with a shared chimney.

## Operating Instructions

The appliance uses the down burn principle unlike conventional stoves where the flame path rises up to the baffle plate in the top of the stove, circulates around the baffle then out through the flue outlet. The down burn stove has a throat at the bottom rear of the fire box. Behind the back brick is a combustion chamber that has its own air supply, the flame passes up into the fire box then down into the throat, it then enters the combustion chamber where it is injected with pre-heated air. This causes a rise in temperature burning off smoke particles, creating cleaner emissions. After entering the combustion chamber the hot gasses circulate around the inner baffle and out round the flue outlet.

The secondary and tertiary air supplies create the clean burn function; these air supplies are not adjustable. The primary air supply controls the burn rate. There is a fixed primary air bleed on the door located above the primary air slide.

## Operating Instructions

The appliance has been extensively tested and meets all the requirements necessary to burn wood in smoke controlled areas and is DEFRA approved. If the appliance is installed, operated and regularly serviced correctly it will offer many years of reliable service.

The primary air slide at the bottom of the door is the only variable control for the fire. It is marked (+) meaning more air, and (-) meaning less air. When the slide is in the maximum (+) direction, the stove will achieve its maximum heat output. When the slide is in its minimum (-) direction, this stove is in a high efficiency tick-over mode.

**Note** - When the stove is in high output mode, more fuel will be consumed. It is necessary to establish a good ash bed and generate heat to the combustion chamber and flue (chimney), before significant restriction of primary air.

Chimney type, atmospheric conditions and fuel quality will affect the efficiency of the stove so some practice will be required to get the stove running correctly in your particular environment.

**Warning** - Do not load with excessive amounts of fuel, the clean burn efficiency will be affected, and internal panels could be dislodged.

### **Lighting the stove**

We recommend that you have two or three small fires before you operate your stove to its maximum heat output. This is to allow the paint to cure and castings to relax and consolidate. Location we recommend 'running in' procedure after long shutdowns to preserve life of stove. During this you may notice an unpleasant smell. It is not toxic, but for your comfort we would suggest that during this period you leave all doors and windows open.

Although screwed up paper can be used to light the fire in the stove, we recommend the use of firelighters. Place one firelighter at the back of grate in front of the flue throat and ignite. Place kindling wood on closed grate in front of the firelighter, then place one firelighter in front of kindling wood. Leave the stove door ajar for 10 minutes as the fire establishes. Close stove door and open primary air supply at bottom of door.

**Note** - Don't forget to close stove door after approximately 10 minutes. When kindling is well alight, place medium sized logs on grate and allow to ignite gradually then build up to maximum size logs. When the fire bed is established close down primary air slide to desired position.

This stove is designed to be operated with the door closed. Except for establishing a fire and refuelling it is unsafe to operate with the door open.

## Operating Instructions

**Notes on Wood Burning** - Wood burns best on a bed of ash and it is therefore only necessary to remove surplus ash from the grate occasionally. Burn only dry, well seasoned wood, which should have been cut, split and stacked for at least 12 months, with free air movement around the sides of the stack to enable it to dry out. Burning wet or unseasoned wood will create tar deposits in the stove and chimney and will produce unsatisfactory heat output.

### **Re-Fuelling**

The stove will stay hot for sometime after the volatiles in the wood have been consumed. When more fuel is added it will ignite quickly, and primary air settings need not be adjusted. If the stove has cooled down too much but red embers are still visible then the primary air will require opening fully to ignite the new fuel added. Wood burns best on a bed of ash, so it is not necessary to remove the ash completely. But removal of ash from the throat is advisable and can be just dragged forwards. When re-fuelling, the air control should be fully opened for approximately 1 minute or until ignition is well established, then close to the desired setting.

### **De-ashing**

De-ashing is only required when excessive amounts of ash have built up. The grate has two positions, open or closed. The open position is for de-ashing only. To de-ash open grate with control knob, scrape ash through grate opening with tool provided.

**IMPORTANT** - MAKE SURE ANY ASH BLOCKING THE FLUE THROAT (BOTTOM REAR OF THE FLUE BOX) IS REMOVED.

### **Recommended Fuels**

Seasoned wood- moisture content less than 20%.

Should any difficulties arise over fuel quality or suitability consult your local supplier or the solid fuel advisory service.

## General Maintenance

Basic maintenance can be carried out by the appliance operator, i.e. removal of baffle plate, bricks, grate, and glass replacement, must be done when the appliance is cold. Any structural repairs, i.e. panel or stove pipe replacement must be carried out by a suitably qualified engineer.

