

LRB-2021-06

Planning Application – 20/01100/FLL – Demolition of dwellinghouse, erection of 3 dwellinghouses, garage, retaining walls and formation of an access road, land 130 metres north of Craigdallie Cottage, Inchtute

INDEX

- (a) Papers submitted by the Applicant (***Pages 237-254***)
- (b) Decision Notice (***Pages 257-258***)
 - Report of Handling (***Pages 259-269***)
 - Reference Documents (***Pages 271-358***)
- (c) Representations (***Pages 359-406***)

LRB-2021-06

Planning Application – 20/01100/FLL – Demolition of dwellinghouse, erection of 3 dwellinghouses, garage, retaining walls and formation of an access road, land 130 metres north of Craigdallie Cottage, Inchtute

**PAPERS SUBMITTED
BY THE
APPLICANT**



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

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100290853-003

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:

Ref. Number:

You must enter a Building Name or Number, or both: *

First Name: *

Building Name:

Last Name: *

Building Number:

Telephone Number: *

Address 1 (Street): *

Extension Number:

Address 2:

Mobile Number:

Town/City: *

Fax Number:

Country: *

Postcode: *

Email Address: *

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

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *
Other Title:		Building Name: Unit 8
First Name: *	Joe	Building Number:
Last Name: *	Bryce	Address 1 (Street): * Gartferry Road
Company/Organisation	Tradecast Building Services Ltd	Address 2: Moodiesburn
Telephone Number: *		Town/City: * Glasgow
Extension Number:		Country: * Scotland
Mobile Number:		Postcode: * G69 0LY
Fax Number:		
Email Address: *		

Site Address Details

Planning Authority:	Perth and Kinross Council
Full postal address of the site (including postcode where available):	
Address 1:	
Address 2:	
Address 3:	
Address 4:	
Address 5:	
Town/City/Settlement:	
Post Code:	

Please identify/describe the location of the site or sites

Northing	728871	Easting	324973
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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)

Demolition of dwellinghouse, erection of 3 dwellinghouses, garage, retaining walls and formation of an access road Land 130 Metres North Of Craigdallie Cottage Inchtute

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.

all as per attached schedule 'Local Review Board Appeal Report Submission'

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)

- Local Review Board Appeal Report Submission

Application Details

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

20/01100/FLL

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

22/09/2020

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

14/12/2020

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

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☒ Yes ☐ No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Robert Jack

Declaration Date: 25/02/2021

Demolition of dwellinghouse, erection of 3 dwellinghouses, garage, retaining walls and formation of an access road Land 130 Metres North Of Craigdallie Cottage Inchtute

Application Number: 20/01100/FLL – Refusal Date 14th December 2020

Dear Sir / Madam,

Following the recent refusal of the above application we would like to appeal the decision as follows and in the order that the reasons for refusal were given on the council's decision notice.

REASON FOR REFUSAL NO. 1 –

'The proposal is contrary to Policy 19 Housing in the Countryside of the Perth and Kinross Local Development Plan 2 (2019) and the Council's Housing in the Countryside Guide 2020 as the proposal by virtue of the scale of the development and impact on the visual amenity of the group fails to satisfactorily comply with category (1) Building Groups of the policy and guide.'

POLICY 19 (Local Development Plan 2 – 2019) – HOUSING IN THE COUNTRYSIDE -

"The Council will support proposals for the erection, or creation through conversion, of single houses and small groups of houses in the countryside which fall into at least one of the following categories:

- 1. (1) building groups;*
- 2. (2) infill sites;*
- 3. (3) new houses in the open countryside on defined categories of sites as set out in Section 3 of the Supplementary Guidance;*
- 4. (4) renovation or replacement of houses;*
- 5. (5) conversion or replacement of redundant non-domestic buildings;*
- 6. (6) development on rural brownfield land.*

The application of this policy is limited within the Green Belt to proven economic need, conversions or replacement buildings.

Development proposals should not result in adverse effects, either individually or in combination, on the integrity of the Firth of Tay and Eden Estuary, Loch Leven, South Tayside Goose Roosts and Forest of Clunie SPAs and Dunkeld-Blairgowrie Loch and the River Tay SACs. Applications shall be supported by sufficient information to allow the Council to conclude that there would be no such adverse effects.

Note: For development to be acceptable under the terms of this policy it must comply with the requirements of all relevant Supplementary Guidance, in particular the Housing in the Countryside Guide"

- Please see attached Fig.1.1 below for accurate computer generated image of the proposed development in context photo-montage form, which we feel shows that the proposed new houses are not out of scale with the immediate building group along the road at Craigdallie. It is our contention that the elevated scale of the buildings are not out of place with the neighbouring dwellings to the west (Westmill Cottages and The Braes) – indeed these are significant 1.5 storey dwellings as high or higher in profile and far more apparent from the road. See original photo montage image in Fig. 1.2 below.



Fig.1.1 – Computer generated photo montage image of the proposed development, looking north from farmer's fields to south.



Fig.1.2 – Original image for photo montage showing existing Craigdallie Cottage in situ.

- Through our pre-planning consultation response (registered 6th December 2019 and discussed over phone in February 2020) we decided to revert from a 1.5 storey set of 3 houses at the front of the site (plus the replacement of the larger dwelling behind) and revert back to 2no. 1 storey dwellings in the small cottage style found in the group of buildings in Craigdallie. These revised drawings were sent to Joanne Ferguson for a further opinion on their suitability on 18th February 2020 and the CGI image below followed on 30th March 2020 – but no further opinions were received from the council. We feel that we accepted and compromised at this stage to integrate the designs to the setting and building group – and we feel that there is sufficient buildings of this style, scale and location along the minor road to ensure that these should be seen as compliant in this regard (see Figures 1.3 through 1.9 for full details below).



Fig.1.3 – Google street view Image of farm steading 300m west of Craigdallie group proper – looking east to Craigdallie



Fig.1.4 – Google street view Image of garage/outbuilding in front of Mill House – looking east along minor road.



Fig.1.5 – Google street view Image of Westmill Cottages – looking east along minor road.



Fig.1.6 – Google street view Image of Willow House and Rowan Cottage – looking east along minor road.



Fig.1.7 – Google street view Image of Rowan Cottage – looking east along minor road.



Fig.1.8 – Google street view Image of Bramley Cottage – looking east along minor road.



Fig.1.9 – Google street view Image of Unnamed 2 storey dwelling at extreme eastern edge of Craigdallie – looking east along minor road.

- With regards to the proposed demolition and replacement of Craigdallie Cottage itself (which is deemed as necessary due to the continued ruinous state of the existing roof structure and rear wall retaining structures, etc.) – we gain feel that its position, scale and profile is not out of context to the building group – indeed, we believe we have shown in the images above that there is no ‘theme’ to the building group In Craigdallie to be out of context with. The proposed new house is based on the same rough cruciform footprint as the original house (219sq.m against a proposed 315sq.m for the new house – and 83sq.m of this 96sq.m increase is the extended portion to the rear which is proposed to set into the hill using retaining walls so that it is only 1 storey in rear elevation – the very fact that this is located to the rear means that the increased footprint area is very unlikely to be seen by anyone but the occupiers). We would also confirm that the whole footprint of proposed buildings in this application only represents 8% of the planning red-line boundary for the site (488sq.m of 6175sq.m total application boundary). We would argue that this is an extremely small proportion of the site boundary and this again is only a small proportion of the applicants larger ownership at Craigdallie.
- It is also noted that the original Craigdallie Cottage was also a 1.5 storey dwelling with room in the roof – See Fig. 1.10 for clarification. The proposed dwelling is proposed to be only 1.43m higher to the ridge line (albeit our proposed ridge is more consistent and longer) – an increase of approx.. 15% or so. Furthermore, the topography in the area means that no building would ever infringe upon the horizon behind and it is felt that the scale of the hill and forestation rising up in elevation behind provide a mitigating effect on the building at lower elevation nearer the road.
- It was clear in communications with the planner prior to determination that there was a concern regarding the scale and height of retaining walls which have been proposed to provide parking and level access to the proposed new replacement dwelling for Craigdallie Cottage and to a lesser extent in the retaining walls providing a step between gardens from the upper to the proposed lower 2 dwellings (email from Joanne Ferguson to Robert Jack – 23rd November 2020). Firstly, I would suggest that Fig. 1.1 would confirm our assertion that the proposed retaining structures are not overly dominant in the landscape as proposed. Secondly, we would disagree that the retaining structures should be assessed or dismissed in this way – they are there to provide compliance with level access guidelines for all dwellings these days – simply put – a scheme without them in some degree would preclude anyone infirm or disabled from owning this proposed house (or indeed the existing house – as there is no way that car could access and turn around at present due to the levels found on site). We feel that this should be taken into account by the Local Review Board, it is simply not the case that these were included for increased amenity areas (quite the contrary, these structures are prohibitively expensive to construct and any developer would rather not have to carry out this work).



Fig.1.10 – Photograph of existing rear of Craigdallie Cottage – showing 1.5 storey as existing.

- It is felt that the with some ‘give and take’ and appropriate conditions, we could have possibly agreed a reduction some of the retaining structures and / or specified ‘green’ retaining walls such as timber crib walling – See Figure 1.11 below for an example. We would request that the Local review Board give this some further thought – as the attempt to provide useful parking and access for persons of all abilities (and indeed enjoyment of portions of their garden ownership – all of which are material planning concerns) should not be the defining impediment to the approval of the scheme. Indeed, we would welcome any mitigation aspects under condition that contribute to a scheme which would fit into the countryside in a more sympathetic way.



Fig.1.11 – Example of timber crib-wall retaining structure providing opportunity for greenery and vertical gardens.

- With regards to Policy 19 of the Local Development Plan, ***“The Council will support proposals for the erection, or creation through conversion, of single houses and small groups of houses in the countryside which fall into at least one of the following categories: (1) building groups; (2) infill sites; (4) renovation or replacement of houses; (5) conversion or replacement of redundant non-domestic buildings,*** it is felt that the proposed scheme could fall into any of the 4 sub-categories as detailed above (only one of which is required to meet to allow approval of the scheme by this measure.

REASON FOR REFUSAL NO. 2 –

‘The proposal is contrary to Policy 1A and 1B Placemaking of the Perth and Kinross Local Development Plan 2 (2019) and the Supplementary Placemaking Guidance 2020. The proposed development would not contribute positively to the built and natural environment due to the mass of the replacement dwelling in combination with the proposed new builds resulting in an overdevelopment of the site. The proposal by virtue of the amount of retaining structures required to form usable amenity space and parking are not considered to be appropriate in terms of their impact on the visual amenity of the rural location.’

POLICY 1A (Local Development Plan 2 – 2019) – HOUSING IN THE COUNTRYSIDE-

“Development must contribute positively to the quality of the surrounding built and natural environment. All development should be planned and designed with reference to climate change, mitigation and adaptation.

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

- With regards to the above policy, we believe that we have shown compliance with this measure for the proposed development – for the reasons outlined in section 1 above regarding density and design. Furthermore we would argue that the proposed strengthening and continuation of the ‘street scape’ with the proposed single storey dwellings to the road-side (joining up similarly sized and located developments) and the proposed improved pathway alongside the road does improve the general surrounding built environment and ‘Placemaking’. Indeed, we would argue that the single medium sized dwelling on the site – at such an elevated position – as existing is currently worse in the context of ‘Placemaking’. We also have provided a detailed landscaping plan and tree-report which allows for extensive new tree-planting (very few existing mature trees are intended to be removed as part of these works in any case) which will improve the greenery on the site and mitigate any concerns regarding the scale of the proposals. We have also shown that the potential bat population can be accommodated with new measures to the trees at the rear of the site and proposed gables, and planting new linear hedge and tree lines to the remainder of the new site will allow this integration to continue.

POLICY 1B (Local Development Plan 2 – 2019) – HOUSING IN THE COUNTRYSIDE-

“All proposals should meet all the following placemaking criteria:

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

- We feel that we have already covered this issue in the section above (policy 1A and in section 1 with regards to Policy 19). See above with regards street-scape justification and clarification of scale and position of existing neighbouring dwellings in Figures 1.1 through 1.9

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

- We feel that we have already partially covered this issue in the section above (policy 1A and in section 1 with regards to Policy 19). See above with regards street-scape justification and clarification of scale and position of existing neighbouring dwellings in Figures 1.1 through 1.9. The proposed development does not break the sky-line (and indeed only enlarges the existing dwelling by a comparatively small amount). The new proposed cottages to the lower portion of the site are designed with sympathy to existing road-side cottage structures.

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

- We feel that we have already partially covered this issue in the section above (policy 1A and in section 1 with regards to Policy 19). See above with regards street-scape justification and clarification of scale and position of existing neighbouring dwellings in Figures 1.1 through 1.9. The proposed development does not break the sky-line (and indeed only enlarges the existing dwelling by a comparatively small amount). The new proposed cottages to the lower portion of the site are designed with sympathy to existing road-side cottage structures. We would accept conditions with regards to finish and colours if the Local Review Board felt this necessary. It is often a standard ‘go-to’ to suggest white render to dwellings in a rural context – it is noted that very few of the surrounding dwellings have adhered to this strategy – and what has resulted is a bit of a mix of finishes to the surroundings (different colours of render and natural stone) – something which makes it difficult to accept that we are not complying with this portion of the policy. However, if a colour or finish would be more acceptable then we would be happy to accept this under condition.

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

- We feel that we have already covered this issue in the section above (policy 1A and in section 1 with regards to Policy 19). See above with regards street-scape justification and clarification of scale and position of existing neighbouring dwellings in Figures 1.1 through 1.9

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

- We feel that we have already covered this issue in the section above (policy 1A and in section 1 with regards to Policy 19). See above with regards street-scape justification / provision of new footpath to road-side. Internal site layout is designed with ease of access (pedestrian and vehicular) to the proposed new dwellings, as discussed above.

6. (f) Buildings and spaces should be designed with future adaptability, climate change and resource efficiency in mind wherever possible.

- It is intended that the proposed development, if approved, will be designed to the highest levels of energy sustainability and will incorporate significant levels of renewable energy resourcing. Provision of materials for construction will be sourced as near to the site as practicable. There is also provision in the design for the maximum usage of the elevated south-facing aspect in terms of natural heat / lighting gains and there is provision to meet all waste recycling schemes currently prevalent in Perth and Kinross – and there is space for future expansion of these needs.

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

- We have already detailed partly on the reasons for removal of the existing building due to the ruinous state the structure has been in for the past decades. Retention of the building would not allow the provision of the higher levels of energy efficiency that would be possible otherwise.

8. Incorporate green infrastructure into new developments to promote active travel and make connections where possible to blue and green networks.

- We admit that the above has not been fully accessed due to the remote nature of the Craigdallie group of buildings, however, this has never been brought to our attention as a material concern for the proposed development by the planning dept.

9. (i) Provision of satisfactory arrangements for the storage and collection of refuse and recyclable materials (with consideration of communal facilities for major developments).

- As above, we have confirmed that there is provision to meet all waste recycling schemes currently prevalent in Perth and Kinross – and there is space for future expansion of these needs.

10. (j) Sustainable design and construction.”

- As described above - It is intended that the proposed development, if approved, will be designed to the highest levels of energy sustainability and will incorporate significant levels of renewable energy resourcing. Provision of materials for construction will be sourced as near to the site as practicable. There is also provision in the design for the maximum usage of the elevated south-facing aspect in terms of natural heat / lighting gains.

It is our opinion that the above reasons for refusal have been shown to be unfounded and the application should be approved with appropriate conditions.

Report carried out by Mr Robert Jack (Agent) for Tradecast Building Services Ltd. (Applicant)

LRB-2021-06

Planning Application – 20/01100/FLL – Demolition of dwellinghouse, erection of 3 dwellinghouses, garage, retaining walls and formation of an access road, land 130 metres north of Craigdallie Cottage, Inchtute

PLANNING DECISION NOTICE

REPORT OF HANDLING

REFERENCE DOCUMENTS



Tradecast Building Services Ltd
c/o Robert Jack
3 Brick Row
Gladsmuir
East Lothian
EH33 1EE

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date of Notice: **14th December 2020**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **20/01100/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 22nd September 2020 for Planning Permission for **Demolition of dwellinghouse, erection of 3 dwellinghouses, garage, retaining walls and formation of an access road Land 130 Metres North Of Craigdallie Cottage Inchtur**

David Littlejohn
Head of Planning and Development

Reasons for Refusal

- 1 The proposal is contrary to Policy 19 Housing in the Countryside of the Perth and Kinross Local Development Plan 2 (2019) and the Council's Housing in the Countryside Guide 2020 as the proposal by virtue of the scale of the development and impact on the visual amenity of the group fails to satisfactorily comply with category (1) Building Groups of the policy and guide.
- 2 The proposal is contrary to Policy 1A and 1B Placemaking of the Perth and Kinross Local Development Plan 2 (2019) and the Supplementary Placemaking Guidance 2020. The proposed development would not contribute positively to the built and natural environment due to the mass of the replacement dwelling in combination with the proposed new builds resulting in an overdevelopment of the site. The proposal by virtue of the amount of retaining structures required to form usable amenity space and parking are not considered to be appropriate in terms of their impact on the visual amenity of the rural location.

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 "Online Planning Applications" page

Plan Reference

01

02

03

04

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06

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REPORT OF HANDLING

DELEGATED REPORT

Ref No	20/01100/FLL	
Ward No	P1- Carse Of Gowrie	
Due Determination Date	21st November 2020	
Report Drafted Date	3rd December 2020	
Report Issued by	JF	Date 14/12/20

PROPOSAL: Demolition of dwellinghouse, erection of 3 dwellinghouses, garage, retaining walls and formation of an access road

LOCATION: Land 130 Metres North Of Craigdallie Cottage Inchtur

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: No site visit due to Covid-19 restrictions, images supplied by agent and google streetview used.

SITE PHOTOGRAPHS





BACKGROUND AND DESCRIPTION OF PROPOSAL

The site is located within a small building group, Craigdallie. The site lies between two existing dwellings, the public road lies to the south with the topography rising to the north which is woodland.

The site contains two buildings; a dwelling and outbuilding the dwelling has been partially demolished. The proposal includes the replacement of the existing cottage with a dwelling house and detached garage (Plot 1) along with the formation of two cottages beside the road (Plot 2 and Plot 3). The site has been cleared of a number of trees particularly along the roadside and as the site is sloping a number of retaining walls are proposed throughout the site.

SITE HISTORY

No recent site history

PRE-APPLICATION CONSULTATION

Pre application Reference: 19/00600/PREAPP

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

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the TAYplan should be noted. The vision states *“By 2036 the TAYplan area will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs.”*

Perth and Kinross Local Development Plan 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:

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 5: Infrastructure Contributions

Policy 19: Housing in the Countryside

Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development

Policy 40A: Forestry, Woodland and Trees: Forest and Woodland Strategy

Policy 40B: Forestry, Woodland and Trees: Trees, Woodland and Development

Policy 41: Biodiversity

Policy 53B: Water Environment and Drainage: Foul Drainage

Policy 53C: Water Environment and Drainage: Surface Water Drainage

Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

OTHER POLICIES

Placemaking Supplementary Guidance 2020

Housing in the Countryside Supplementary Guidance 2020

Developer Contributions Supplementary Guidance

CONSULTATION RESPONSES

Environmental Health (Private Water) No objection

Development Negotiations Officer	Contributions required
Transport Planning Biodiversity/Tree Officer	No objection to the principle Conditions/additional info required
National Grid Plant Protection Team	No objection
Environmental Health (Contaminated Land)	No objection
Environmental Health (Noise Odour)	No objection
Perth And Kinross Heritage Trust	Condition required

REPRESENTATIONS

The following points were raised in the 4 representations received:

- Overdevelopment
- Inappropriate design and scale of development
- Contrary to policy
- Loss of daylight
- Overlooking
- Road safety issues with parking
- Detrimental impact on landscape character
- Surface water run off and flooding

These issues are addressed in the appraisal section of the report.