### **Cleaning**

It will be necessary to clean fly-ash off baffle plate in the top of the stove at least once a month. When in regular use and after long shut down periods. To gain access to baffle lift top brick and slide it side and backwards, remove right hand side brick. Now top brick can be manipulated out of the stove door. You can now gain access to the baffle plate. This can be removed, cleaned off and replaced. The top brick is manipulated back into position and side brick replaced. Make sure top brick has located all round.



## General Maintenance

### **Stove Body**

The stove is finished with a heat-resistant paint and this can be cleaned with a soft brush. Do not clean whilst the stove is hot; wait until it has cooled down. The finish can be renovated with a suitable brand of paint.

### **Glass Panels**

Clean the glass panel when cool with a proprietary glass cleaner. Highly abrasive substances should be avoided as these can scratch the glass and make subsequent cleaning more difficult. Wet logs on heated glass, a badly aimed poker or heavy slamming of doors could crack the glass panels. The glass will not fracture from heat.

### **Chimney**

Check your chimney each year before starting to use your stove for the winter. Birds may have nested in the chimney or the masonry may have cracked. Both chimney and flue pipe must be swept at least once a year.

### **Grate Removal**

To remove the centre grate, un-screw control knob from riddling rod, rotate grate anti-clockwise until rod passes out of guide hole. Now, manipulate grate out of stove door opening. Note the position of the hook on the end of the riddling rod as it connects to the grate. If it becomes disconnected then re-connect by passing the hook under and up through the grate arm.

### **Seasonal Maintenance**

If the appliance is not used for any length of time e.g. summer months then it is recommended that the appliance is cleaned out thoroughly. Air slides, hinge pins and door catches should be lightly oiled. Regular monitoring of internals will highlight condensation problems or water ingress. If these problems occur then the appliance needs drying and the cause of the problem investigating. It is advisable that after a seasonal shut down the appliance is re-cleaned. Remove baffle plate, brick linings and operation of grate. Check flue for any possible blockages. It is advisable to have the chimney swept at least once or twice a year if the appliance is in constant use. The use of poor quality wood makes flues soot or tar up more frequently.

## Trouble Shooting

### **POOR HEAT OUTPUT**

A) Stove too small for a room. Seek advice from a Qualified Heating Engineer as to (KW) output required for room size as a guideline the volume of the room in cubic feet divided by 500 i.e. room 15'x15'x8' would require 3.6kw approx.

B) Chimney and/or flue pipe restricted, room ventilation restricted. On installation these will have been checked but regular maintenance is necessary as conditions can change i.e. soot build up, birds nesting, masonry fall, dust build up or furniture blocking vents.

C) Poor quality fuel. Only burn dry seasoned timber, soft woods have a lower heat output than hard woods per hour. Solid fuels vary in heat value check with your coal merchant as to suitability.

### **DIRTY GLASS PANEL**

A) Generally caused by poor fuel quality, see (1c)

B) Fire burning too low, open air vents on stove create hot fire this may 'burn' glass clean.

C) If glass requires cleaning use glass cleaner recommended by your supplier, only use glass cleaner or cold glass. DO NOT USE any abrasives or scrapers as these will scratch glass causing tar build up harder to remove.

### **UNBURNT FUEL IN FIREBOX**

Insufficient air reaching fuel. Open primary air slide, this will supply combustion air to burn fuel fully (unless it has reached a 'point of return'). Check ash pan is full, empty if required, grate may be blocked de-ash with riddler. Check for jammed clinker or nails in grate when fires out and cold.

### **SMOKE AND FUMES ENTERING ROOM**

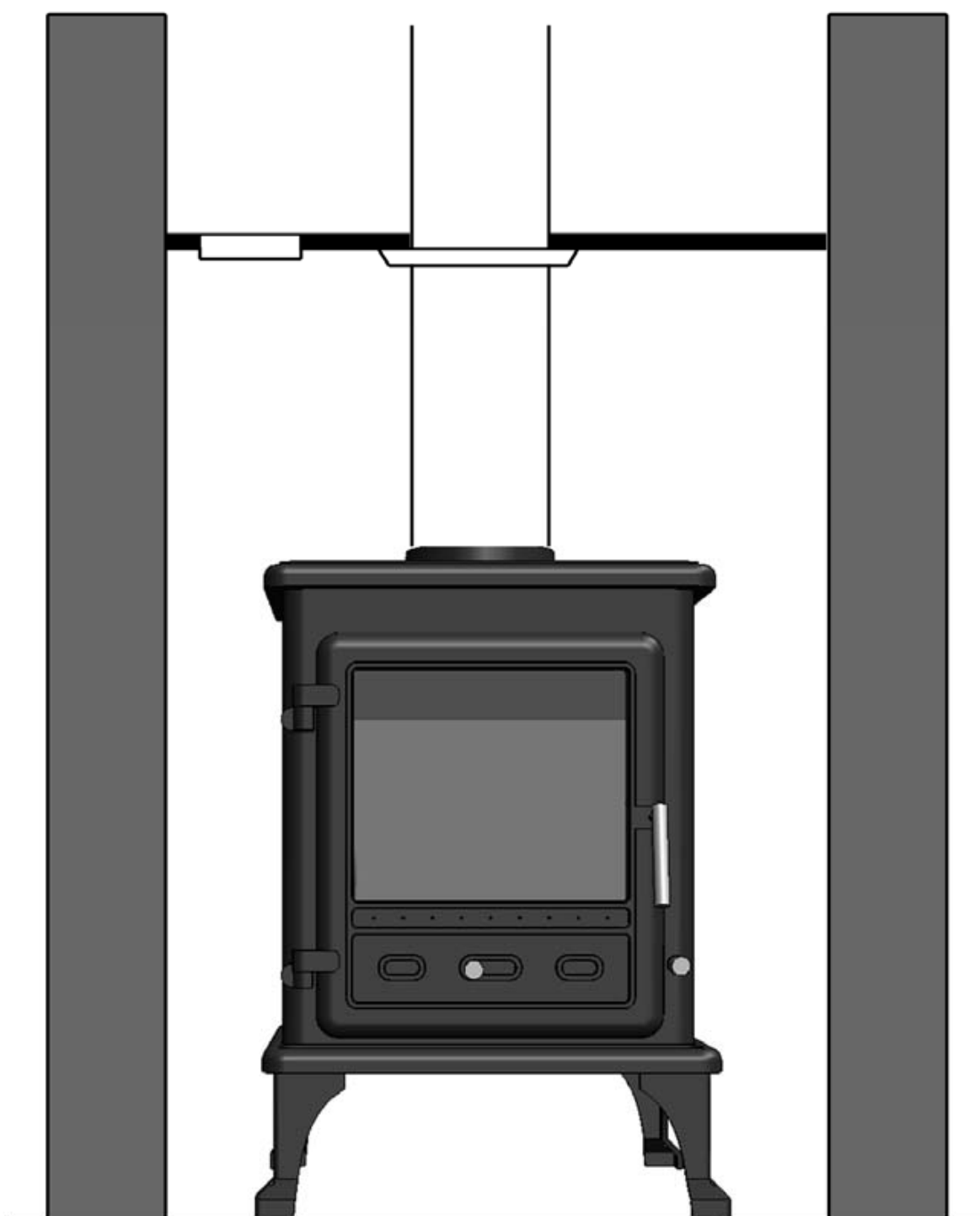
These are very dangerous and must NOT be tolerated. Open window and allow fire to burn out, seek expert advice immediately. DO NOT USE stove until the problem is solved.

### **CHIMNEY FIRE**

Identified by loud roaring sounds, dense smoke and sparks emitting from chimney. Shut down the air supply by closing the air vents, close the stove door fully and call the fire brigade immediately. Regular chimney maintenance will prevent chimney fires. Seek advice from a qualified chimney sweep