ADDITIONAL STATEMENTS

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

APPRAISAL

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

Policy 19 - Housing in the Countryside and the Supplementary Guidance 2020, notes that opportunities exist for housing in rural areas to support the viability of communities, meet development needs in appropriate locations while safeguarding the character of the countryside as well as ensuring that a high standard of siting and design is achieved. The development of single houses or groups of houses which fall within the six identified categories will be supported.

The Council will support proposals for the erection, or creation through conversion, of single houses and groups of houses in the countryside which fall into at least one of the following categories:

- 1) Building Groups
- 2) Infill site
- 3) New houses in the countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance
- 4) Renovation or replacement of houses
- 5) Conversion or replacement of redundant non-domestic buildings
- 6) Development on rural brownfield land

The site has a dwelling and outbuilding in situ and is located within an existing building group which comprises of a linear building arrangement with dwellings along the road edge and set behind.

The proposal is for the erection of a replacement dwelling and two new build dwellings.

The two new semi-detached cottages on the road edge to the south of the site are primarily considered under Category 1 Building Groups. This category states that permission will be granted for houses within building groups providing it can be demonstrated that the new housing will respect the character, scale and form of the existing group and will be integrated into the existing layout and building pattern. New housing should also not detract from the visual amenity of the group when viewed from the wider landscape. A high standard of residential amenity will be provided for both the existing and new housing.

The two new roadside dwellings reflect the character of existing development in the area and could be considered as infill in the group. However there are concerns that this combined with the replacement dwelling and retaining structures is an overdevelopment of the site to the detriment of the existing visual amenity of the area.

The replacement of the existing dwelling is considered under Category 4 Renovation or Replacement of Houses. This category supports the replacement of existing dwellings but notes that where traditional buildings are proposed for demolition justification will be required. Replacement dwellings must be designed appropriately

to its setting and surrounding area. The scale should normally be similar to that of the existing.

The existing dwelling has been partially demolished and the archaeologist has noted its historic significance due to its age. The agent has confirmed that partial demolition was required due to safety issues with the roof and it is considered that if additional information was submitted to supplement the requirement for demolition, then the principle could be supported. As the application is being recommended for refusal this has not been pursued. The replacement dwelling is large in scale and had the replacement been proposed without the addition of the two cottages in front then it may have been considered acceptable. However the mass and scale of the combined development on the site is not considered to be appropriate within the existing group. In addition to this the site has been cleared of vegetation from the roadside and the replacement dwelling incorporates retaining walls to gain useable amenity space and to provide a level site for the larger dwelling footprint. This is considered to detract from the visual amenity of the group when viewed from the wider landscape.

The scale of the proposed replacement dwelling to the rear combined with the two new builds and the degree of alteration of the site levels with the retaining walls is considered to be contrary to policy. It is considered that the site could accommodate a large replacement dwelling or a reduction in the scale/numbers of dwellings but the current proposal is an overdevelopment of the site which would detrimentally impact on the character of the area.

Design and Layout

The site is sloping with the existing dwelling sitting in the middle of the plot. The proposal is to replace the dwelling on the same footprint with a large 1 ½ storey gable ended design on a T shaped floor plan. The proposal includes a double garage and retaining walls to the north to work with the site levels and create amenity space.

The site has been cleared of a number of trees prior to submission which formed the roadside boundary. Within this area two semi-detached single storey cottages are proposed. This reflects the existing development to the west. The cottages are one bedroom and are appropriately designed to reflect the scale of the existing cottages to the west. As the site is sloping a raised terraced garden is proposed to the rear of each cottage.

The proposed materials are white roughcast and slate effect concrete roof tiles. The existing house features white roughcast but within the area the road side properties have a more muted tone of colour finish. There is also a number of properties which features slate roof finishes. If the application had been recommended for approval I would have conditioned the finishes as I'm not convinced about the ones proposed.

As noted previously the extent of the retaining structures to provide useable garden ground and the overall scale of the development on the site does not reflect the character of existing development in the area and results in a somewhat urban character of development.

Residential Amenity

The cottages have windows facing north/south so these do not have an impact on the neighbouring dwellings to the west/east. The depth of the gardens is 9.5m which is adequate to provide amenity space and reduce overlooking from the replacement dwelling to the north.

The new dwelling has been located on the footprint of the existing dwelling and a distance of 9.5m has been retained to the rear of the cottage plots. Where windows have been proposed to the east/west they are also in excess of 9 metres from the boundary.

The agent has outlined the original dwelling on the proposed plans and the main increase in mass is within the central section of the dwelling which is orientated north/south and sits 14metres to the closest boundary. The dwelling is not located any closer to the east boundary than it is already (10m) and although increased in scale the distance is considered enough to mitigate any impacts regarding loss of daylight or privacy to neighbouring properties.

The plans indicate stoves within the livingroom area of Plot 1 dwellinghouse and Livingroom/dining areas of Plot 2&3 dwellinghouses.

The flue exhausts for the individual stoves are through new individual chimneys that terminate at roof height of the dwellinghouses. The kW output for the models range of the stoves ranges from 3kW to 12 kW which are out with the range to be assessed so Environmental Health have no objection.

The flue exhausts are through chimneys which terminate at roof height and emissions should adequately disperse and the residential amenity of future and existing dwellinghouses should not be adversely affected from smoke/odour.

Visual Amenity/ Landscape

The combination of the scale of the replacement dwelling and the two new builds on the road side is considered to be an overdevelopment of the site. In addition to this the retaining walls required to form amenity space and parking are excessive. It is considered that the scheme as proposed would be very visually dominant in the landscape and would have a detrimental impact on the visual amenity of the area.

Trees

Ten trees have already been felled and a further two trees (ash and sycamore) require to be felled to allow this development to proceed. Three trees (T2, T3, T4) are to be retained with the creation of a Tree Protection Plan as recommended in the submitted Tree Survey but that has not been submitted with this application. Details of how the trees are to be protected during development is required.

The submitted BS 8545:2014 'Trees: from nursery to independence in the landscape – Recommendations' Report lists recommended species that are to be planted to compensate for the loss of 12 trees but does not detail location, how many and of

what species. A Landscaping Plan is required outlining the location, species and number of trees and shrubs to be planted.

These issues could have been covered by condition/further information requested had the principle of development been accepted.

Biodiversity

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

All methods in the submitted Preliminary Ecological Appraisal and Bat Roost Assessment Survey are in accordance with best practice. Dusk and dawn surveys carried out in June and July 2020 confirmed the presence of one common pipistrelle bat roost containing a single bat.

Due to the presence of bat roosts, no works can be undertaken before a derogation licence from NatureScot (formerly Scottish Natural Heritage) has been issued. The submitted Bat Survey and Assessment Report contains sufficient information for the planning authority to be satisfied that all three tests are likely to be met. The same tests need to be passed in order for NatureScot to issue a licence.

The Species Protection Plan in Section 4.2.3 of the submitted Preliminary Ecological Appraisal and Bat Roost Assessment Survey contains mitigation measures to reduce the impact on bat roosts and compensation measures for the lost roosts. Allowing bats to access the completed dwelling houses through integrated bat boxes, bat bricks or Morris slates is strongly encouraged and would result in a positive contribution to biodiversity through this development. The locations of these measures would need to be agreed and shown on architects' drawings to ensure they are included.

No further works can commence without a licence from NatureScot.

The submitted Preliminary Ecological Appraisal and Bat Roost Assessment Survey notes the presence of Himalayan Balsam growing around the existing cottage. A programme of control of Himalayan balsam should be initiated to control this invasive species and prevent its spread into the wider countryside as recommended in Section 4.1.2 of the Report. Details of the control programme would have been required should the application have been approved.

Roads and Access

This application proposes the erection of 3 dwellinghouses, which will be served by their own vehicle access. The vehicle access for Plot 1 will be 5.5 metres wide and will have 6 parking spaces for visitors or for parking in the winter months. Plot 2 and 3 will each be accessed via a 3.5 metre wide vehicle access directly onto the C401.

Transport Planning have no objection they note that if permission was to be approved then conditions would be required regarding visibility splays, access specifications and water discharge onto the public road.

The applicant has shown an area between the public road and the hedge in front of Plot 2 and 3, but it is unclear if this is a footway as it extends up to Plot 1. This point would have been clarified if the application had been recommended for or approval.

Developer Contributions

Affordable Housing

With reference to the above planning application the Council's Affordable Housing Policy requires that 25% of the total number of houses, above a threshold of 5 units, for which planning consent is being sought is to be in the form of affordable housing.

The proposal is for 3no units. The Affordable Housing Policy is not applied.

Primary Education

With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.

This proposal is within the catchment of Inchtute Primary School. The per unit contribution rate for Primary Education is £5,164 per open market unit.

Transport Infrastructure

With reference to the above planning application the Council Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.

The site is located outwith the Transport Infrastructure contributions area.

Summary of Requirements

Education: 3 x £5,164

Total: £15,492

Drainage and Flooding

The development is for 3 dwelling houses in a rural area with private water supplies believed to serve properties in the vicinity. To ensure the new development has an adequate and consistently wholesome supply of water and to maintain water quality

and supply in the interests of residential amenity and ensure the private water supply or septic drainage systems of neighbours of the development remain accessible for future maintenance please note the following condition and informatives. It should be noted that once the development is operational this Service may have statutory duties detailed in the Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017 to monitor the water quality. No public objections relating to the water supply were noted at the date above.

Conservation Considerations

The proposed development site is considered to be archaeologically sensitive as it includes the demolition of a historic cottage, which appears to pre-date the 1st Edition Ordnance Survey of the area and include part of a former historic orchard (MPK16554) that ran behind the houses. The Area Archaeologist notes that should the application be successful we would a standing building recording of the cottage should be undertaken to ensure an appropriate record is made of the building prior to demolition.

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 considered not to comply with the approved TAYplan 2016 and the adopted Local Development Plan 2 (2019). 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 not been made within the statutory determination period.

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application

Conditions and Reasons for Recommendation

1 The proposal is contrary to Policy 19 Housing in the Countryside of the Perth and Kinross Local Development Plan 2 (2019) and the Council's Housing in the Countryside Guide 2020 as the proposal by virtue of the scale of the development and impact on the visual amenity of the group fails to satisfactorily comply with category (1) Building Groups of the policy and guide.

2 The proposal is contrary to Policy 1A and 1B Placemaking of the Perth and Kinross Local Development Plan 2 (2019) and the Supplementary Placemaking Guidance 2020. The proposed development would not contribute positively to the built and natural environment due to the mass of the replacement dwelling in combination with the proposed new builds resulting in an overdevelopment of the site. The proposal by virtue of the amount of retaining structures required to form usable amenity space and parking are not considered to be appropriate in terms of their impact on the visual amenity of the rural location.

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

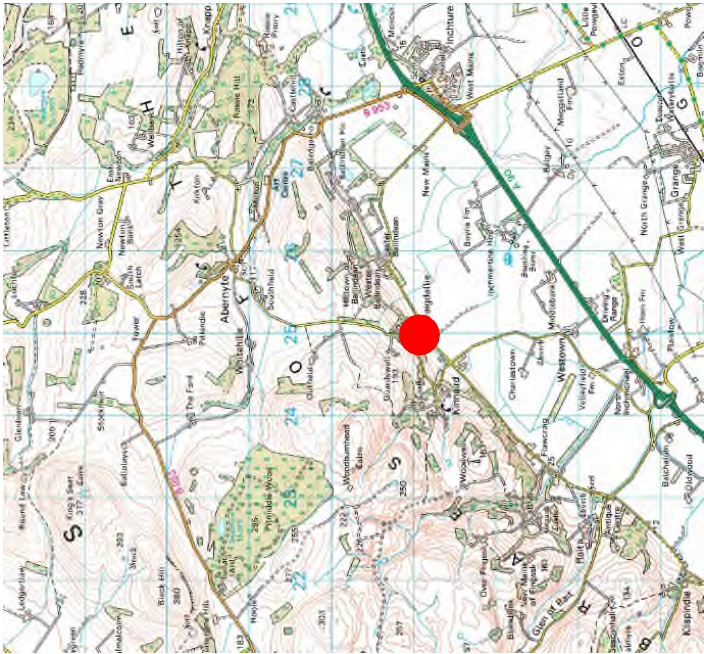
N/A

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

01
02
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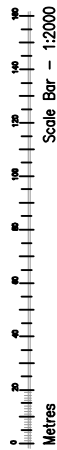


Location Plan (n.t.s.)

Schedule of Accommodation	
No. of existing buildings	2
Area of Craigmally Cottage	170sq.m (footprint)
Area of Outbuilding to North	39sq.m (footprint)

Plot Area - 1.77hectares (17691sq.m) approx.

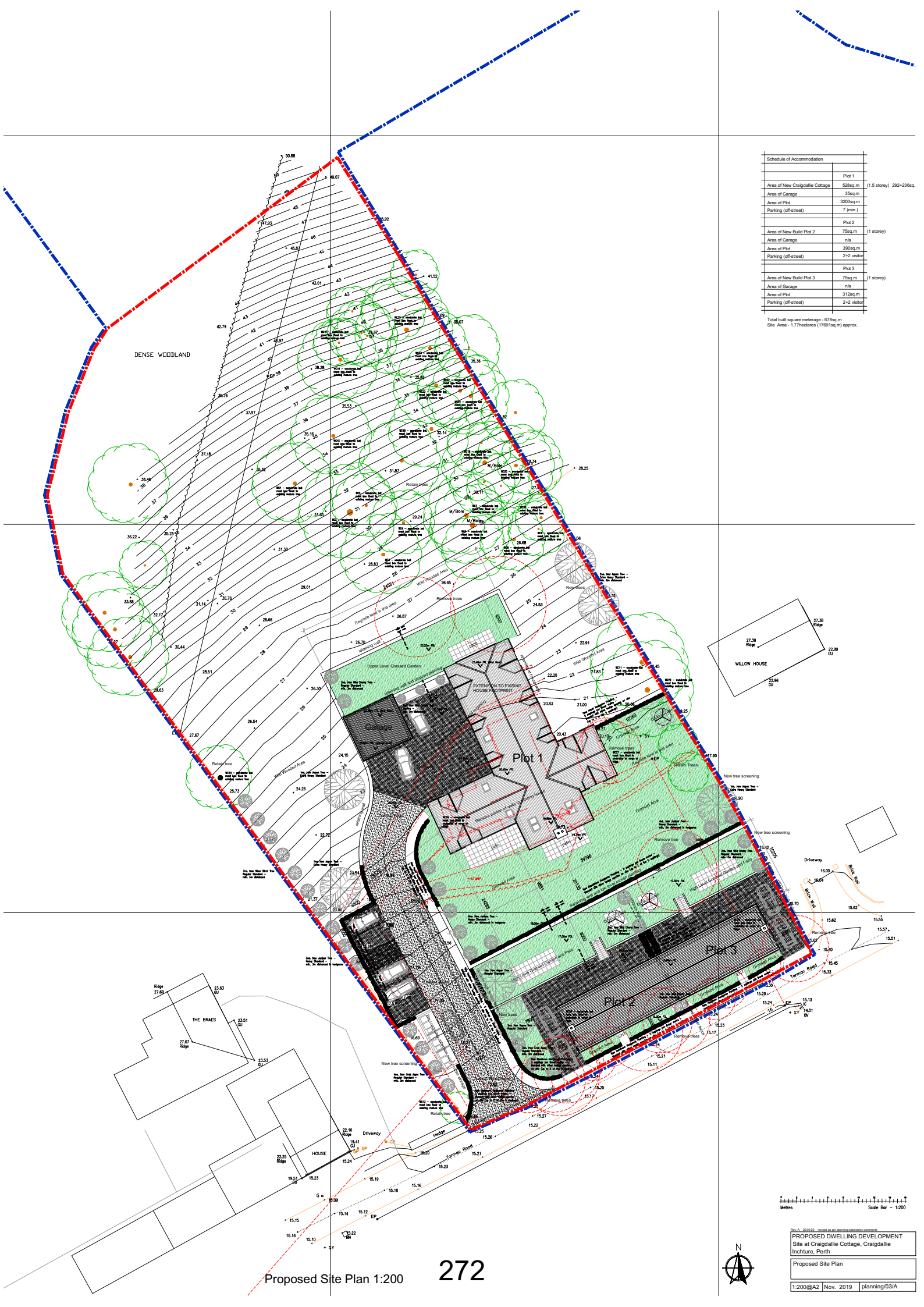
Location / Existing Plan 1:2000



Rev. A - 22.09.20 - revised as per planning submission comments
PROPOSED DWELLING DEVELOPMENT
 Site at Craigmally Cottage, Craigmally
 Inchture, Perth

LOCATION AND EXISTING PLAN

1:2000/n.t.s | Nov. 2019 | planning/01/A



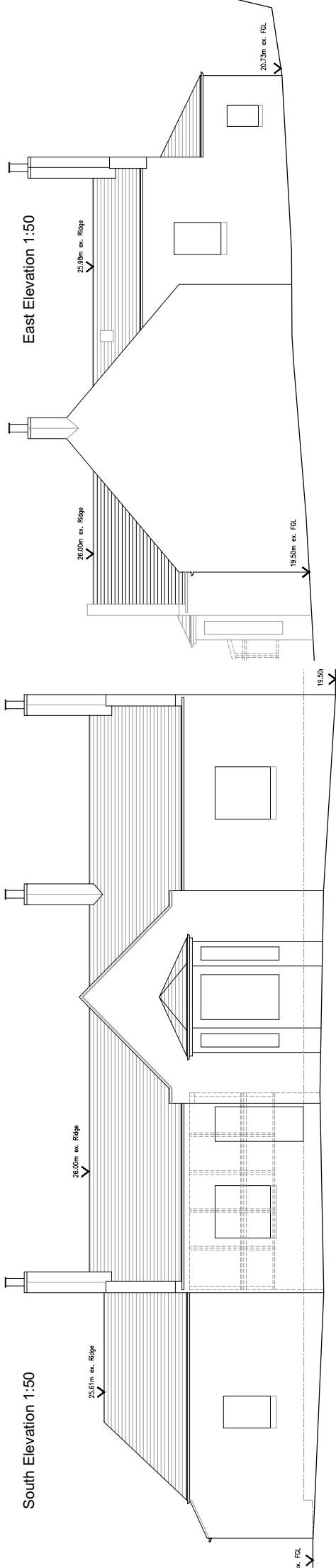
Schedule of Accommodation		
	Plot 1	
Area of New Craigdallie Cottage	528sq.m	(1.5 storey) 292+238sq.
Area of Garage	35sq.m	
Area of Plot	1000sq.m	
Parking (off-street)	7 (min.)	
	Plot 2	
Area of New Build Plot 2	75sq.m	(1 storey)
Area of Garage	n/a	
Area of Plot	390sq.m	
Parking (off-street)	2+2 visitor	
	Plot 3	
Area of New Build Plot 3	75sq.m	(1 storey)
Area of Garage	n/a	
Area of Plot	312sq.m	
Parking (off-street)	2+2 visitor	

Total built square meterage = 678sq.m
Site Area = 1.77hectares (1768sq.m) approx.