## Installation Diagrams

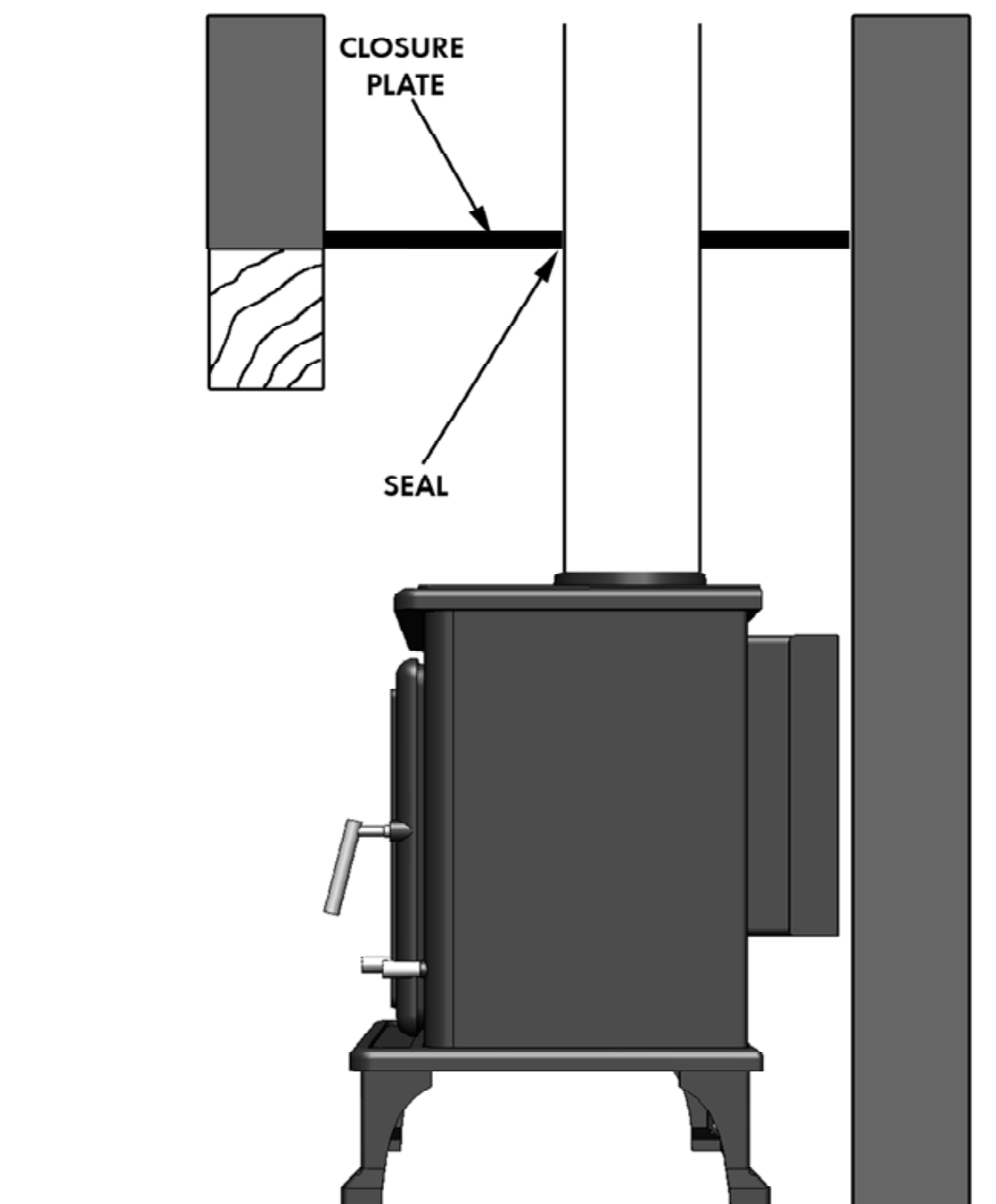
Typical Top Flue Installation using steel closure plate incorporating clean out door for chimney sweeping.



## Installation Diagrams

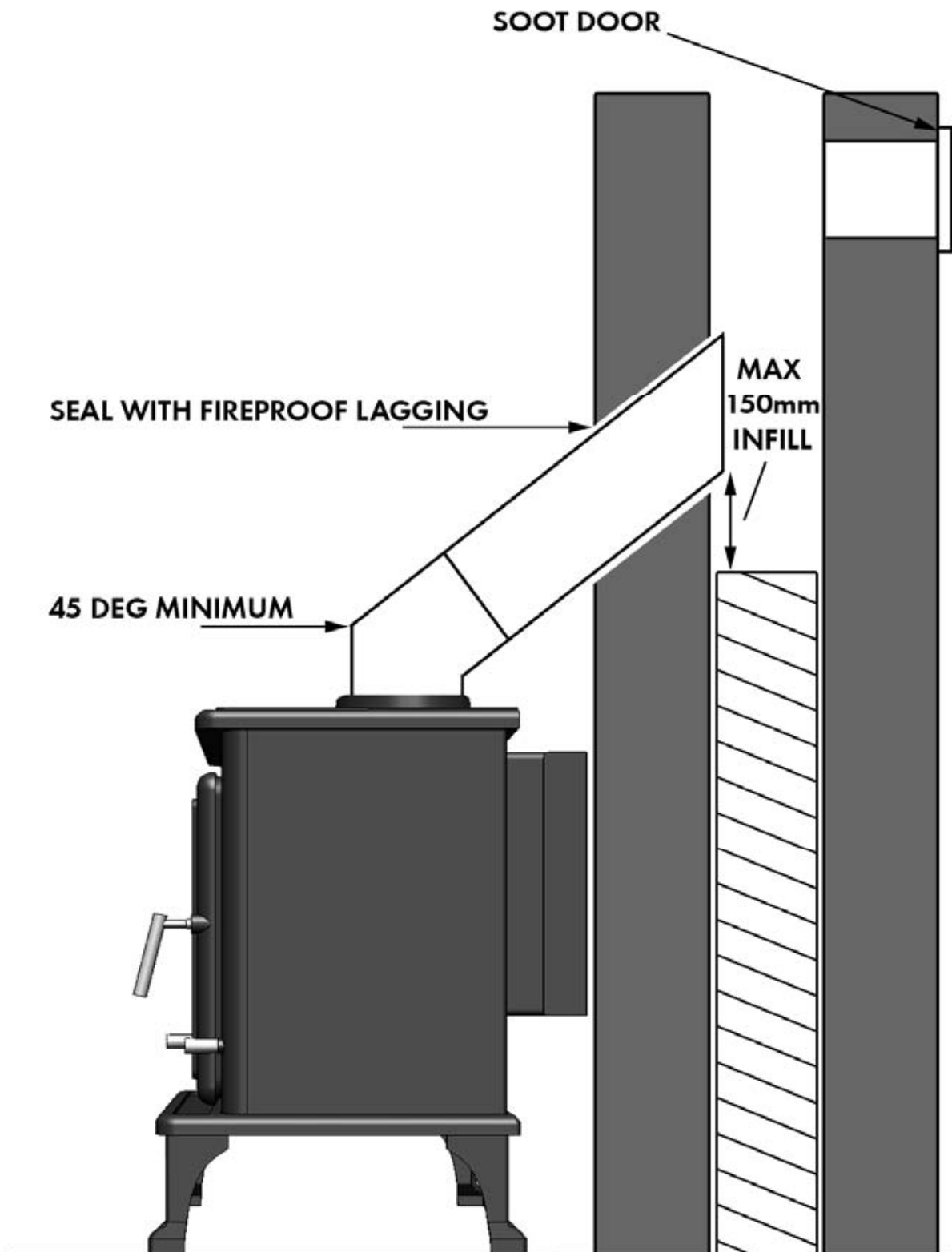
### Typical Installation For Inglenook Fireplaces

Inglenook fireplaces can have very large bore chimneys. Check with your installer – you may need stainless steel flexible liner for solid fuel fitting.