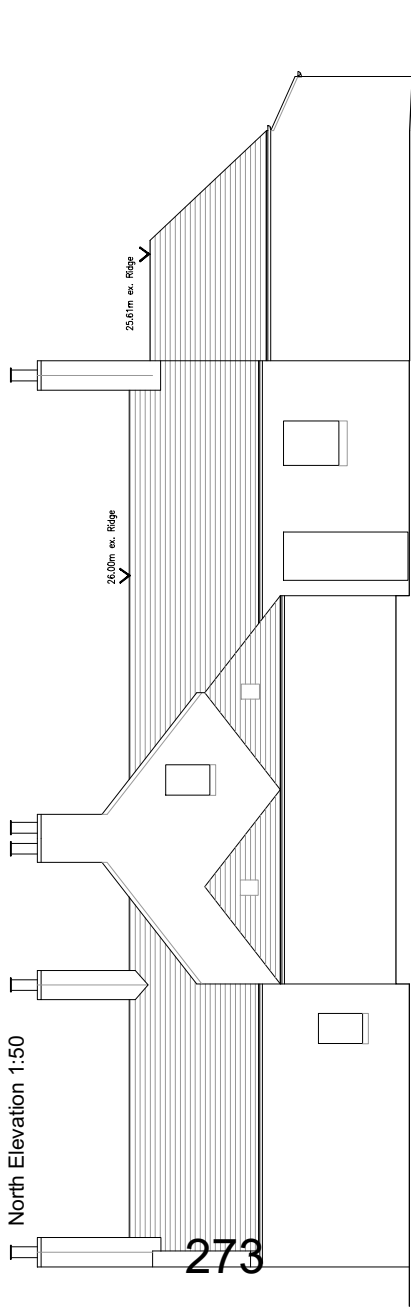
Proposed Site Plan 1:200



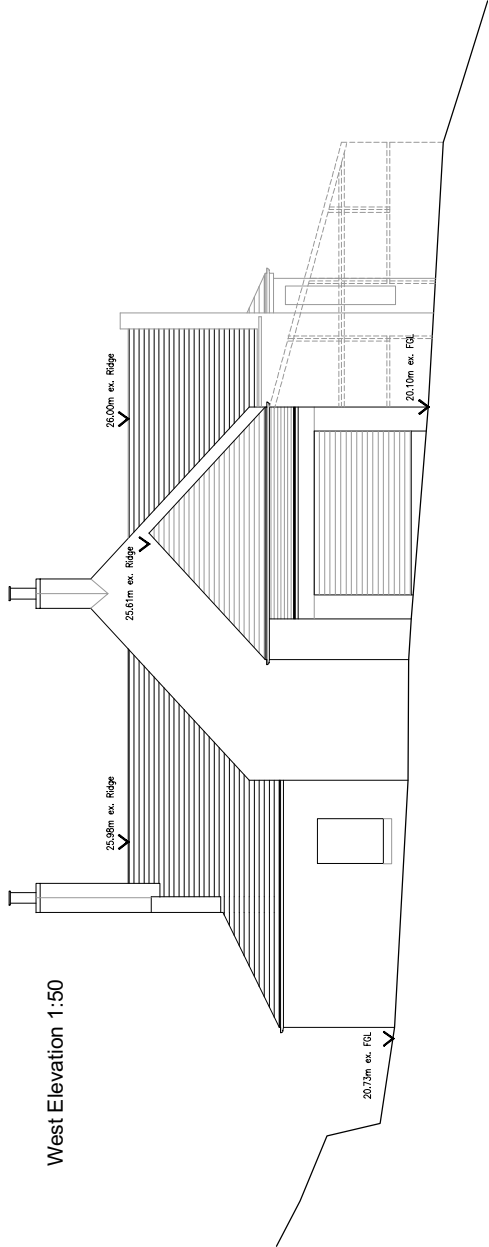
South Elevation 1:50



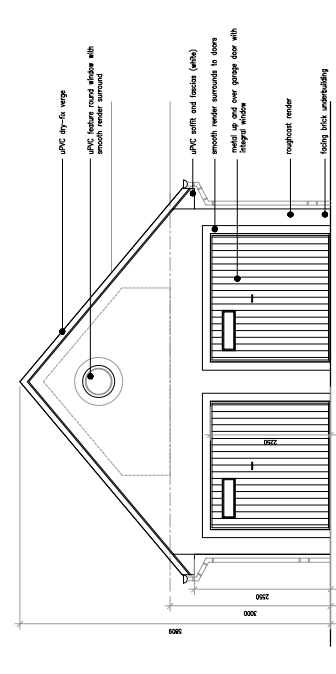
North Elevation 1:50



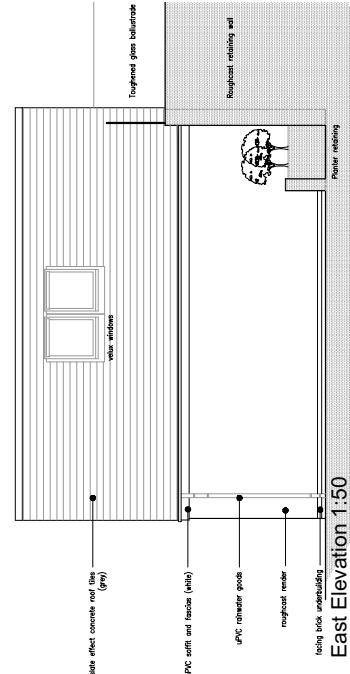
West Elevation 1:50



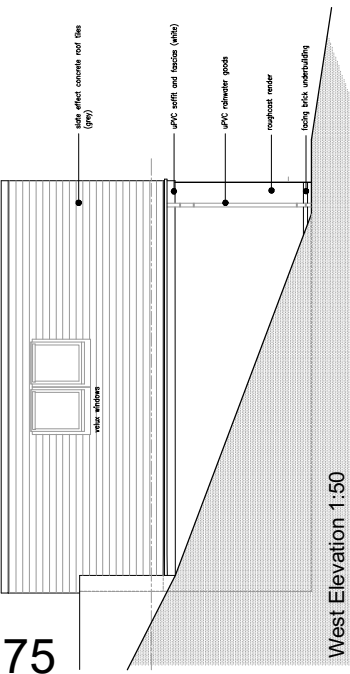




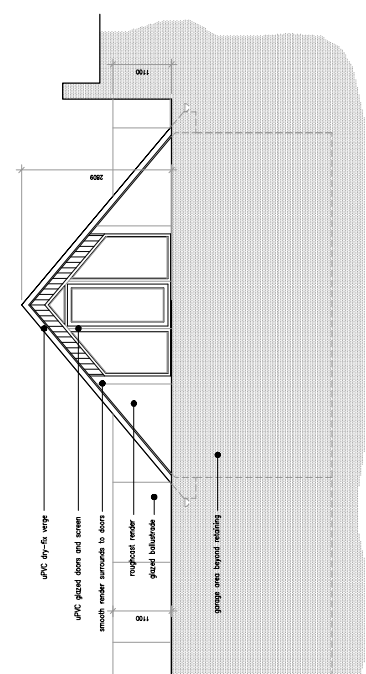
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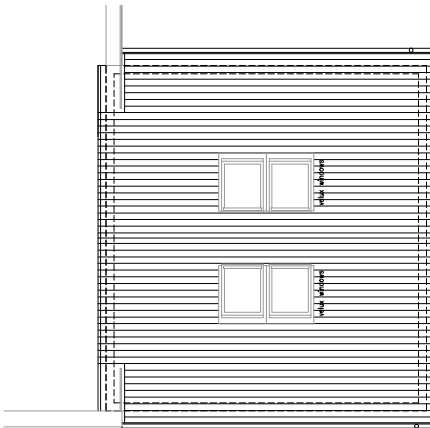
East Elevation 1:50



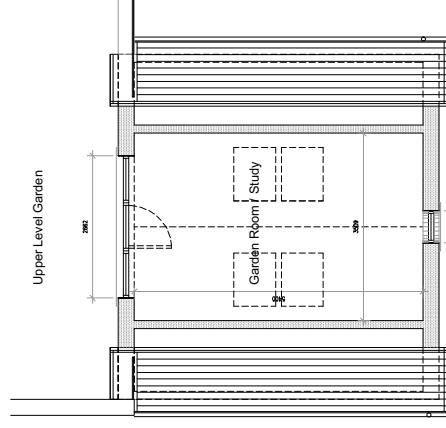
West Elevation 1:50



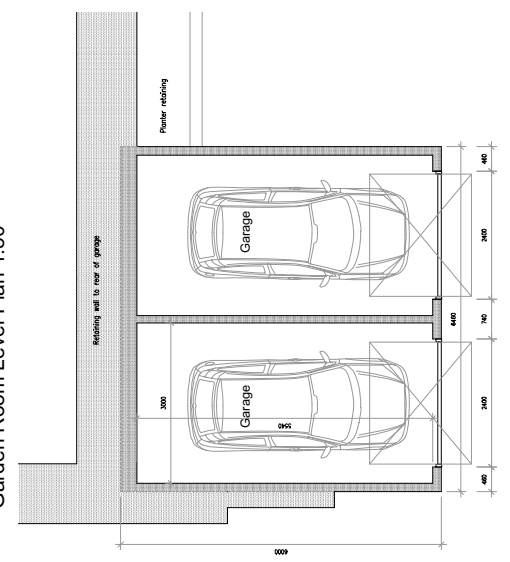
North Elevation 1:50



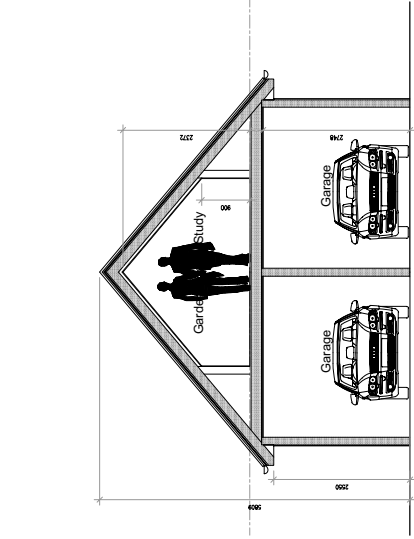
Roof Level Plan 1:50



Garden Room Level Plan 1:50

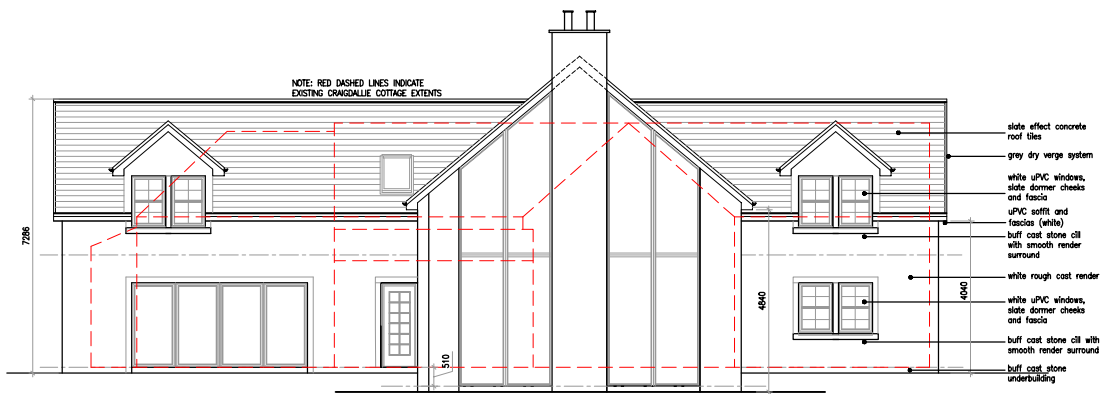


Garage Level Plan 1:50

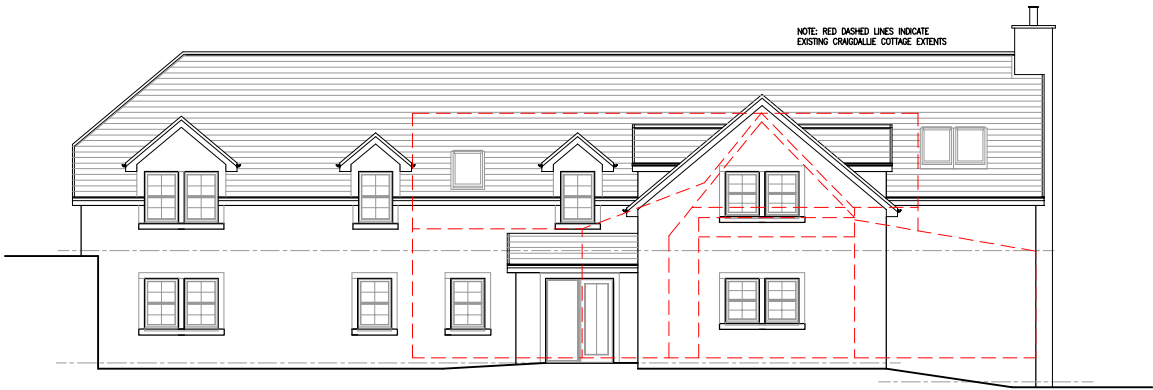


Section 1:50

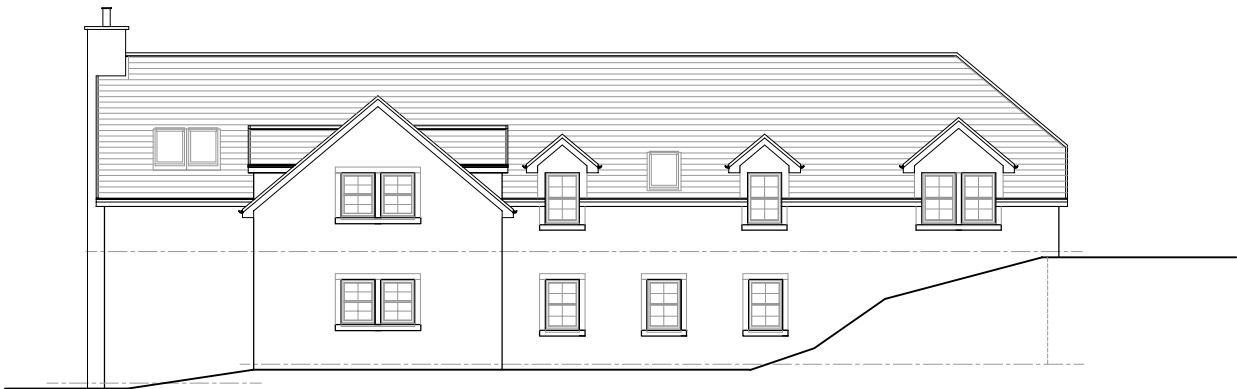




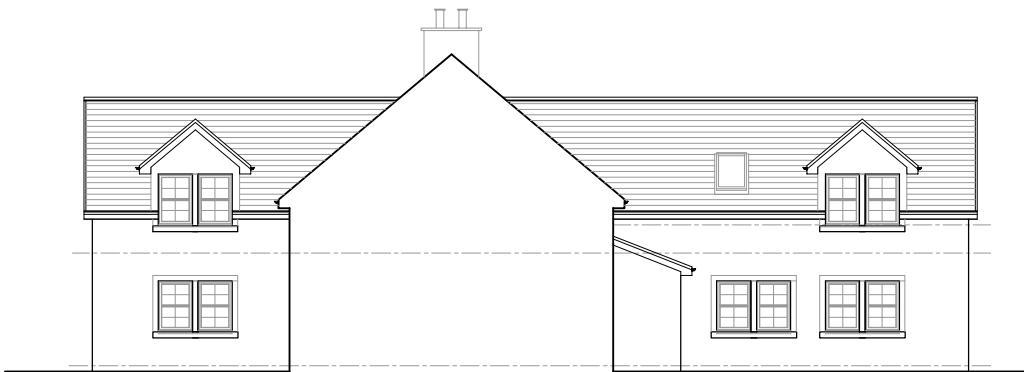
Proposed South Elevation 1:100



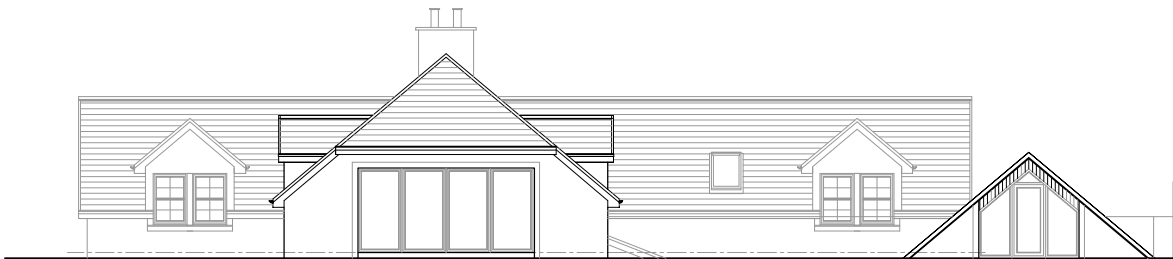
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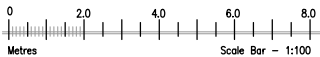
Proposed East Elevation 1:100



Proposed Sectional North Elevation 1:100



Proposed North Elevation 1:100



Rev. A 22.09.20 revised as per planning submission comments PROPOSED DWELLING DEVELOPMENT Site at Craigdallie Cottage, Craigdallie Inchture, Perth		
Plot 1 - Proposed Elevations		
1:100	Nov. 2019	planning/05/A

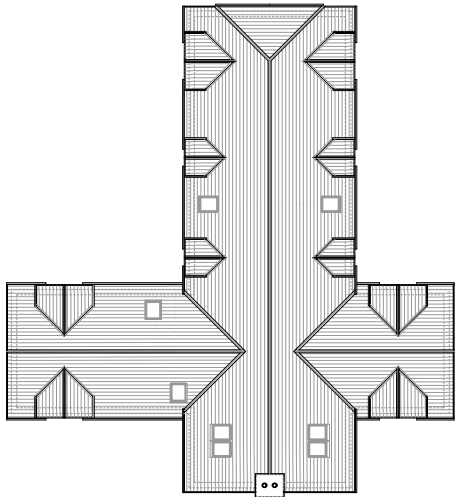
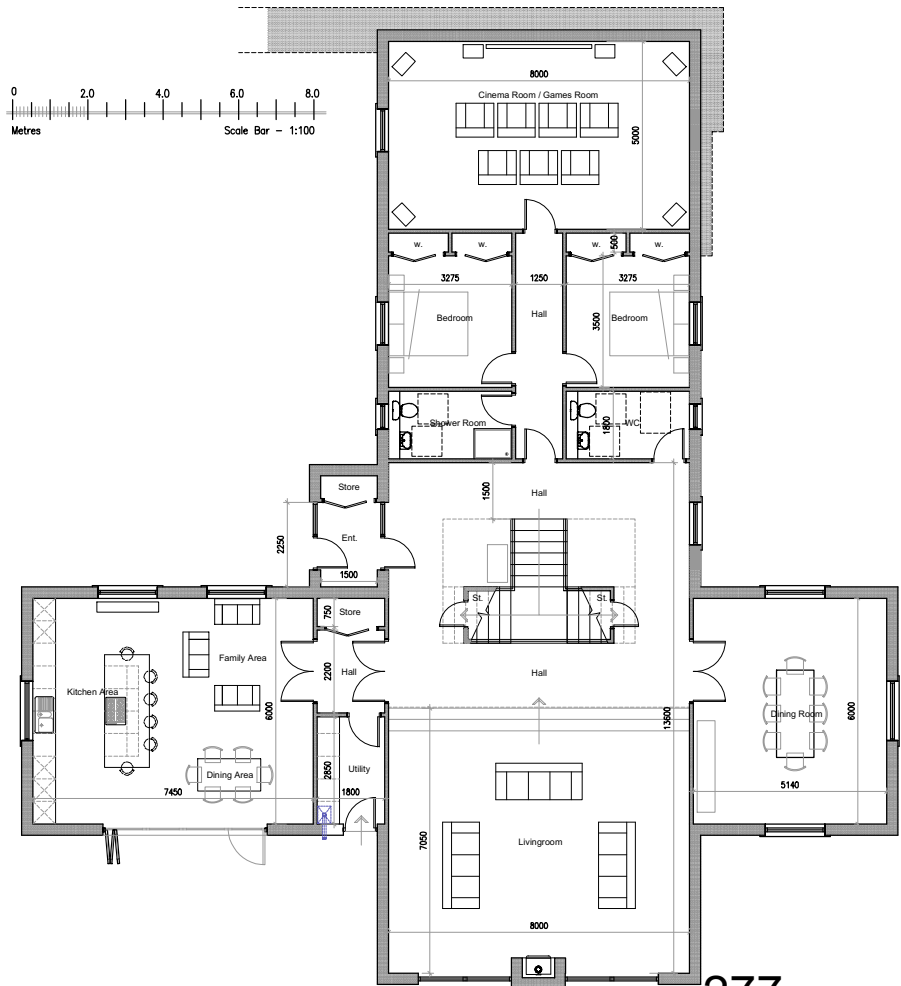
Proposed First Floor Plan 1:100



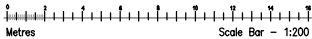
Schedule of Accommodation		
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Area of Garage	35sq.m	
Area of Plot	3200sq.m	
Parking (off-street)	7 (min.)	
	Plot 2	
Area of New Build Plot 2	75sq.m	(1 storey)
Area of Garage	n/a	
Area of Plot	390sq.m	
Parking (off-street)	2+2 visitor	
	Plot 3	
Area of New Build Plot 3	75sq.m	(1 storey)
Area of Garage	n/a	
Area of Plot	312sq.m	
Parking (off-street)	2+2 visitor	

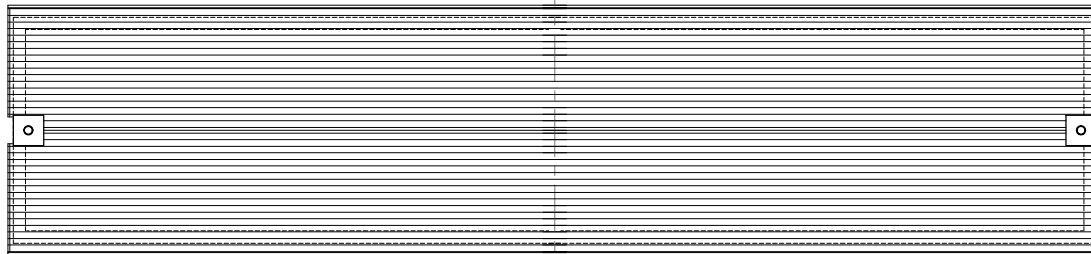
Total built square meterage - 678sq.m
Site Area - 1.77hectares (17691sq.m) approx.

Proposed Ground Floor Plan 1:100

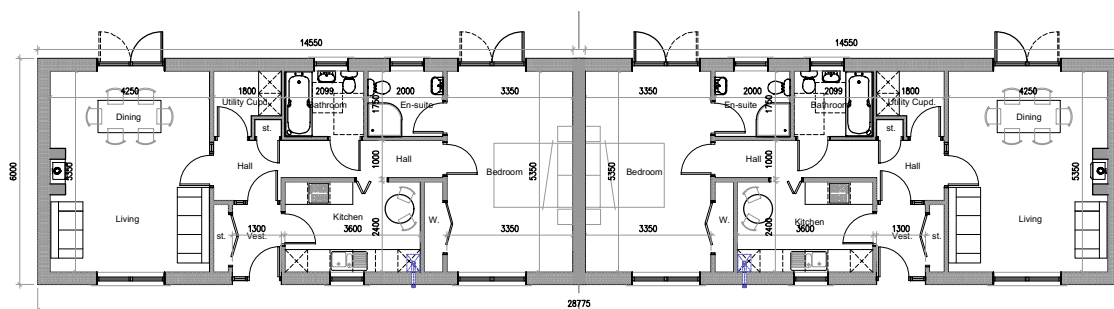


Proposed Roof Plan 1:200





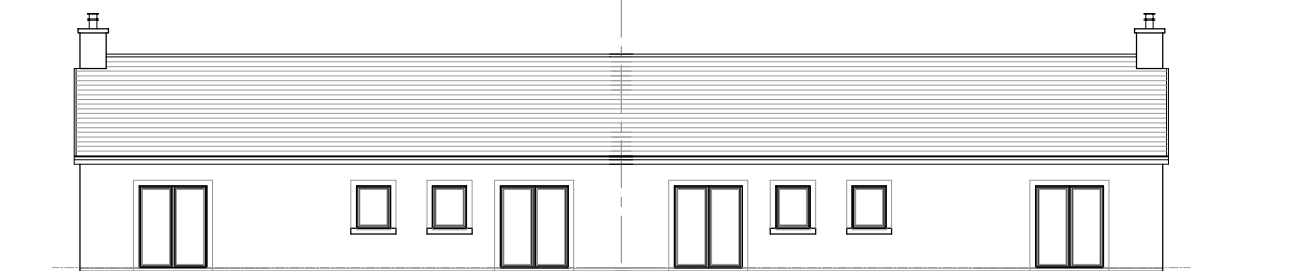
Proposed Roof Plan 1:100



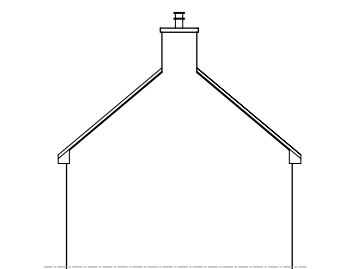
Proposed Ground Floor Plan 1:100



Proposed South Elevation 1:100



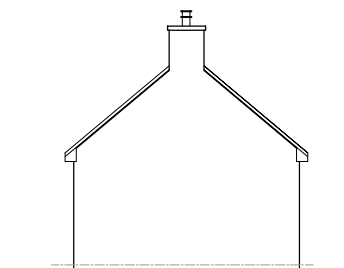
Proposed North Elevation 1:100



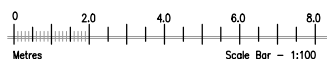
Proposed East Elevation 1:100

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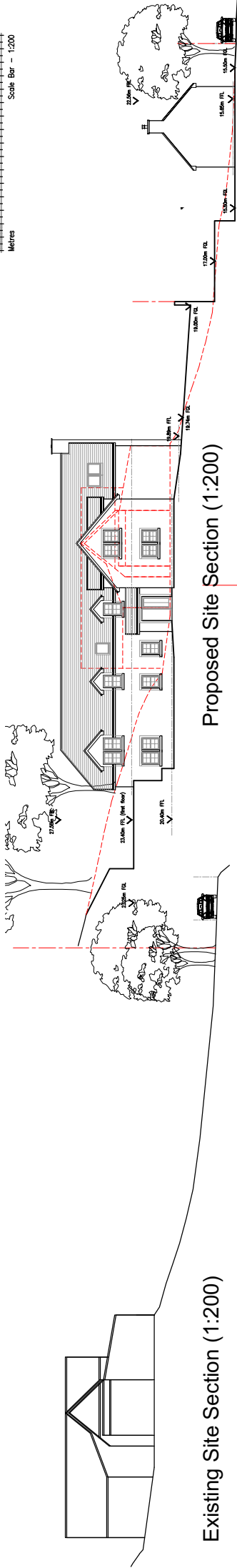
Proposed West Elevation 1:100



Street Elevation (1:200)



Westmill Cottages



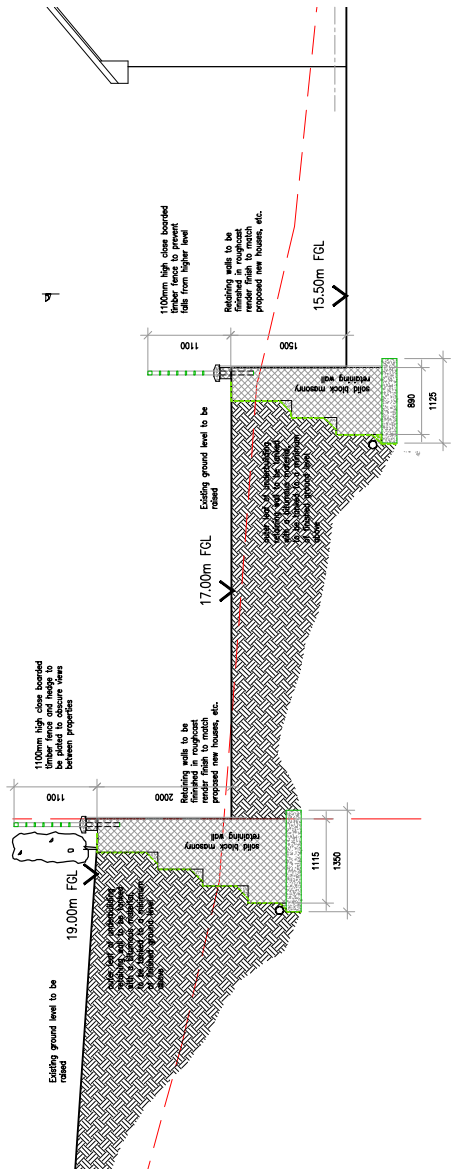
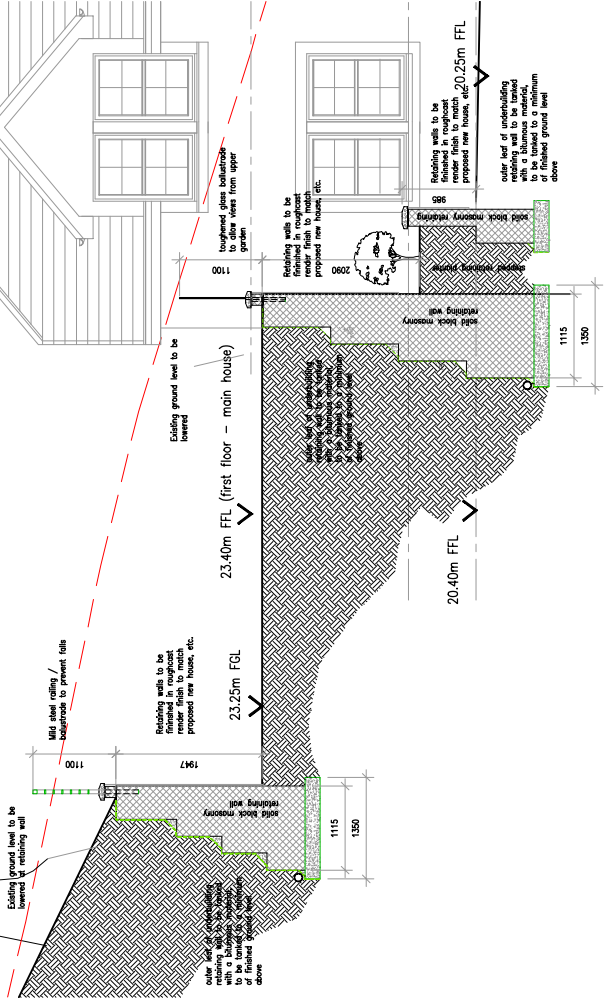
Existing Site Section (1:200)

Proposed Site Section (1:200)

27/29

Proposed retaining details - Plot 1 rear garden - 1:50

Proposed retaining details - Plot 2 & 3 rear garden - 1:50

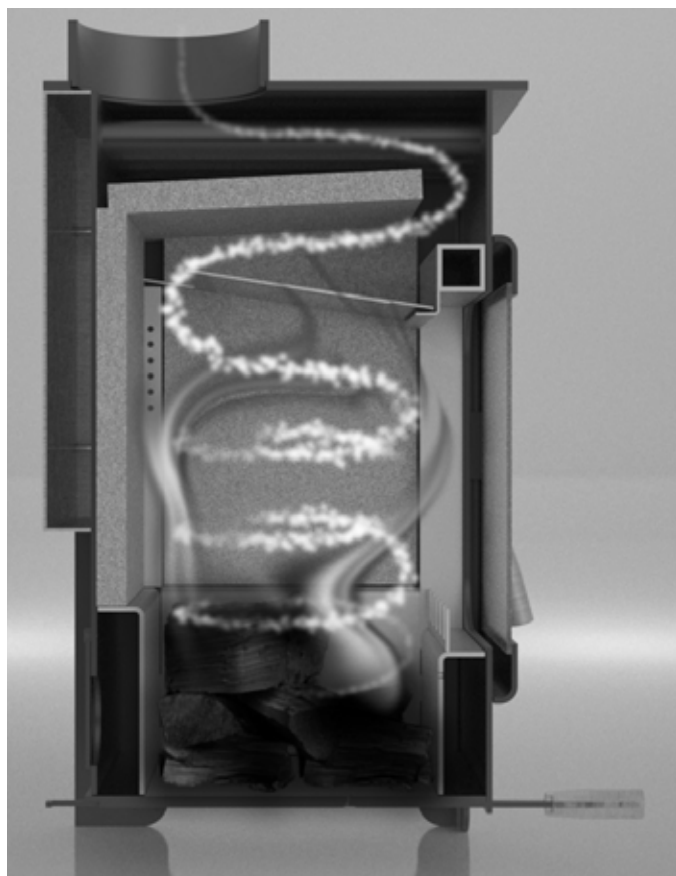


Installation Instructions & User Manual

for the super-efficient

burley  Fireball

Wood Burning Stoves



Cross Section – Artist Impression

Applicable Appliances

Springdale (9103), Debdale (9104), Hollywell (9105),
Brampton (9108) and Wakerley (9112)

Document reference BUR/06/16 Revision date: AUGUST 2016

**THESE INSTRUCTIONS MUST BE LEFT WITH THE USER
FOR FUTURE REFERENCE**

Table of Contents

Approvals	4
TECHNICAL DATA	5
Stove Dimensions	6
Room Sealing Options	6
Installation Instructions	7
The Clean Air Act 1993 and Smoke Control Areas	7
Chimneys, Flues, Hearths and Surrounds	8
Air Supply and Room Sealing Kit	9
Stove Assembly	10
Door Handle Adjustment	10
Door Handle Assembly	11
Air Lever Assembly	12
Optional Convection Tube Cover Plate	13
Assembly and Installation of the Stove Fire Bricks and Baffle	14
Fitting of Stove Bricks	14
Log Retaining Bar	14
Commissioning the Appliance	15
USER INSTRUCTIONS	15
To Light the Stove	15
Recommended fuels & using the Moisture Meter	16
 Stove Thermometers - DO NOT USE WITH OUR STOVES	16
Troubleshooting/Poor Appliance Operation	16
Reasons for Premature Wear of Internal Parts	17
Care of Glass	17
Chimney Sweeping and Maintenance	18
Safety	18
Warranty	19
If you need further help... ..	19
Spare Parts	19
Customer & Installation Notes	20

**PLEASE CAREFULLY CHECK YOUR STOVE FOR DAMAGE
OR DEFECTS PRIOR TO FITTING.**

**WE CAN NOT EXCHANGE DAMAGED OR FAULTY
STOVES ONCE THEY HAVE BEEN FITTED.**

Thank You

Thank you for purchasing a Burley Fireball Wood Burning Stove; we hope you will be delighted with the super-efficient performance.



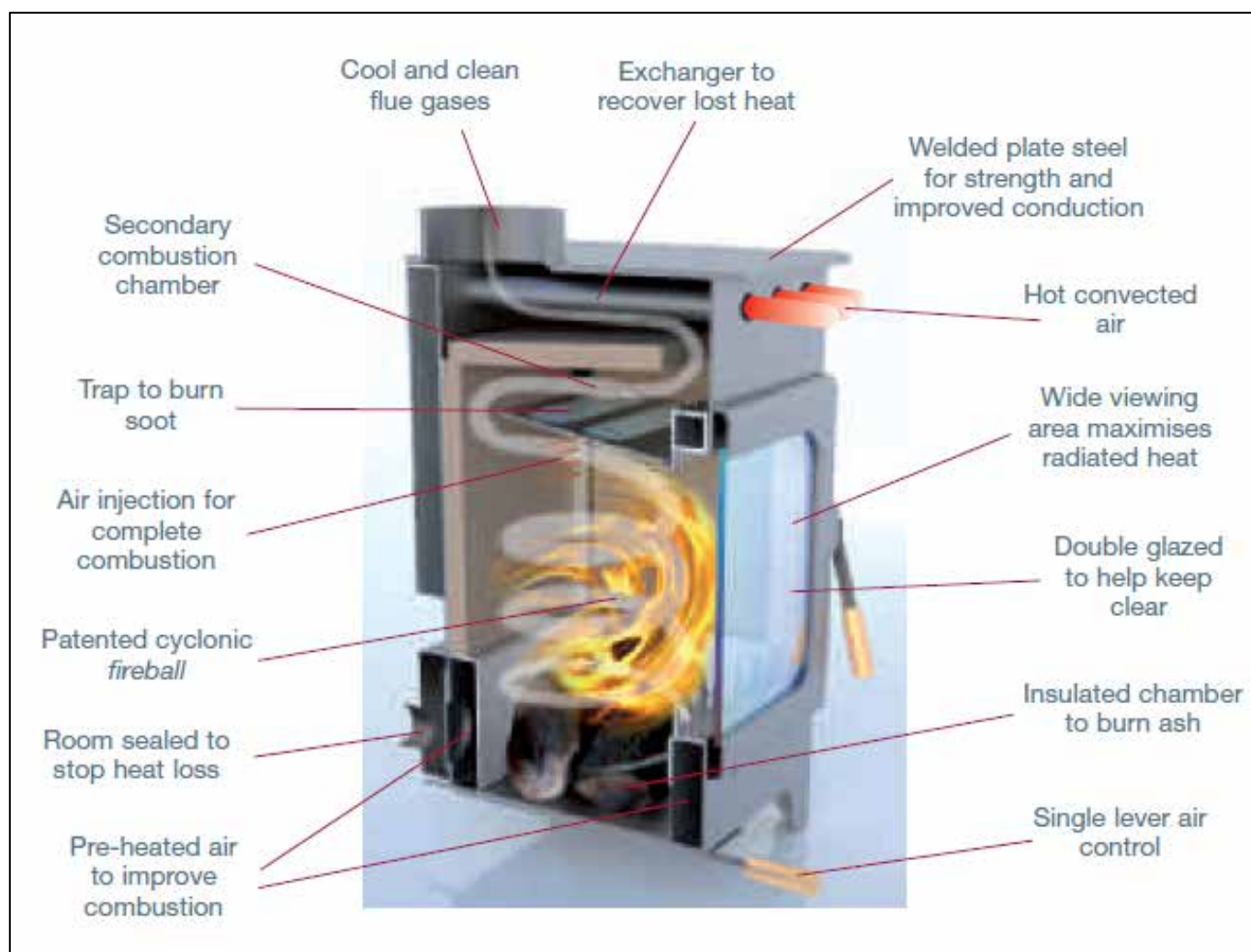
Included with your stove is the Burley 'Thank You Kit'*, which typically contains:-

- A Spanner to attach and adjust the tension of the air control lever
- A Coaster to protect the top of your stove
- Four Hearth Protectors (optional) to place under the stove legs [Black Squares]
- A Moisture Meter to ensure your wood is dry.
- Glass Cleaner
- Stove Paint in case you prefer black handles or ever need to touch up any paint work
- A Heat Resistant Glove
- Scoop for removing ash
- An Allen Key should you wish to adjust the door handle
- A Mug to enjoy a cup of tea whilst admiring the fantastic flame picture

The contents of the kits vary from model to model, so not all the items listed or shown above may be included with your stove.

*Thank You Kit introduced with stoves supplied from October 2013

Features...



Cross Section – Artist Impression

You now own the world's most efficient stove!

Approvals

All our wood stoves are approved to EN13240:2001 and EN13240 A2:2004.