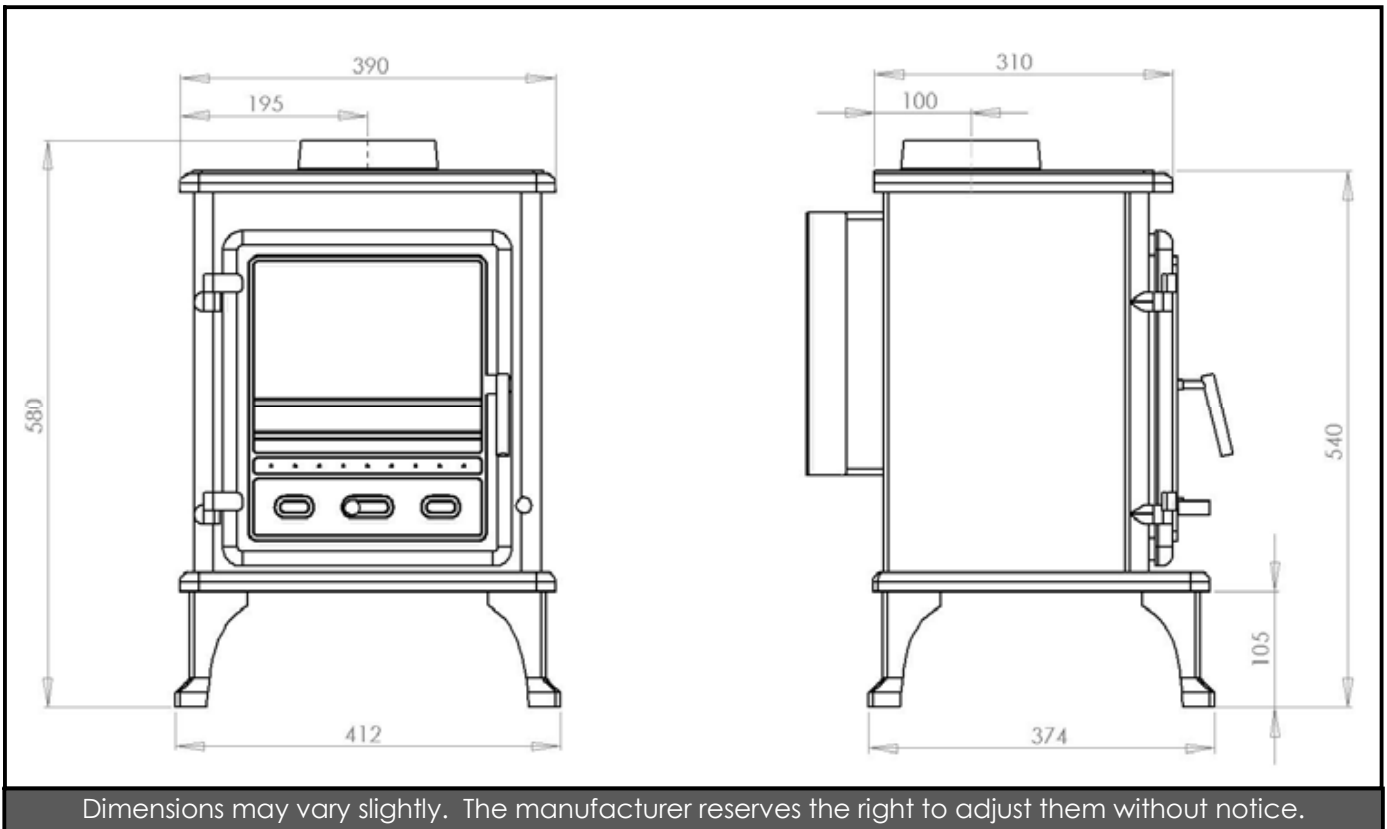


## Installation Diagrams

### Typical Installation Into In Filled Masonry Fireplaces



## Specifications



Technical Information			
Nominal Heat Output		kW	4.9
Efficiency		%	72
Flue Gas Temp		°C	313
Refuel Period		Hour	1
Safe Distance to Combustibles	Sides	mm	450
	Rear	mm	400
Flue Outlet Size		mm	125
Flue Gas Mass Flow		g/s	5.1
CO emission at 13% O <sub>2</sub>		%	0.36
Appliance Weight		kg	75

Percy Doughty & Co  
Imperial Point, Express Trading Estate  
Stonehill Rd, Farnworth, Bolton, BL4 9TN

<b>LRB-2020-17 - 20/00093/FLL – Erection of a maintenance/ storage shed, land 100 metres north east of Old Church, Lawers</b>
---

**PLANNING DECISION NOTICE** *(included in  
applicant's submission, pages 61-62)*

**REPORT OF HANDLING** *(included in applicant's  
submission, pages 63-71)*

**REFERENCE DOCUMENTS** *(included in  
applicant's submission, pages 81-138)*





**LRB-2020-17 - 20/00093/FLL – Erection of a maintenance/  
storage shed, land 100 metres north east of Old Church,  
Lawers**

## **REPRESENTATIONS**





To:	Sean Panton, Planning Officer
From:	Sophie Nicol, Historic Environment Manager
Tel:	01738 477037
Email:	Sophie.Nicol@pkht.org.uk
Date:	20 <sup>th</sup> February 2020

## 20/00093/FLL Erection of a maintenance/storage shed Land 100 Metres North East Of Old Church Lawers

Thank you for consulting PKHT on the above application. The development site is considered to be archaeologically sensitive as it proposes the construction of a permanent hut adjacent to the scheduled monument of Old Lawers Village (SM 6280). Survey work and excavation was undertaken on this site as part of the Ben Lawers Historic Landscape Project (1996-2005) during which the Lawers complex was identified as “a key component in the history and evolution of the northern shores of the loch until their eventual abandonment at the end of the 19<sup>th</sup> Century” (Atkinson, J 2016, SAIR).

The proposal intends to construct a hut for the storage of tools and accommodation to allow for maintenance to the historic ruins of Old Lawers Village, as outlined in correspondence to Historic Environment Scotland. Although we fully support the conservation of the monument, we do not agree that such works require a permanent hut.

The siting of the hut is out with the SM area but will impact on a largely unchanged historic asset, both visually and possibly physically should there be buried remains below it. The Local Development Plan 2019 Policy 26A states that there is a presumption against development that would have an adverse effect on scheduled monuments. This site comprises fragments of historic buildings, where the footprints and the layout of the old village can be seen and interpreted. The proposed hut would have a detrimental impact on this and as such we do not believe this application should get planning consent. Instead, the applicant should consider temporary accommodation for undertaking the proposed works to the monument.

The test trenches undertaken as part of the Ben Lawers Historic Landscape project identified that the village was likely re-ordered during the 18<sup>th</sup> century. However, if the application is successful it is still possibly buried archaeological remains of earlier settlement may be disturbed, therefore archaeological work would be required to record this prior to construction.

In conclusion, PKHT believe that **this application should be refused** on the basis of its unnecessary impact on a nationally important site and its setting. However, if permission is granted we would recommend that a programme of archaeological works are undertaken in advance of development.

### Recommendation:

In line with Scottish Planning Policy historic environment section (paragraphs 135-137 and 150) and Policy 26 of the Perth and Kinross Local Development Plan, it is recommended that the following condition for a programme of archaeological works be attached to consent, if granted:

**HE25** *Development shall not commence until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of archaeological investigation which has been submitted by the applicant, and agreed in writing by the Council as Planning Authority, in consultation with Perth and Kinross Heritage Trust.*

*Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented including that all excavation, preservation, recording, recovery, analysis, publication and archiving of archaeological resources within the development site is undertaken. In addition, the developer shall afford access at all reasonable times to Perth and Kinross Heritage Trust or a nominated representative and shall allow them to observe work in progress.*

Notes:

- 1. Should consent be given, it is important that the developer, or his agent, contact me as soon as possible. I can then explain the procedure of works required and, if necessary, prepare for them written Terms of Reference.**
2. This advice is based on information held on the Perth and Kinross Historic Environment Record. This database of archaeological sites and historic buildings is regularly updated.

## Comments to the Development Quality Manager on a Planning Application

<b>Planning Application ref.</b>	20/00093/FLL	<b>Comments provided by</b>	Duncan Lewis
<b>Service/Section</b>	HE/Flooding	<b>Contact Details</b>	
<b>Description of Proposal</b>	Erection of a maintenance/storage shed		
<b>Address of site</b>	Land 100 Metres North East Of Old Church Lawers		
<b>Comments on the proposal</b>	<p>We have reviewed this application and the proposed development is within the 1:200year functional floodplain as shown on the SEPA Flood Map.</p> <p>The post development is to support the maintenance work on the existing monuments, so they include storage and welfare facilities. We have the opinion that this has to be located here due too the locations of the monuments therefore we have no objection to this proposal.</p> <p>We require the condition that the building will not be used for habitual accommodation. The application is not temporary which is surprising due to the nature of the works, we would not support any future application for the change of use from the storage shed to holiday accommodation without the submission of a flood risk assessment.</p> <p>The Ben Lawers burn has a history of flooding and is very flashy and the contractors should be made aware of this.</p>		
<b>Recommended planning condition(s)</b>			
<b>Recommended informative(s) for applicant</b>			
<b>Date comments returned</b>	25/02/20		



# Memorandum

To	Development Quality Manager	From	Regulatory Services Manager
Your ref	20/00093/FLL	Our ref	KIM
Date	26/02/2020	Tel No	

Housing & Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

## **Consultation on an Application for Planning Permission**

**PK20/00093/FLL RE: Erection of a maintenance/storage shed Land 100 Metres North East Of Old Church Lawers for Mr Angus Thomson**

I refer to your letter dated 19 February 2020 in connection with the above application and have the following comments to make.

**Environmental Health** (assessment date – 26/02/2020)

### **Comments**

I note the proposed installation of a wood burning stove however I foresee no loss of amenity and thus I have no adverse comments in relation to the application.







HISTORIC  
ENVIRONMENT  
SCOTLAND

ÀRAINNEACHD  
EACHDRAIDHEIL  
ALBA

**By email to:**

[Developmentmanagement@pkc.gov.uk](mailto:Developmentmanagement@pkc.gov.uk)

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

Longmore House  
Salisbury Place  
Edinburgh  
EH9 1SH

Enquiry Line: 0131-668-8716  
[HMConsultations@hes.scot](mailto:HMConsultations@hes.scot)

Our case ID: 300043441  
Your ref: 20/00093/FLL  
02 March 2020

Dear Sir/Madam

Town and Country Planning (Development Management Procedure) (Scotland)  
Regulations 2013  
Land 100 Metres North East Of Old Church, Lawers - Erection of a maintenance/storage  
shed

Thank you for your consultation which we received on 19 February 2020. We have assessed it for our historic environment interests and consider that the proposals affect the following:

Ref	Name	Designation Type
SM6280	Old Lawers Village, deserted settlement and burial ground 250m NNE of Lawers Pier	Scheduled Monument

You should also seek advice from your archaeology and conservation service for matters including unscheduled archaeology and category B and C-listed buildings.