TECHNICAL DATA

All built to EN13240	Springdale 9103	Debdale 9104	Hollywell 9105	Brampton 9108	Wakerley 9112
Efficiency (Net)	88.9%	89.8%	89.1%	85.5%	84.1%
CO concentration @ 13% Oxygen	0.28%	0.28%	0.18%	0.12%	0.06%
Requirement of fuels used in Smoke Control Areas	Dry logs <20% H ₂ O	Dry logs <20% H ₂ O	Dry logs <20% H ₂ O	Dry logs<20% H ₂ O	Not for Use in Smoke Control Areas
	Maximum length 170 -220mm long	Maximum length 200 -250mm long	Maximum length 250 -300mm long	Maximum length 250 -350mm long	
	Maximum width 150mm	Maximum width 150mm	Maximum width 150mm	Maximum width 150mm	
Lower quality fuel can be used in non- smoke controlled areas, but will not give the best efficiencies	Dry Logs < 25% H ₂ O	Dry Logs < 25% H ₂ O	Dry Logs < 25% H ₂ O	Dry Logs < 25% H ₂ O	Dry Logs < 25% H ₂ O
	220mm long	250mm long	310mm long	430mm long	580mm long
Weight in kg	45 kg	57 kg	95 kg	105 kg	130 kg
Nominal kW output	3 kW	4 kW	5 kW	8 kW	12 kW
Max kW output	4.1 kW	5.3 kW	6.4 kW	11.7 kW	18.3 kW
Air vent requirement.	Not Required	Not Required	550mm sq min in houses built after 2010, otherwise not required	1,962mm sq min 50mm diameter	7,850mm sq min 100mm diameter
			Air vent not required if stove is room sealed	Air vent not required if stove is room sealed	Air vent not required if stove is room sealed
Minimum flue draught mm H ₂ O	0.5mm	0.5mm	0.5mm	0.5mm	0.5mm
Flue gas temperature	162 °C	156 °C	122 °C	183 °C	237 °C
Spigot Temp.	258 °C	253 °C	241 °C	274 °C	316 °C
Flue size (Top Exit)	127mm (5")	127mm (5")	150mm (6")	150mm (6")	150mm (6")
Min. chimney diameter	127mm (5")	127mm (5")	150mm (6")	150mm (6")	150mm (6")
Best chimney diameter	127mm (5")	127mm (5")	150mm (6")	150mm (6")	175mm (7")
Minimum distance to combustible materials. All other distance as per Building regulations Part J or HETAS recommendations	10cm behind (4") 35cm at side (14") 35cm to Top	20cm behind (8") 40cm at side (16") 40cm to Top	20cm behind (8") 35cm at side (14") 35cm to Top	10cm behind (4") 40cm at side (16") 40cm to Top	20cm behind (8") 45cm at side (18") 45cm to Top
Non combustibles	When fitted inside a masonry or similar non-flammable material recess, e.g., fireplace opening, there is no minimum distance; although we would advise a minimum of 50mm from any surface to allow for convection.				
Max Hearth temp.	<100 °C	<100 °C	<100 °C	<100 °C	<100 °C
Min Hearth thickness	12mm	12mm	12mm	12mm	12mm

Stove Dimensions

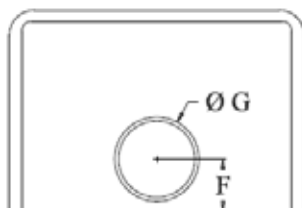
GENERAL DIMENSIONS

Stove	A	B	C
9103	370	495	296
9104	422	560	340
9105	470	680	405
9108	595	680	405
9112	750	780	405

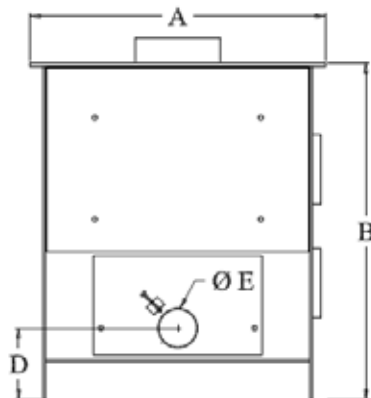
ROOM SEALING DIMENSIONS

Stove	D	E
9103	140	80
9104	140	80
9105	140	80
9108	140	80
9112	140	80

PLAN VIEW

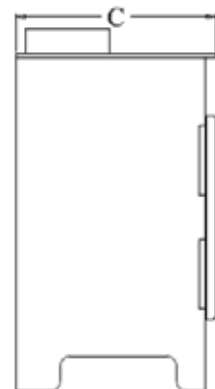


REAR VIEW



FLUE SPIGOT DIMENSIONS

Stove	F	G
9103	97.5	127 (5")
9104	97.5	127 (5")
9105	105	152 (6")
9108	105	152 (6")
9112	105	152 (6")



SIDE VIEW

Room Sealing Options

BURLEY WOOD BURNING STOVES ROOM SEALING OPTIONS

STANDARD REAR ROOM SEALING KIT THE KIT COMES WITH PARTS

- A. PLENUM BOX ASSEMBLY
- B. 1000MM X 80MM STEEL DUCT
- C. 80MM VENT COVER

ANGLED ROOM SEALING BOX

- A. PLENUM BOX ASSEMBLY
- D. ADAPTOR BOX

THE ADAPTOR BOX (D) IS DESIGNED TO FIT THE FLAT CHANNEL DUCT SYSTEM 100 (SECTION 110MM X 54MM)

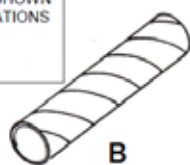
YOU WILL NEED TO SOURCE THE APPROPRIATE PARTS AS SHOWN ON THE RIGHT. EXAMPLES OF DIFFERENT ANGLED ARRANGEMENTS ARE SHOWN ON THE NEXT PAGE IN ILLUSTRATIONS 1, 2 & 3.

C

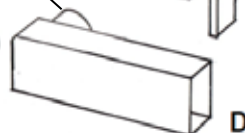


40mm D

50mm D



B



D

100MM
VENT
COVER



1000MM
FLAT
CHANNEL



CONNECTOR
CHANNEL



100MM
ROUND TO
RECTANGLE
ADAPTOR



VERTICAL
90 DEGREE
BEND



ELBOW BEND
WITH 100MM
SPIGOT



1000MM
ROUND
DUCT



Installation Instructions

When installing these appliances, all local regulations, including those referring to national and European Standards need to be complied with.

This manual covers the appliances: Burley Models: 9103, 9104, 9105, 9108 and 9112

The nominal space heating output is:

'Springdale' 9103: 3Kw

'Debdale' 9104: 4Kw

'Hollywell' 9105: 5Kw

'Brampton' 9108: 8Kw

'Wakerley' 9112: 12Kw

Any of the above appliances should be installed by an installer registered with a competency scheme (i.e. HETAS/ELECSA England & Wales), conforming to Building Regulations Part J and the installation must be registered with the local council building control department.



Failure to comply with the above renders all guarantees and liabilities of the manufacturer null and void.

By carefully following the instructions below we are certain that you will enjoy many years of warmth and enjoyment from your new Burley Fireball Stove.

The manufacturer will not guarantee or accept liability for any problem that arises unless a local authority building control certificate has been completed and a valid receipt or proof of purchase is presented from the approved supplier.

The appliances should not be fitted closer to combustible materials, e.g. wooden fire surround or stud wall, than is shown in the table on page 5.

When fitted against a wall made of combustible material e.g. a wooden stud wall with plasterboard, unless a 75mm thick non-combustible material is used as a barrier, extra non-combustible material should be fitted behind the stove if the distance from the wall is less than shown. When fitted inside a masonry or similar non-flammable material recess, e.g., fireplace opening, there is no minimum distance; although we would advise a minimum of 50mm from any surface to allow for convection.

The Clean Air Act 1993 and Smoke Control Areas

Under the Clean Air Act local authorities may declare the whole or part of the district of the authority to be a smoke control area. It is an offence to emit smoke from a chimney of a building, from a furnace or from any fixed boiler if located in a designated smoke control area. It is also an offence to acquire an "unauthorised fuel" for use within a smoke control area unless it is used in an "exempt" appliance ("exempted" from the controls which generally apply in the smoke control area).

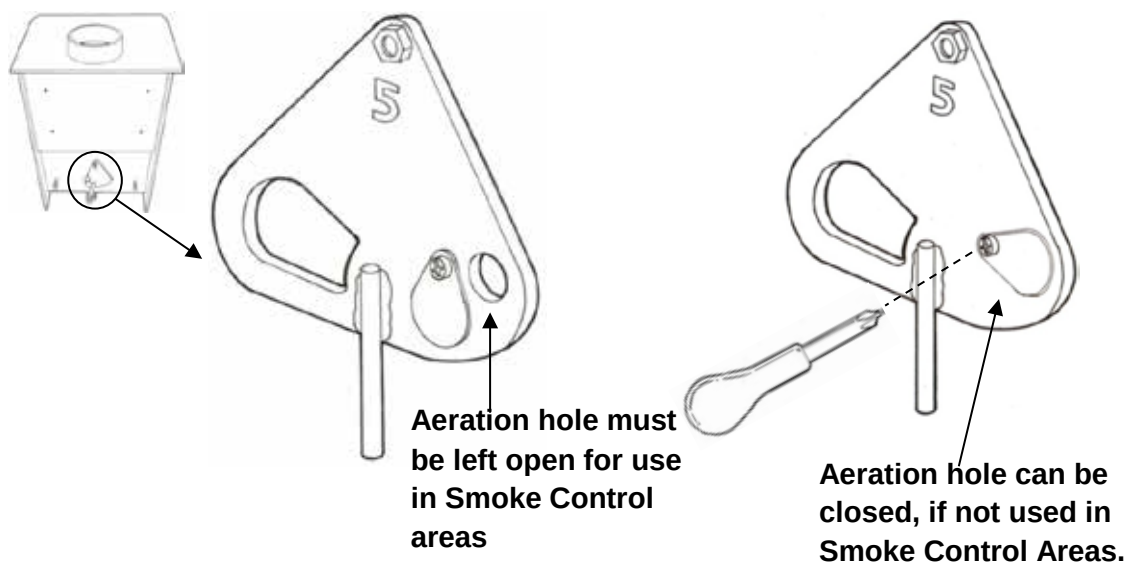
The Secretary of State for Environment, Food and Rural Affairs has powers under the Act to authorise smokeless fuels or exempt appliances for use in smoke control areas in England. In Scotland and Wales this power rests with Ministers in the devolved administrations for those countries. Separate legislation, the Clean Air (Northern Ireland) Order 1981, applies in Northern Ireland. Therefore it is a requirement that fuels burnt or obtained for use in smoke control areas have been "authorised" in Regulations and that appliances used to burn solid fuel in those areas (other than "authorised" fuels) have been exempted by an Order made and signed by the Secretary of State or Minister in the devolved administrations.

Further information on the requirements of the Clean Air Act can be found here:

<https://www.gov.uk/smoke-control-area-rules>

Your local authority is responsible for implementing the Clean Air Act 1993 including designation and supervision of smoke control areas and you can contact them for details of Clean Air Act requirements

The 9103, 9104, 9105 and 9108 have been recommended as suitable for use in smoke control areas when burning wood logs.



This type of plate is only supplied with the 9103, 9104, 9105 & 9108 stoves which are approved for use in Smoke Control Areas. This type of plate is not supplied with the 9112 which is not approved.

Chimneys, Flues, Hearths and Surrounds

Chimneys

The **9103 and 9104** require a minimum chimney flue of 5" (125mm), **9105, 9108 and 9112** models require a minimum chimney flue of 6" diameter (150mm). All chimneys/flues must be a minimum length of 4 metres and must comply with Building Regulations J. Never share the flue with another appliance.

If flue and chimney are not to these specifications there could be insufficient draw to pull oxygen through the appliance to make it burn properly. Due to the low temperature of the exiting flue gases we recommend that the flue is lined to the diameter specified in the table on page 5.

Larger flues over 200mm particularly ones containing voids may affect appliance performance. We specify particular size flues for efficient operation of our stoves.

If you live in a valley or are surrounded by tall trees or buildings you might experience downdraught problems where the wind tries to stop the fumes rising up the chimney. An anti-downdraught cowl might help, but anti-downdraught cowls reduce the draw.

We recommend you seek the advice of a HETAS (0845 634 5626) or NACE (01526 322 555) registered supplier and installer before purchasing any stove or heating appliance. It may be wise to contact your local chimney sweep before the stove is installed.

Flue Pipe

We recommend 1mm stainless steel pipe sprayed matt black. Only use vitreous enamel pipe if it is stainless steel as mild steel can corrode over time.

Hearths

The stove must stand on a non-combustible surface. Installation standards dictate that hearths must be at least 12mm thick, but installers must take into account the weight of the stove on such thin material.

The hearth should extend a minimum of 225mm in front of the stove. When a stove is freestanding the hearth should always extend a minimum of 150mm either side of the stove.



Strength and heat resistance of the hearth.

Stoves are very heavy and most materials used for hearths crack very easily. It is impossible for Burley to inspect each hearth or comment on every installation, so the onus is on the installer to ensure the construction of the hearth is suitable for the application. Slate hearths can be particularly fragile. If in any doubt we recommend sliding a piece of vermiculite or calcium silicate insulation beneath the stove to protect it from the heat.

As guidance however:

- Do not use boxed and lipped hearths.
- Avoid marble, conglomerate or micro marble hearths.
- Rather than using one large piece of material, use sectional hearths or slabs which will move independently and allow for expansion due to heat. Should a slab section crack it is then easier and cheaper to replace.
- Bed hearths down on a level base, not directly on a hard surface which could be uneven.
- If necessary stand the stove on a steel or stone bed to ensure the weight is distributed.
- Do not subject the hearth to sudden impacts by dropping the stove. The stove is heavy and it is strongly recommended that lifting is undertaken by two people.
- Use the hearth protection squares provided in your Thank You Kit.

Surrounds



Must be capable of withstanding the temperature produced by the stove and comply with the minimum distances to combustibles.

Air Supply and Room Sealing Kit (*Optional*)

All hydrocarbon burning appliances require an oxygen/air supply.

If the stove is to be fitted on an external wall the air supply can be taken straight from the outside by using the optional room sealing kit. A 100mm diameter hole needs to be drilled in the correct place (138mm above the hearth) to take the 86mm external (80mm internal) duct as supplied with the kit. This will allow for easy connection. Any gap can be filled in with cement or mastic.

- A proprietary grille is supplied with the kit.
- A room sealing kit which exits horizontally is available.

The room sealing method of supplying air is always to be preferred as heat loss from the room will be greatly reduced.

If the stove is not on an outside wall or the room sealing kit cannot be used, an air vent must be supplied in the room in which the stove is fitted. The sizes of the vents required are:

- 3Kw – No vent required
- 4Kw - No vent required
- 5Kw – For homes built before 2010 – no vent required. For homes built after 2010 - 550mm sq
- 8Kw - 1650mm sq (50mm diameter)
- 12Kw 4950mm Sq (100mm diameter)

Only permanently open vents can be used and consideration should be given to draught when the stove is not in use, therefore site this vent carefully. The vent covers should comply with Building Regulations Part J and should be sited where they cannot be blocked.

WARNING

The Burley Fireball series of stoves are primarily for burning wood (this includes logs and sawdust briquettes). In smoke control areas only wood fuels should be used.

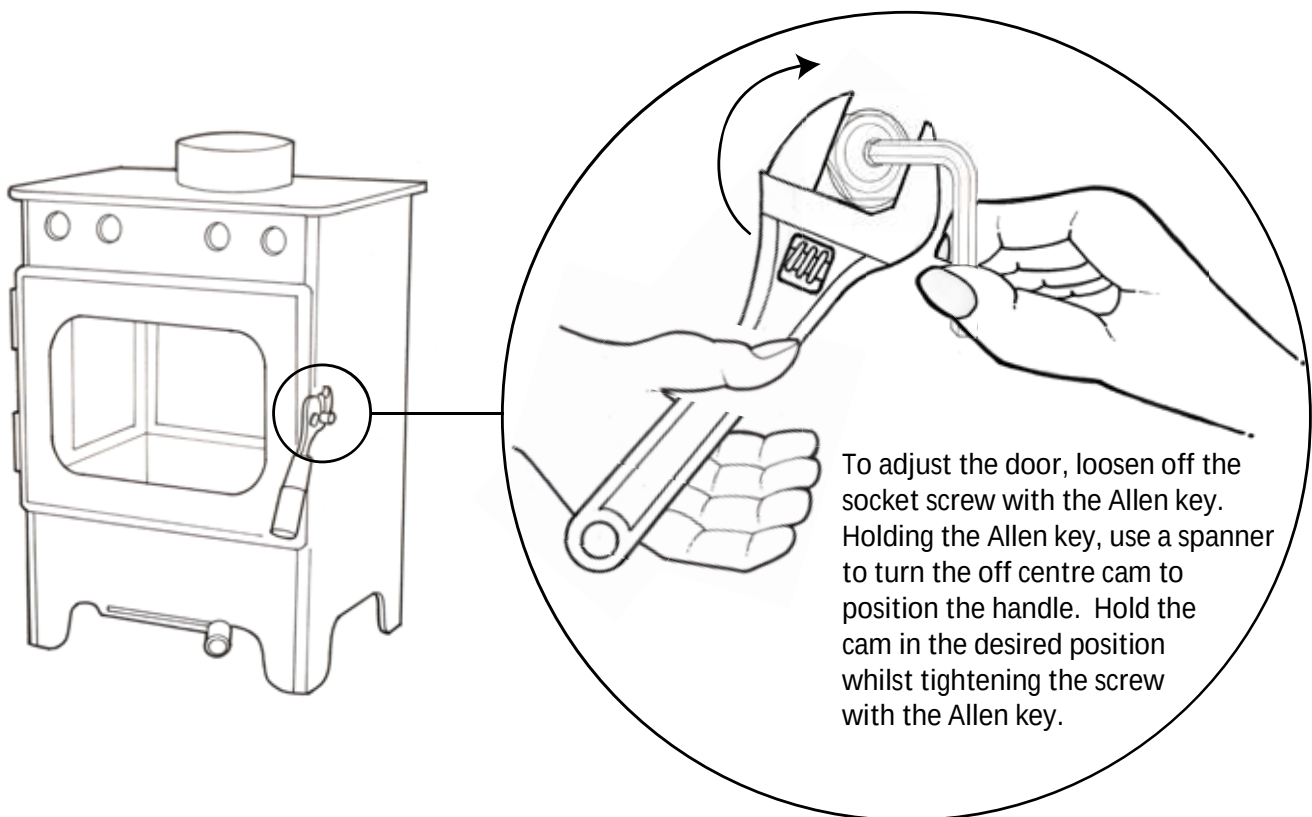
Before purchasing a stove we would strongly advise you seek the advice of a HETAS installer to ensure suitability of the product to your home.

Other fuels, such as coal (any type), smokeless fuels or petroleum coke can only be used if the optional multi-fuel grate is fitted (available on models 9104 and 9105 only). Under no circumstances should liquid fuels be added. It is not an incinerator and rubbish, including painted or tanalised wood and MDF, should not be burnt in this appliance, doing so is potentially dangerous and will invalidate any guarantees immediately.

Stove Assembly

Door Handle Adjustment

There is a CAM and LOBE mechanism which allows the handle to be moved up and down or in and out. If required, adjust the handle so it lines up and engages correctly with the stud in the side of the stove. Incorrect alignment will put excessive force on the door hinges or will result in a poor seal between the door and the stove. The door may require adjustment as the rope seal compresses. A 5mm Allen key will be required.

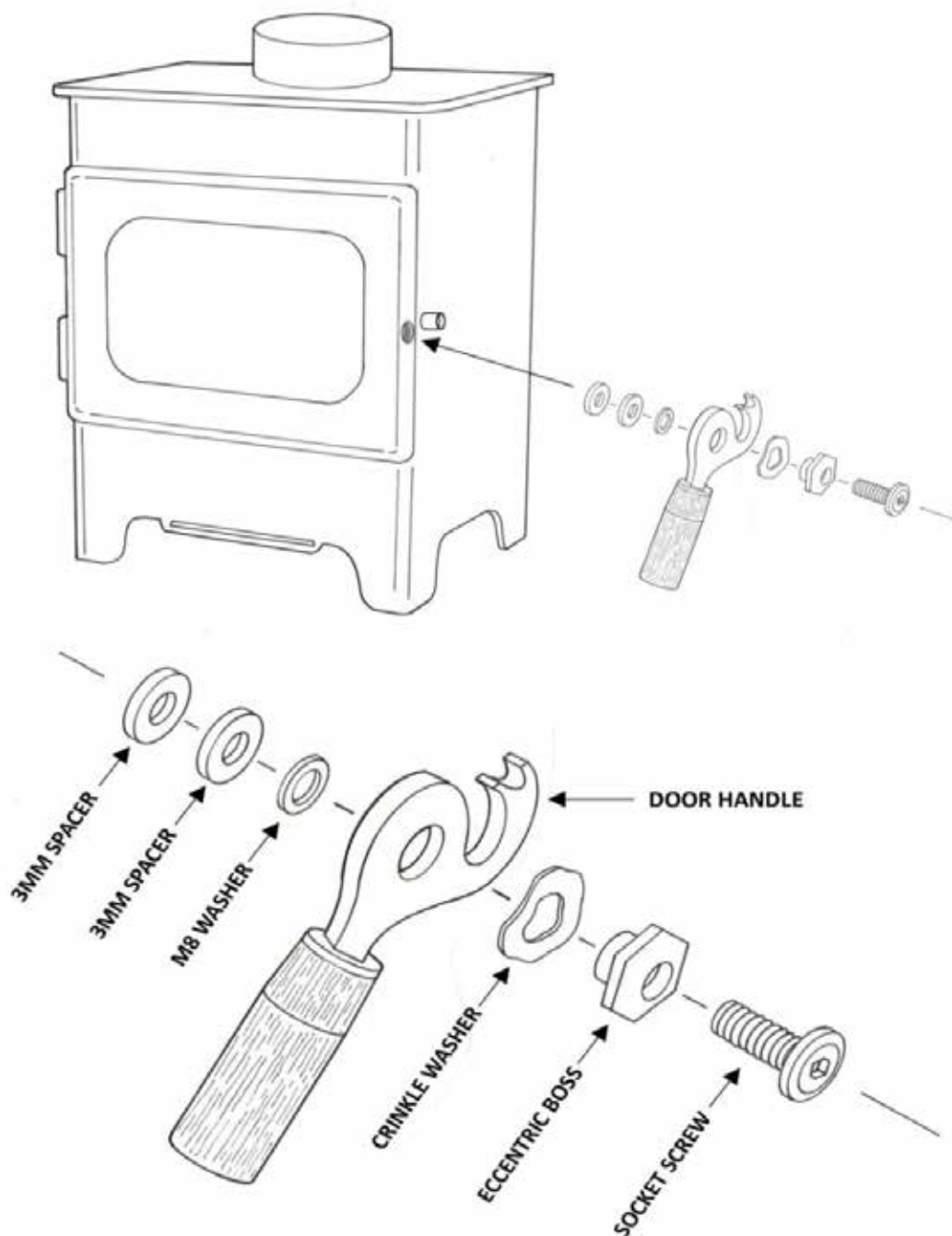


Door Handle Assembly

The Door handle is pre-assembled and fitted to your stove. The information below is for reference only.

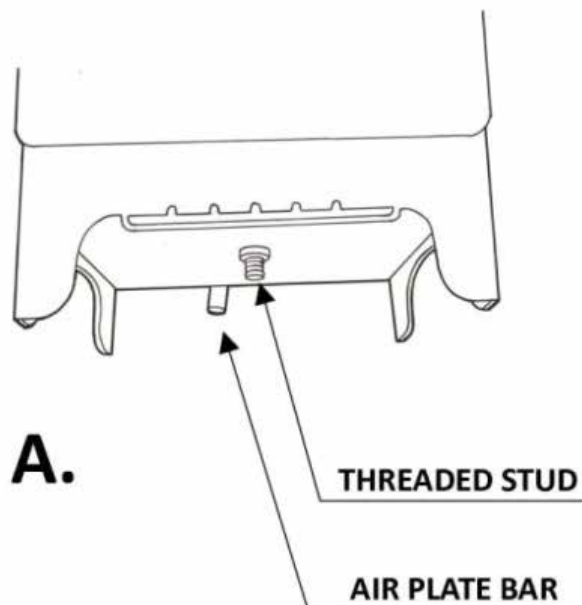
Fit the door handle and parts as per the assembly diagram below. (Please note it is very important to fit the parts in the correct sequence).

Tighten up the socket screw using the Allen key provided in the 'thank you' kit.

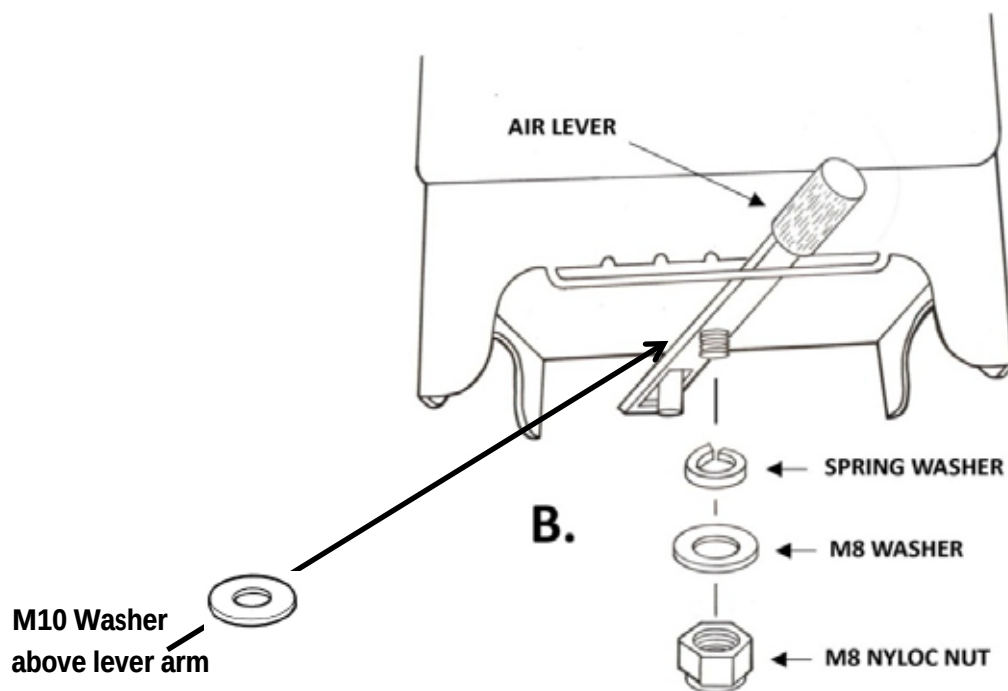


Air Lever Assembly

Tilt the stove back on the rear legs and support it so you can access the underneath of the stove



(A).



Put the M10 washer over the threaded stud, push the air lever through the slot in the front of the stove, locate the end of the lever over the air plate bar and threaded stud, ensuring that the M10 washer sits over the unthreaded shoulder of the stud. Assemble the remaining washers and nut as per diagram (B) using the 13mm spanner. Please ensure the lever moves from left to right with just a little resistance to ensure it stays in place.

Levers and Handles

Please ensure that all levers and handles move correctly prior to positioning the stove in the opening or on the hearth. Adjustment may prove difficult once the stove is positioned.

Should the lever become loose over time adjustment can be made by tightening the nyloc nut at the rear or the one under the stove (as above). Do not apply excessive force to the M8 nyloc

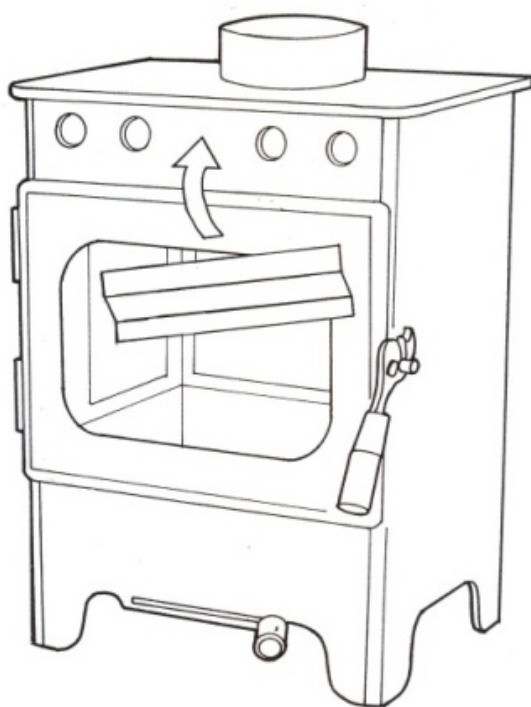
Optional Convection Tube Cover Plate

The cover plate is an option for those people who do not like the appearance of the convection tubes. *(This is not supplied with the Springdale 3kw stove)*

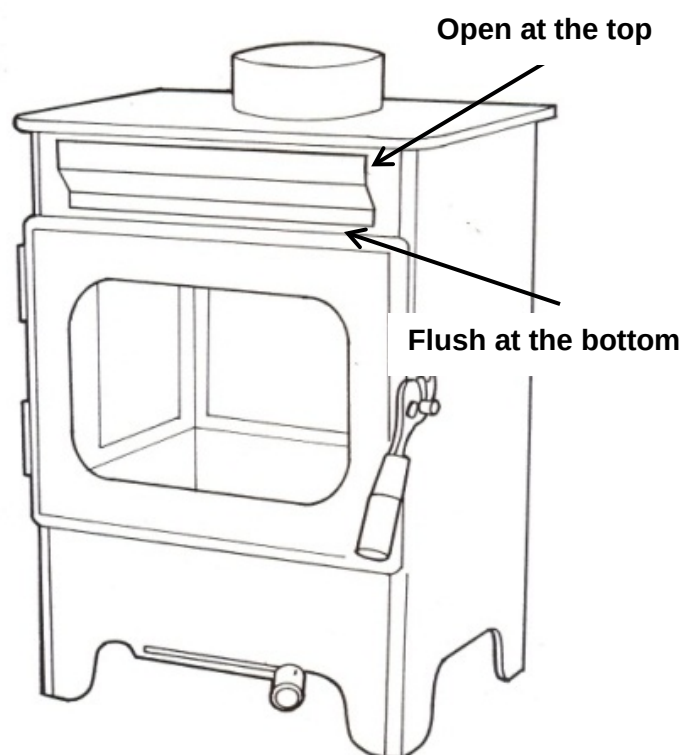
Fitting the cover plate is easy:

- (1) Offer the cover plate up to the stove and locate the clips on the rear into the tubes and push it on.
- (2.) Make sure it is fitted open at the top and flush at the bottom. This is important for the convection heat to come through the tubes.

Fitting the cover plate will not affect the efficiency of the stove.



1



2

Assembly and Installation of the Stove Fire Bricks and Baffle

Having positioned your Burley stove and connected it to a chimney with flue pipe, you need to assemble the inside parts.

There are five internal components: top brick, two side cheeks, a rear brick and a stainless steel baffle.

Fitting of Stove Bricks

To fit the vermiculite bricks:

Place the left side in so the longer edge is at the front and the shorter edge at the rear.

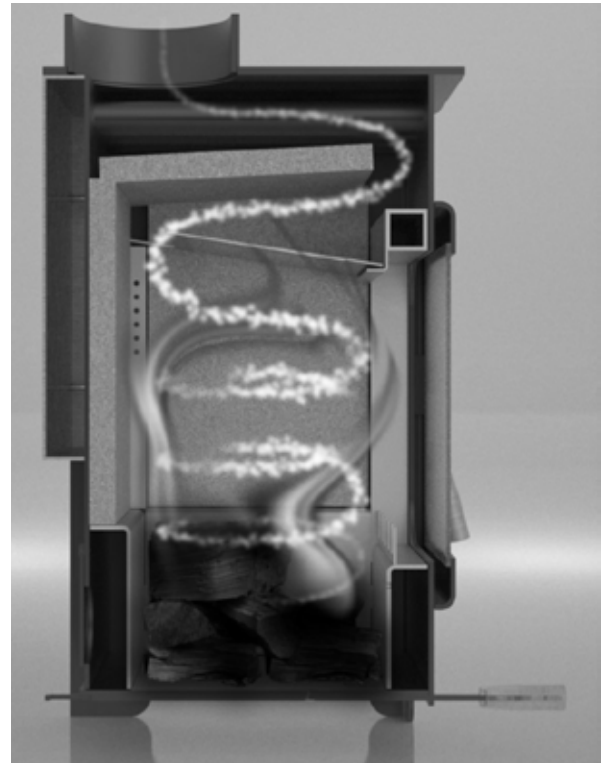
Put the top brick in the stove so the rounded edges are at the back and the flat surface is up. The top brick should stay in place by resting it on the side brick and the top of the square metal tubes.

Place the right side in so the longer edge is at the front

Place the back in.

Slide the top brick backwards so the lip sits over the back and side bricks, keeping them in place and ensuring there is no gap at the back.

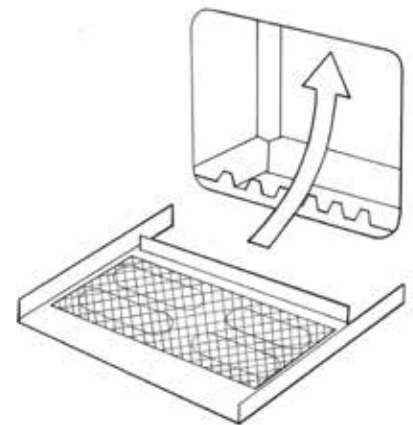
The base brick should already be fitted.



Fitting the Stainless Steel Baffle Plate

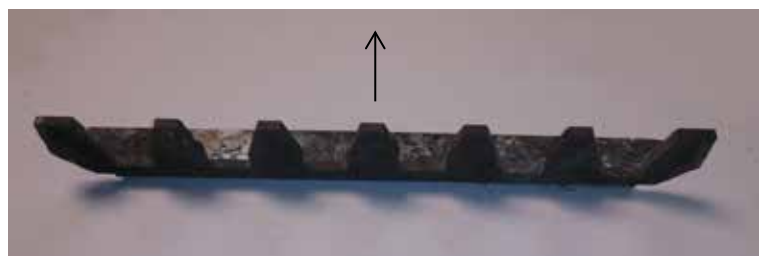
Fit the plate by putting the legs of the plate on top of the rear square metal tubes, you may need to lift the top brick. Bring the plate forward so it sits on the ledge above the door. Check that the top brick is still at the back of the stove and has not moved forward.

When sweeping the chimney or carrying out regular maintenance on the stove, reverse the above procedure, clean the chimney and the top surface of the top baffle and the stainless steel mesh, then reposition all the components.



Log Retaining Bar

Fit the log retaining bar so the angled return is pointing into the stove. This will help to keep the glass clean.



Commissioning the Appliance

On completion of the installation, when any fire cement or paint used has dried, a smoke 'bomb' should be burnt and all joints checked for smoke leakage and the chimney draw checked with all doors and windows closed. Please leave the instructions with the customer and inform them;-

The first time the stove is lit only a small fire should be used to allow the paint to cure properly. **Ventilate the room well as the fumes can be pungent.** Use a small amount of kindling to start the fire. If possible leave the door on the catch, although the fire looks fierce it is comparatively cool due to all the air being drawn in. Add a little more kindling as it burns down. When you have a small bed of embers place a small split log in the fire, allow it to catch well, and then close the door with the lever to the right. Stay with the fire during this process. When this first log is burning down add another log, when this one is burning well you should be able to move the lever midway to the centre. Keep feeding the stove for three hours with a small split log as it burns low.

When you need to remove some ash wait until it is cold and then take some out using the scoop provided. Always leave an inch of ash so you have a nice bed for your next fire.

USER INSTRUCTIONS

To Light the Stove

It is important to keep an approximate minimum depth of $\frac{3}{4}$ " (20mm) of wood ash in the fire box at any time. You will achieve this after the first few firings.

Place 1 or 2 firelighters in the bottom, then add some kindling wood criss-crossed, and finally a small log on top. Light the firelighters open the air vent to maximum (to the right) and close the door to the first latch so there is an air gap around it.

Leave it like this for around five minutes or so, the fire should be well alight and the door can now be closed to become air tight. Leave the air control lever to the right for a further 10 to 20 minutes to get the stove completely up to running temperature. If the stove does go out when the door is closed then the flue is still too cold and will not pull, in this case you may need to leave the door open with kindling burning for longer. The flue's pull will change dependant on temperature and atmospheric conditions.

The best lever position to achieve maximum efficiency will depend on the chimney draw, but will normally be near the centre. Every chimney is different, and you will eventually find your stove's optimum position. This is when the flames are swirling in a lazy manner around the stove, not roaring. If the lever is pushed too far to the left, you starve the fire of oxygen, causing the glass to darken. Move the lever a small amount to the right until the glass just stays clean. We do not recommend use of a stove thermometer – the high efficiency of the stove means flue gases are cool and would give an inaccurate reading, leading to over firing and damage to internal components.

The best way to run any wood stove is 'little and often'. If you are with the fire, it is best to keep adding a small log every 45 minutes rather than adding large ones every 2 hours.



THE STOVE IS NOT DESIGNED TO BE USED WITH THE DOOR OPEN!

To reload, open the door slowly to allow the pressure to equalise. Using the glove provided, place the fresh log towards the rear of the appliance. Close the door.

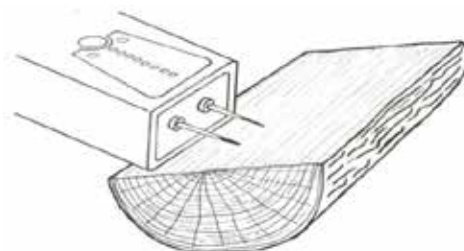
Do not over load the stove with wood and close the damper down, this produces lots of creosote and blackens the glass

Recommended fuels & using the Moisture Meter

Model	9103	9104	9105	9108	9112
Requirement of fuels used in Smoke Control Areas	Dry logs <20% H ₂ O	Dry logs <20% H ₂ O	Dry logs <20% H ₂ O	Dry logs <20% H ₂ O	Not for Use in Smoke Control Areas
	Maximum length 170 -220mm long	Maximum length 200 -250mm long	Maximum length 250 -300mm long	Maximum length 250 -350mm long	
	Maximum width 150mm	Maximum width 150mm	Maximum width 150mm	Maximum width 150mm	

For the stove to operate at maximum efficiency the wood should be as dry as possible, certainly below 18%. Burning damp or wet wood will not only stop the stove working efficiently, but also create excess smoke and stain the glass.

Remove the plastic cap covering the two contact pins. The pins are sharp for a reason, so please use it carefully. Push the pins into the **inner surface** of the split log (5mm as a guide) this will give an accurate reading.



Simply putting the contact pins onto the surface will not give an accurate reading, as it may tell you that the surface is dry whilst the interior of the log may well be damp.

Stove Thermometers - DO NOT USE WITH OUR STOVES

We receive a very small number of calls from customers who have managed to damage their stoves from over-firing, in almost all cases they have a thermometer fitted to their flue.

The Fireballs are the world's most efficient stove because firstly, due to the unique method of introducing air, the combustion chamber is extremely hot, and secondly, the heat is extracted from the combusted gasses to heat the room before it enters the flue.

On the Hollywell for example, the gasses have been cooled to just 122 °C, far below what the stove thermometer will measure. Because the thermometer is not 'in the green', you think that the stove is not operating efficiently, so load the chamber with wood and have the air wide open.

This creates such an inferno that occasionally the ceramic glass can frost (something even the windows on the space shuttle could not achieve during re-entry), and although it is very rare, the stainless steel baffle can also be damaged, stainless steel melts at over 1500°C!

The ONLY thing that a stove thermometer shows is that you have an inefficient stove and are losing a lot of heat up the flue, not a great deal of use really.

Troubleshooting/Poor Appliance Operation

	Refuelling onto a low fire bed	If there is insufficient burning material in the fire bed to light a new fuel charge, excessive smoke emission can occur. Refuelling must be carried out onto a sufficient quantity of glowing embers and ash to ensure that the new fuel charge will ignite. If the fuel bed is too low or cool, suitable kindling must be used to re-light fires.
	Air damper left fully open	Although the fire will look impressive, you will be burning more wood for less heat. The glass can also be damaged.