### Our Advice

Building a modern structure in this location would have some impact on the setting of the scheduled monument. A shed here would introduce a modern element into an area that has remained largely unchanged since the settlement was in use, and could to a degree compromise appreciation of the monument.

However, the scale and design of the shed, and the lack of associated landscaping works and infrastructure, contribute to limiting the setting impact. Views between different elements of the scheduled monument would be largely unaffected, and there would not be a major impact on most views to and from the monument.

The applicant should note that the scheduled monument designation has been amended since we gave pre-application advice in 2018. This means that the scheduled monument boundary indicated on the drawing "Site Plan as Proposed" (18018 – FE(PL)0004 rev 1) is no longer correct. The boundary now lies 5m further east, along the west edge of the proposed shed footprint. We recommend that the correct boundary of the scheduled monument should be added to relevant drawings. We enclose a drawing showing the

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**



current extent of the scheduled monument. The applicant can also obtain spatial information on the location of the scheduled monument from our website:

<https://portal.historicenvironment.scot/downloads>

If the applicant needs to conduct any works to the west of the shed footprint in order to construct the shed, this would require Scheduled Monument Consent be obtained from Historic Environment Scotland in advance. The applicant should ensure that no works are undertaken within the scheduled monument without our consent. We recommend the applicant should accurately mark out the scheduled area and make relevant contractors aware of the location of the scheduled monument and protections offered to it.

If works are needed to the west of the proposed shed, we would recommend the applicant considers adjusting the shed's position slightly further to the east, to avoid any impact on the scheduled monument and any requirement for scheduled monument consent.

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

### **Further Information**

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at [www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/](http://www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/). Technical advice is available through our Technical Conservation website at [www.engineshed.org](http://www.engineshed.org).

Please contact us if you have any questions about this response. The officer managing this case is Richard Heawood who can be contacted by phone on 0131 668 8077 or by email on [Richard.Heawood@hes.scot](mailto:Richard.Heawood@hes.scot).

Yours faithfully

### **Historic Environment Scotland**

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**

THIS MAP IS INDICATIVE ONLY AND DOES NOT FORM PART OF ANY LEGAL DOCUMENT



Scheduled Area



0 10 20 30 40 50



Meters

Scale: 1:1,000

Contains Historic Environment Scotland and Ordnance Survey Data © Historic Environment Scotland © Crown copyright and database rights 2020 Ordnance Survey [100057073] Aerial Imagery Data © Getmapping

**Ordnance Survey Data**

You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

Scottish Charity No. SC045925



---

**From:** Paul Kettles  
**Sent:** 09 March 2020 14:49  
**To:** Sean Panton  
**Subject:** Tree Works - Old Lawers Village - 20/00093/FLL

Hi Sean

With reference to this application, I confirm the following:-

I have looked at the *schedule of works/method statement* and the proposed tree works, prepared by HES, and the supporting statement of 21 January 2020 by Angus Thomson.

The sensitivities of this site as a scheduled monument are recognised, as is the level of care which any approved arboricultural works will require to be undertaken. Arboricultural works should be undertaken by arborists conversant with BS3998: 2010.

However, the level of care and sensitivities at this site does not differ materially from arboricultural works being undertaken adjacent to residential buildings (listed or unlisted) where the fabric of a building, conservatories, etc. has to be taken into account.

It is the case that tree works have been identified (as a consequence of a lack of management enabling trees to establish close to derelict buildings), including the selective removal of trees and tree pruning, which ordinarily can be undertaken as a one off operation within a few days by professional arborists, and thereafter any additional tree removal or judicious pruning, undertaken by subsequent visits, however, there is simply no justification for the size or permanence of the structure being applied for to facilitate these tree works, or indeed to manage trees at the site.

It is not the case that the tree works identified require to be undertaken over a prolonged period, necessitating an onsite presence; but following approval from NTS, the majority could readily be undertaken in a single operation, with subsequent visits to deal with any regrowth and regeneration.

Insofar as the tree works identified at the site, I would advise that there is insufficient justification for the introduction of the structure as proposed.

Regards

Paul

Paul Kettles  
Enforcement Officer (Trees)  
Planning & Development  
Corporate and Democratic Services  
Perth & Kinross Council