	Leaving door open	Operation with the door open can cause excess smoke and a potential fire hazard. The appliance must not be operated with the door left open except as directed in the instructions.
	Overloading the fire bed	The maximum amount of fuel specified in this manual should not be exceeded. The weight of dry wood per hour is: 1.0kg for the 9103, 1.3kg for the 9104, 1.6kg for the 9105, 2.8kg for the 9108 and 4.4kg for the 9112. Overloading can damage components of the stove. The stove is not designed for overnight operation.
	Substantial Smoke Emission	If substantial smoke emission is observed from the appliance at any time during the operation of the appliance the operator should ensure they are following the operation instructions and using <u>suitable</u> fuel. The flue may not be pulling as it is too cold or incorrectly specified/installed. There might be a down draught. Check that the top brick is at the back of the fire.
	Door Adjustment	The locking mechanism on the door is made up of a cam and lobe assembly. The door can be loosened or tightened with an Allen key (see page 10). The door will need to be adjusted over time as the rope seal compresses.

Reasons for Premature Wear of Internal Parts

- Stove being used/fired too vigorously
- Too little air passing through the stove
- Use of excessively dry wood (wood from old furniture, carpentry offcuts)
- Excessive debris collection on baffle plate or inner fireback (see section on cleaning)
- Ash level too high in the ash pan over 2 ½ "
- Overnight burning
- Use of a stove thermometer (see page 16)

Care of Glass

The first few firings will cure the paint and we recommend that you clean the glass after this has happened. This will ensure that there are no contaminants on the glass to attract further staining. After a time the glass does deteriorate but to prolong the life:

- Clean the glass each time before re-lighting, this prevents fly-ash from being fired onto the glass
- Clean glass with a ceramic glass cleaner
- If necessary, remove fired on stains with clean wire wool (not a 'brillo' type pad) every time before lighting
- Ensure all glass cleaner is removed from glass before firing
- Do not over aerate the stove as this can cause fly ash to stick.
- Do not run for long periods with the lever to the right
- Only add logs at the back of the stove
- Make sure the log retainer points into the stove
- Most deposits burn off when the stove is very hot, this is with the lever roughly in the middle
- Do not over load the stove or try and keep it in overnight. Add a little wood often.

The stove is double glazed; check the rope seals and screws regularly to ensure a long life.



Take care when removing glass clip screws or they could shear



Do not use with broken glass



Do not over tighten the glass clips as this could cause the internal glass to crack.



Only clean the glass when it is cold and clean daily to prevent build-up of deposits.

Chimney Sweeping and Maintenance

It may be wise to contact your local chimney sweep before the stove is installed. Your chimney should be swept at least once a year by a registered sweep, twice a year with heavy use. The sweep should also replace the fire cement at the base of the flue if necessary.

- The chimney can be swept through the stove.
- The stainless steel baffle and top brick should be removed in the reverse order described on page 14.
- The baffle should be cleaned at least twice a year with heavy use, checked, renewed as required and replaced.
- Unless advised by Burley the stove should not be used with any baffle missing.
- All rope and glass seals should be checked annually and replaced as necessary.

If the stove has not been used for a prolonged period, in excess of 6 months, the chimney should be swept prior to use to check for blockages, birds' nests etc. and rubble/debris blocking the flue ways.

Safety



NOTE: As with all solid fuel appliances, a carbon monoxide detector should be purchased for use in the room. All solid fuel appliances produce considerably more Carbon Monoxide in normal use than oil or gas appliances, but the general 'smell' of the smoke or exhaust is much stronger and more easily detected by a healthy person.

- Always use your appliance with the door shut and look for tell-tale signs of excessive leakage: smoke stains above the fireplace, smoke emitting around the door when running, strong smell of soot upstairs etc.
- Check the seals at the joints annually and replace the fire cement as required. Check especially the joint of the flue pipe to the chimney register plate, hairline cracks are OK, but lumps of cement missing produce a bad joint. A proprietary jointing compound should be used here, as it is far superior to a cement and rope seal.
- Never block air vents either internally or externally.
- Use the supplied glove to reload the stove.
- In the event of a chimney fire, close the door and shut the air vent right down. If possible throw ½ cup of coarse table salt onto the fire.
- Never modify parts or fit parts to the appliance that are not recommended by the manufacturer.
- Never use this appliance in the same flue as another appliance.

The surface of a wood burning stove gets extremely hot in normal use. When using the stove in situations where children or aged and/or infirm persons are present, a fireguard must be used to prevent accidental contact with the stove. The fireguard should be manufactured in accordance with BS 8423:2002.

Warranty

All our stoves are covered by a five year metalwork warranty. **(This is subject to the correct fuel having been used and not overloading or over aerating the stove.)**

The five year warranty covers the stove body only and does not include consumable items such as grates, firebricks, vermiculite panels, baffles, log guards, door rope and glass.

Any warranty claims should be addressed to your original supplier and accompanied with the date of purchase and serial number of the appliance.

If you need further help...

If you need further help with your Burley Stove then the first point of contact should be your HETAS installer, who will be able to provide the answers to most questions.

Your Burley retailer also has a great deal of experience and will also be able to provide helpful advice. Further help is available from Burley's Customer Services department who will be pleased to give advice, if necessary.

Spare Parts

If you need to replace the consumable items in your Burley stove then please contact your retailer who will be able to source the parts for you.

Common parts that "wear out":

DESCRIPTION	9103		9104		9105		9108		9112	
	PART NO	QTY	PART NO	QTY	PART NO	QTY	PART NO	QTY	PART NO	QTY
TOP VERMICULITE BOARD	WTOPLINER3	1	WTOPBAFFLE4	1	WTOPBAFFLE5	1	WTOPBAFFLE8	1	WTOPBAFFLE12	1
BACK VERMICULITE BOARD	WBACLINER3	1	WBACLINER4	1	WBACLINER5	1	WBACLINER8	1	WBACLINER12	1
BOTTOM VERMICULITE BOARD	WBOTLINER3	1	WBOTLINER4	1	WBOTLINER5	1	WBOTLINER8	1	WBOTLINER12	1
LEFT HAND VERMICULITE BOARD	WL/HLINER3	1	WL/HLINER4	1	WL/HLINER5	1	WL/HLINER8	1	WL/HLINER12	1
RIGHT HAND VERMICULITE BOARD	WR/HLINER3	1	WR/HLINER4	1	WR/HLINER5	1	WR/HLINER8	1	WR/HLINER12	1
GLASS	WGLASS/3	2	WGLASS/MIC	2	WGLASS/S	2	WGLASSM	2	WGLASSL	2
GLASS CLIPS	WGLASSCLIP/M	2	WGLASSCLIP/M	2	WGLASSCLIP/S	2	WGLASSCLIP/S	2	WGLASSCLIP/L	2
GLASS ROPE TAPE	WROPE	1M	WROPE	1M	WROPE	1M	WROPE	2M	WROPE	3M
DOOR SEAL ROPE (20mm)	WSEALROPE	1.1M	WSEALROPE	1.3M	WSEALROPE	1.5M	WSEALROPE	1.8M	WSEALROPE	2.4M
STAINLESS STEEL BAFFLE	WLOWBAF9103	1	WLOWBAFMIC	1	WLOWBAFSMA	1	WLOWBAFMED	1	WLOWBAFLAR	1

Customer & Installation Notes

Date of Installation:	
-----------------------	--

Installer Name & contact details

Chimney Swept By:	Date

Notes:



Made in the UK



Burley Appliances Limited

Lands' End Way
Oakham
Rutland
LE15 6RB
United Kingdom

Further information can be found at:
burley.co.uk/woodburner.php

Email: sales@burley.co.uk
Phone: 01572 756956
Fax: 01572 724390

LRB-2021-06

Planning Application – 20/01100/FLL – Demolition of dwellinghouse, erection of 3 dwellinghouses, garage, retaining walls and formation of an access road, land 130 metres north of Craigdallie Cottage, Inchtute

The following report contains sensitive data which the Council cannot publish. The full report will be submitted to the members of the Local Review Body.

**PRELIMINARY ECOLOGICAL APPRAISAL AND
BAT ROOST ASSESSMENT SURVEY**

**PROPOSED HOUSING DEVELOPMENT,
CRAIGDALLIE COTTAGE, INCHTURE, PERTH**

**PREPARED FOR: TRADECAST BUILDING
SERVICES**

5th AUGUST 2020



FDM Ecology Limited
Longphort
Craigard Road
Crieff
Perthshire
PH7 4AE

Scottish Registered Company No. 362825
VAT Registration Number 979 9925 19

This report has been prepared by ecological specialists and references made to legal requirements or restrictions do not constitute legal advice. Where any doubt exists to the interpretation of the law in this report, specialist legal services should be sought.

Date	Issue	Author	Checked	Revision/notes
03/05/2020	V1	Robin Dowse BSc	Jonathan Fairbairn PhD M.C.I.E.E.M.	
05/08/2020	V2	Jonathan Fairbairn PhD M.C.I.E.E.M.	Robin Dowse BSc	Updated with bat activity survey result.

CONTENTS

1	INTRODUCTION	1
1.1	Terms of Reference and Scope of Study	1
1.2	Legislation and Policy Context	1
1.3	Summary of Site and Proposal	3
2	SURVEY AND ASSESSMENT METHODOLOGY	5
2.1	Search for Designated Nature Conservation Sites	5
2.2	Desk Based Survey	5
2.3	Extended Phase 1 Habitat Survey	5
2.4	Dusk/Dawn Bat Activity Survey	6
2.5	Survey Limitations	7
2.6	Surveyor experience	7
3	RESULTS	9
3.1	Designated Sites	9
3.2	Desk Based Survey	9
3.3	Extended Phase 1 Habitat Survey	9
3.3.1	Habitats	9
3.3.2	Protected species (excluding bats)	10
3.3.3	Bats – daytime	11
3.3.4	Bats – dusk/pre-dawn activity surveys	11
4	CONCLUSIONS	13
4.1	Habitats	13
4.1.1	Potential impacts	13
4.1.2	Requirements and recommendations	13
4.2	Bats	14
4.2.1	Impact assessment	14
4.2.2	Requirements and recommendations	14
4.2.3	Species protection plan / method statement	15
4.3	Nesting birds	16
4.3.1	Potential impacts	16
4.3.2	Requirements and recommendations	16
5	Appendix I – Photographs	17
6	APPENDIX II - Legislation (EUROPEAN PROTECTED SPECIES AND BIRDS)	21

1 INTRODUCTION

1.1 Terms of Reference and Scope of Study

The following preliminary ecological appraisal was commissioned by Iain Chalmers of Tradecast Building Services and covers land at Craigdallie Cottage, Inture, Perth, PH14 9QT.

The initial scope of the preliminary ecological appraisal was to conduct an extended Phase 1 Habitat Survey to identify habitats on site in addition to signs of, or potential for, protected animal species. Bat activity surveys were commissioned following the initial site visit in order to complete the assessment of the cottage for roosting bats.

This document provides an overview of the ecological baseline conditions of the site as surveyed in April, June and July 2020.

1.2 Legislation and Policy Context

EC Directive on the Conservation of Natural Habitats and Wild Flora and Fauna, 92/43/EEC, 1992

The EC Habitats Directive promotes the maintenance of biodiversity in Europe. The Directive provides for the creation of a network of protected areas across the continent, designated by Member States as Special Areas of Conservation (SACs). Together with Special Protection Areas (SPAs) designated under the EC Birds Directive (See ornithology report), SACs form a network of pan-European protected areas known as Natura 2000 sites. The annexes to the Directive list habitats and species of importance in a European-wide context. Annex I of the Directive comprises a list of 189 habitat types for which Member States must consider designation for SACs. A sub-set of the Annex I habitat types are defined as being 'priority' because they are considered to be particularly vulnerable and are mainly, or exclusively, found within the European Union. Annex II of the Directive comprises a list of species for which Member States must consider designation for SACs. Member States are required to ensure strict protection of species listed in Annex IV.

The Conservation (Natural Habitats &c) Regulation 1994 (as amended in Scotland)

These regulations transpose Council Directive 92/43/EEC into national law. The Regulations provide for the designation of Natura 2000 sites, the protection of European Protected Species (EPS), and the adaptation of planning and other controls for the protection of Natura 200 sites.

Wildlife and Countryside Act (1981) as amended

The Wildlife and Countryside Act is the primary legislation for the protection of wildlife in Great Britain. The act provides for the designation of protected areas through the designation of Sites of Special Scientific Interest (SSSI), which are selected for their nationally important assemblages of habitats, species and geological interest. The act provides additional protection for certain plants and animals.

Nature Conservation (Scotland) Act 2004

This act places duties on public bodies in relation to the conservation of biodiversity and strengthens protection for SSSIs and wildlife enforcement. The Act places a duty on every public body to further the conservation of biodiversity in a consistent manner with the proper exercise of their functions.

Protection of Badgers Act 1992

This Act provides protection for badgers *Meles meles* and their habitats. It makes it an offence to wilfully take, kill, injure or ill-treat a badger, to obstruct, destroy or damage badger sett or to disturb badgers whilst they are in a sett.

Wildlife and Natural Environment (Scotland) Act 2011

The Wildlife and Natural Environment (Scotland) Act amends the Wildlife and Countryside Act 1981, the Protection of Badgers Act 1992 and the Nature Conservation (Scotland) Act 2004 amongst others. It variously makes changes to the licensing system, enhances protection for badgers and regulates invasive and non-invasive species making it illegal to release any non-native animal from captivity or to cause any non-native plant species to grow in the wild.

Scottish Planning Policy

The Scottish Government published its Scottish Planning Policy document in June 2014. It is concerned with delivering high-quality places designed to create a more successful country by developing opportunities for the whole country to flourish through increased and sustainable economic growth. Part of the policy aims to help protect and enhance existing natural assets by conserving and enhancing protected sites and species. The policy also requires that benefits should be sought for biodiversity from new developments where possible. This should aim to allow development to take place within the environmental limits and pass healthy ecosystems to later generations.

UK post-2010 Biodiversity Framework

In 2010 international governments reached an agreement to halt global declines in biodiversity. They developed a Strategic Plan for Biodiversity 2011-2020, comprising 5 strategic goals and 20 global targets with a vision that: "By 2050, biodiversity is valued, conserved, restored and wisely used, maintaining ecosystem services, sustaining a healthy planet and delivering benefits essential for all people". The UK Biodiversity Framework was developed in 2012 and sets out a structure for action across the UK in order to:

- Set out a shared vision and priorities for UK-scale activities, in a framework jointly owned by the four countries, and to which their own strategies will contribute.
- Identify priority work at a UK level which will be needed to help deliver the targets and the EU Biodiversity Strategy.
- Facilitated the aggregation and collation of information on activity and outcomes across all countries of the UK, where the four countries agree this will bring benefits compared to individual work.
- Streamline governance arrangements for UK-scale activity.

The Framework was developed to replace the pre-existing UK Biodiversity Action Plan and create a more integrated approach to biodiversity conservation across the UK.

Scottish Biodiversity List

The Scottish Biodiversity List (SBL) is a list of flora, fauna and habitats considered by the Scottish Ministers to be of principal importance for biodiversity conservation and its publication was a requirement of Section 2(4) of The Nature Conservation (Scotland) Act 2004. The main aim of the list and associated initiatives is to halt the loss of biodiversity and continue to reverse previous losses through targeted action for species and habitats and it provides a vision for 2030 where biodiversity loss in Scotland has been halted.

1.3 Summary of Site and Proposal

The site is located within Craigdallie, Inchture in Perth & Kinross and totals approximately 1.77 hectares. Two buildings are present within the site boundary. These are the partially demolished Craigdallie Cottage and a brick outbuilding located upslope to the north of the cottage.

The site occupies a south-facing slope with broadleaved woodland on the slopes above Craigdallie Cottage. The cottage itself is located near to the base of the slope approximately 35m from the minor road which forms the site access and southern boundary. Craigdallie Cottage is at National Grid Reference NO 24975 28865.

Proposals include the replacement of the existing cottage with a newly-built dwelling house and detached garage (Plot 1) along with the formation of three terraced cottages beside the road (Plot 2, Plot 3 and Plot 4).

Several roadside trees marked on the site plans had been removed prior to this survey and demolition of the existing cottage was found to be partially completed. Development of Plot 1 will require the removal of an additional number of small trees and groundworks to regrade the slope to the north of the existing cottage.

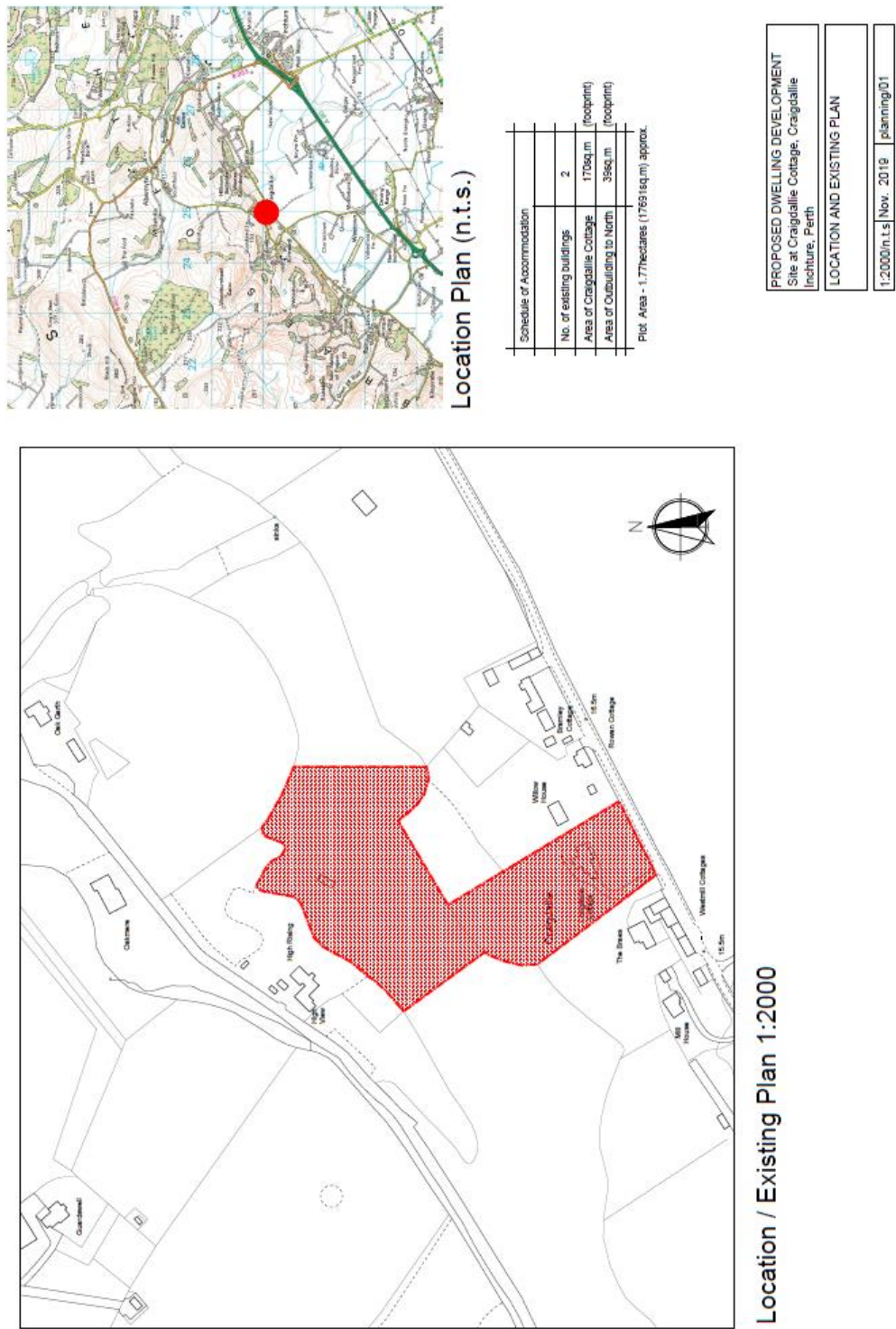


Figure 1. Site location plan as supplied, showing development boundary (not to scale).

2 SURVEY AND ASSESSMENT METHODOLOGY

2.1 Search for Designated Nature Conservation Sites

Prior to a site survey a review was undertaken of both statutory and non-statutory designated nature conservation sites located on and adjacent to the proposed development site. The review involved the use of the SNH Sitelink website¹.

2.2 Desk Based Survey

Prior to the site survey a desk based search using the National Biodiversity Network (NBN) Gateway website² was carried out to locate records of protected amphibian, reptile and mammal species present at or near to the site.

Distribution maps³ and records from FDM Ecology Ltd's previous surveys in this part of Scotland were also reviewed to identify the potential species present in the area.

2.3 Extended Phase 1 Habitat Survey

The survey of the site was conducted during dry weather conditions on the 3rd April 2020. The survey was based on methods⁴ for conducting a Phase 1 Habitat Survey. All areas within the site boundary were walked to identify habitats in accordance with a list of ninety specified habitat types. Descriptive notes were taken for habitat parcels recorded and habitat condition was considered during the survey. Habitats were mapped at an appropriate scale using the standard numerical codes. Target notes were used to provide supplementary information and were made for any habitats or features which were too small to map. Target notes were also to be used to identify stands of invasive plant species.

In addition to the basic habitat survey methodology outlined above, the survey aimed to provide further details in relation to notable or protected species. Signs of protected and/or notable species were searched for, and the potential of habitat to support protected species including birds, badger, otter, pine marten, red squirrel, and bats was also considered. Standard methodologies for protected species survey were followed as appropriate. However, owing to access restrictions within the period of social distancing due to the coronavirus pandemic all survey was conducted from within the extents of the site boundary. Trees within the site boundary which were deemed likely to be affected by the proposals were assessed for their suitability to provide roosting opportunities for bats in line with standard guidance⁵. General notes were taken on the suitability of trees for providing bat roost potential within the site boundary but outwith the development footprint. The partially demolished cottage on site was assessed for bat roosting potential. All survey was undertaken within daylight hours.

¹ <http://gateway.snh.gov.uk/sitelink/>

² <http://data.nbn.org.uk/>

³ Harris, S. and Yalden, D.W. Eds (2008). Mammals of the British Isles: Handbook, 4th Edition. The Mammal Society, Southampton.

⁴ JNCC (2010). Handbook for Phase 1 habitat surveys – a technique for environmental audit. JNCC

⁵ Collins, J. (ed.) (2016) Bat Surveys for Professional Ecologists (3rd edn). The Bat Conservation Trust, London

2.4 Dusk/Dawn Bat Activity Survey

Two activity surveys were carried out at the property using two surveyors per visit. The first survey was carried out at dusk on the 30th June 2020; the second survey was carried out at dawn on the 17th July 2020. Surveyors were Robin Dowse and Jonathan Fairbairn.

The surveys were carried out in line with industry guidance⁵ for a structure with moderate suitability for bats. Surveyors were positioned to view all areas of the remaining roof pitches, paying particular attention to potential bat roost features identified during the daytime inspection survey.

Dusk activity survey involved surveyors watching the building from 15 minutes before sunset and continuing until 90 minutes after sunrise. Dawn survey involved surveyors watching the building from 90 minutes before sunrise until about 15 minutes after sunrise.

Anabat SD2 bat detectors were used throughout the activity surveys to record bat vocalisation data at surveyor locations. BatBox Duet bat detectors were used by surveyors to aid identification of bats in the field.

Table 1 below details the timings and weather variables during each of the activity survey.

Table 1. Timing of activity surveys and weather summary			
Survey date and surveyors	Sunset / sunrise	Start / end time	Weather summary
30 th June 2020 RD / JF	22:06	21:50 to 23:36	Temp start 15.1°C Temp end 13.0C Wind 0-1 (Beau) Very light rain from 23:00
17 th July 2020 RD / JF	04:46	03:16 to 05:01	Temp start 16°C Temp end 16°C Wind 2-3 W (Beau) No rain

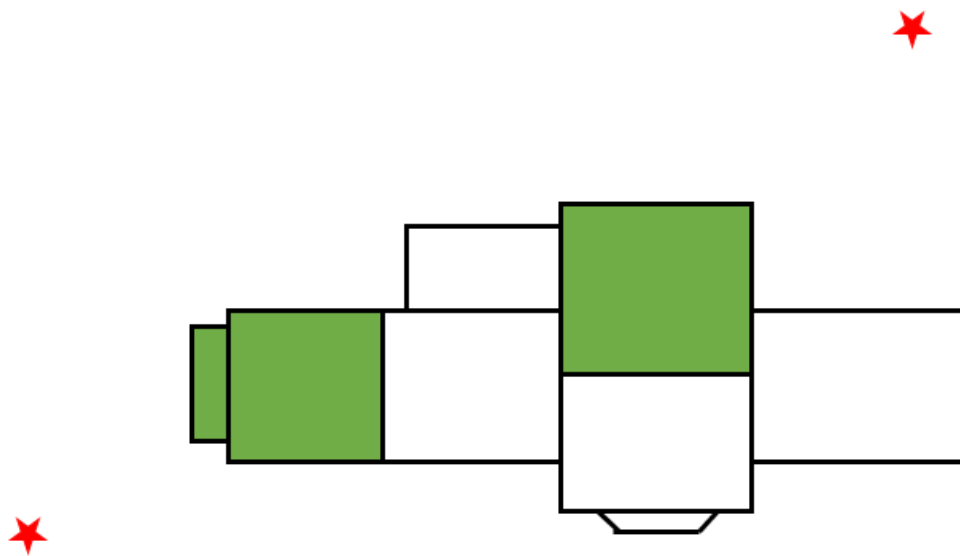


Figure 2. Roof plan and surveyor locations during activity surveys. Green coloured sections are where the roof remains intact.

2.5 Survey Limitations

Only an external bat roost assessment of the cottage on site was undertaken due to the half demolished state of the building and obvious safety hazards of access. As site clearance and partial demolition of the cottage had taken place prior to this survey a full assessment of the building for its potential to contain bat roosts was not possible.

An assessment of trees likely to be affected by development of the site for their bat roost potential was undertaken from the ground level. No bat activity surveys of the site were undertaken as part of this assessment and no climbing surveys were undertaken. Furthermore, mature roadside trees marked on the supplied site plans had been felled prior to the ecology survey so these were not assessed as part of this survey.

A full breeding bird survey was not commissioned, and not considered necessary as part of this survey. Nevertheless, nesting habitat suitability has been identified where present.

Survey of habitats was conducted outside the main flowering period. Due to the habitats and species encountered on site this is not deemed to be a major limitation to the survey and assessment of the site.

The survey presented here is a snapshot of the habitats and species using the site, and may change over time. The findings remain accurate for a limited time, and should be repeated if a significant period of time elapses between the survey and application for planning consent.

2.6 Surveyor experience

The daytime walkover survey was conducted by Robin Dowse. Robin holds a valid Bat Roost Licence, a BLIMP (Bat Low Impact) Licence and has been surveying bats in a professional capacity for over 15 years.

Activity surveys were carried out by Robin Dowse and Jonathan Fairbairn. Jonathan has many years of professional bat survey experience.

3 RESULTS

3.1 Designated Sites

The site is not affected by any nature conservation designations. There are no sites designated for nature conservation value within 5km of the site.

3.2 Desk Based Survey

This area of Scotland is within the known range of the following protected terrestrial mammal species:

- Red squirrel *Sciurus vulgaris*
- Soprano pipistrelle *Pipistrellus pygmaeus*
- Common pipistrelle *P. pipistrellus*
- Nathusius pipistrelle *P. nathusii*
- Daubenton's bat *Myotis daubentonii*
- Natterer's bat *M. nattereri*
- Brown long-eared bat *Plecotus auritus*
- Badger *Meles meles*
- Otter *Lutra lutra*
- Beaver *Castor fiber*
- Pine marten *Martes martes*

This area of Scotland is within the known range of the following protected reptiles and amphibians:

- Adder *Vipera berus*

Although the above species are considered to be resident or regularly occurring in this part of Scotland, the presence or possible presence of other species was not ruled out during survey.

3.3 Extended Phase 1 Habitat Survey

3.3.1 Habitats

A1.1.2 Woodland and scrub: broadleaved, plantation.

The majority of the site outwith the proposed development footprint and upslope (north) of Craigdallie Cottage comprises broadleaved plantation woodland. The woodland areas are generally dominated by sycamore *Acer pseudoplatanus* with occasional ash *Fraxinus excelsior* and the poor canopy diversity and even-aged structure of the woodland indicate the plantation origins of the woodland. The poorly developed understorey comprises occasional hawthorn *Crataegus monogyna* and elder *Sambucus nigra*. Ground layer vegetation is also poor, comprising a blanket covering of the invasive non-native few-flowered leek *Allium paradoxum* in the western parts of the woodland and carpets of planted daffodils, particularly in the eastern parts of the woodland. Small areas of native flora do exist between the drifts of daffodils and carpets of few-flowered leek and species include dog's mercury *Mercurialis perennis*, and nettle *Urtica dioica*. A small area of elder dominated woodland exists near to the top of the slope.

Suckering cherries *Prunus sp.* and small sycamores form a dense stand immediately upslope of Craigdallie Cottage.

A2 Woodland and scrub: scrub

Bramble *Rubus fruticosus* scrub is present along the top of the retaining wall upslope of Craigdallie Cottage.

Scrub vegetation is also present along the route of the powerline wayleave which runs upslope through the site, dividing the plantation woodland outwith the proposed development footprint. Clearance under the powerline has led to low growing coppiced sycamore with bramble, raspberry *Rubus idaeus* Dryopterid ferns and nettles.

B2.2 Grassland and marsh: neutral grassland – semi-improved

Small areas of grassland are present between Craigdallie Cottage and the plantation woodland further upslope. This is presumably formerly part of the garden area of the cottage and has been left fallow for a number of years.

J Miscellaneous habitat

The majority of the proposed development footprint was found to comprise of cleared former garden area of Craigdallie Cottage. This area contains bare earth, piles of building debris and tree stumps.

J3.6 Buildings

Two buildings are located on site. These are:

Craigdallie Cottage

Craigdallie Cottage is a traditionally built 1.5 storey, stone and brick-built cottage with pitched slate-covered roof. The cottage was in a partially demolished state at the time of survey, with the majority of the interior having been stripped back to the external walls. Two small sections of the pitched roof were remaining at the time of the survey. These were an area of roof over the rear (north) portion of the cottage and an enclosed section of roof over the garage extension on the west elevation.

Brick built outbuilding near to the top of the powerline wayleave.

Outbuilding near to the top of the slope constructed with brick walls and with a concrete pitched roof.

Invasive Species

Himalayan balsam *Impatiens glandulifera* is growing around the former garden and areas around the cottage, as well as on the exposed brick-work of the cottage itself. This species is highly invasive, and it is illegal to allow or cause it to grow in the wider countryside.

3.3.2 Protected species (excluding bats)

No evidence of protected mammal species was found within the site boundary during the survey.

The site was not considered to provide suitable habitat for protected reptiles and amphibians.

The wider site provides plentiful bird nesting habitat within plantation woodland trees and scrub which covers the majority of the site and the partially demolished cottage provides further potential bird nesting sites. Excluding the cottage, the proposed development

Excluding the potential for bats (see below) no other signs of or potential for protected species were found during the site survey.

Craigdallie Cottage is deemed to have moderate potential for bat roosts despite the recent partial demolition of the building. Two sections of pitched slate roof remain. These are the section over the garage which is still completely enclosed and a section over the rear of the property which has been partially opened by removal of adjacent pitches. Although no evidence of bats was found on the exterior of the building access was not taken to the interior due to safety constraints. Potential bat roosting features/access points remain under slates, at wall heads, at ridges under lifted zinc flashing and within crevices between roof timbers.

Large broadleaved trees on the roadside and marked on the supplied site plans were not assessed for bat roost potential as these had been felled prior to survey. No other trees within the development footprint were deemed to have features with bat roosting potential. The wider site chiefly comprises plantation woodland which is not expected to be affected by the proposed development of the site and although the plantation comprises broadleaved trees, these are rather even-aged and contain few features with bat roosting potential.

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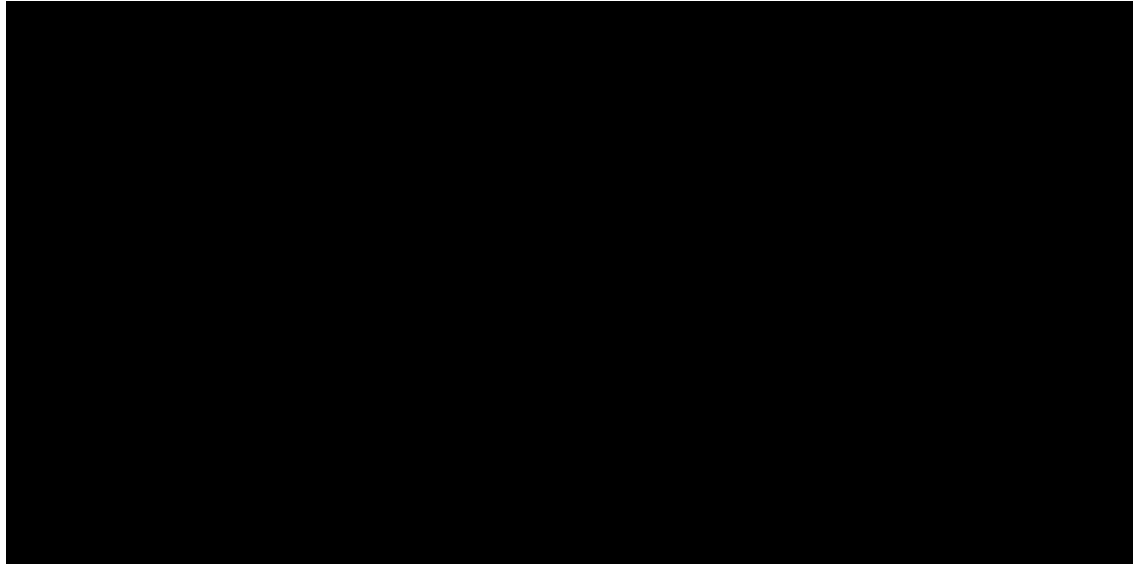
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4 CONCLUSIONS

The following section provides an assessment of potential impacts arising from the proposed development. The assessment is limited to those habitats and features confirmed to be present, or potentially present within the zone of influence of the development.

4.1 Habitats

Clearance within the proposed development footprint, including of the former garden area and trees on the roadside, had been largely completed at the time of survey with bare earth, debris piles and tree stumps remaining. Plantation woodland upslope of the proposed development remains untouched and will not be affected by the proposals.

Habitats within the wider site which will not be affected by the proposed development include species-poor broadleaved plantation woodland, together with areas of scrub, neutral grassland and overgrown amenity grassland. Woodland in the wider site is generally poor in terms of its conservation value being comprised chiefly of even-aged, non-native canopy species under which an almost entirely non-native ground layer vegetation exists. In large swathes of the woodland the ground layer (at the time of survey) was found to be dominated by rows of planted daffodils. Elsewhere, particularly in the western part of the woodland, the invasive, non-native few-flowered leek carpets the ground under the trees.

In Scotland, it is illegal to plant, or cause to grow, a non-native plant in the wild. Few-flowered leek and Himalayan balsam are both non-native species that are a problem in the wild where they have spread. The legislation covering non-native species is primarily the Wildlife & Countryside Act 1981 as amended by the Wildlife and Natural Environment (Scotland) Act 2012. Details of how to act responsibly within the law to ensure that non-native species within the land ownership of a business or individual are detailed in the Non-native species: code of practice⁶ which came into effect on 2nd July 2012.

4.1.1 Potential impacts

The proposed development footprint has been cleared of vegetation and trees with the exception of a small area immediately upslope of the existing cottage. Plantation woodland upslope of the proposed development footprint will remain untouched. Further impacts to habitats are therefore deemed to be minimal.

The removal of soil from the site either intentionally or accidentally (on the tyres of machinery or plant) could result in the spread of Himalayan balsam through seeds in the soil.

4.1.2 Requirements and recommendations

Plantation woodland habitat on site and outwith the proposed development footprint could be greatly enhanced by initiating a programme of control of few-flowered leek which has spread through parts of the woodland, choking out native vegetation.

A programme of control of Himalayan balsam should be initiated to control this invasive species and prevent its spread into the wider countryside.

Soil should not be removed from site, unless to a licensed landfill. Plant and machinery should be washed down prior to leaving site to remove all soil and therefore seeds. Personnel should wash footwear before leaving site, or else change into clean shoes if leaving workwear on site.

⁶ <https://www.gov.scot/publications/non-native-species-code-practice/pages/1/>

No further requirements or recommendations are made.

[REDACTED]

4.2.1 Impact assessment

[REDACTED]

4.2.2 Requirements and recommendations

None of the remaining trees on site within the development footprint have features which could be used by roosting bats. No further survey of trees for bat roosts is required.

All bats and their roosts are strictly protected by law (see Appendix 2 for further detail). As bat roosts have been identified during surveys of the property **licensing will be required for works to proceed**. Scottish Natural Heritage (SNH) is the Licensing Authority for bats in Scotland.

Subject to the following recommendations, licensing should be sought to permit disturbance to bats occupying the property. It should be noted that a licence usually takes up to 2 weeks for SNH to process (though this has been taking longer since the introduction of social distancing restrictions due to COVID-19), and unless otherwise instructed it is the responsibility of the property owner or agent to apply for and ensure that all conditions of any licence granted are strictly followed.

Information and application forms can be downloaded from the SNH website: <https://www.nature.scot/professional-advice/safeguarding-protected-areas-and-species/licensing/species-licensing-z-guide/bats-and-licensing/bats-licences-development>

For a licence to be issued the following three tests must be satisfied:

1. That the development is 'in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment'

2. That there is 'no satisfactory alternative'
3. That the derogation (*i.e.* any permission/licence granted) is 'not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range'

It is imperative that:

No works are to take place in any area near to an identified bat roosts until or unless a licence has been granted by SNH.

4.2.3 Species protection plan / method statement

The following mitigation is proposed, and should accompany the licence application. Such measures are likely to constitute conditions of any licence granted, however, it should be noted that alternative or additional conditions may be applied by SNH to any granted licence:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

7. Roof coverings within 5m of identified roosts will be hand stripped in the presence of a licensed bat worker. Any bats found will be caught and removed by the licensed bat worker to bat boxes erected in nearby trees.
8. Where slates and flashing are to be removed, this should be done carefully and by hand where possible. Tools such as 'slate rippers' should not be inserted under slates in order to prize off or cut nail heads.
9. Design of the proposed dwellings should be enhanced for bats and/or birds by inclusion of purpose-built bat roosts and bird boxes. For example, bat boxes such as the 1WI Schwegler Summer and Winter Bat Box (see photo below), and swift boxes can be built into walls so that the building design is not compromised. These designs can be rendered over and/or painted and are suitable for use in 'passive house' situations. The construction is such that the bats do not enter the building, but are housed in a space which is only accessible from the outside. Two of these bat boxes will be incorporated into the building overlaying the footprint of the existing cottage. They should be considered within the remaining buildings near to the road.

4.3 Nesting birds

Vegetation and tree clearance have already been carried out within the majority of the proposed development footprint. Potential nesting habitat within the development footprint is therefore limited to the remaining parts of Craigdallie Cottage and to trees and scrub at the immediate rear of the property. The wider site provides plentiful bird nesting habitat within areas of woodland and scrub occupying the site on the slopes above the cottage.

4.3.1 Potential impacts

Scrub and tree removal may disturb nesting birds or destroy nests if undertaken during the bird nesting season (February to September inclusive, though subject to inter-annual and geographic variation).

Demolition of the remaining parts of Craigdallie Cottage may disturb nesting birds or destroy nests if undertaken during the bird nesting season.

4.3.2 Requirements and recommendations

Works should ideally be scheduled to commence outwith the bird breeding season in order to avoid potential disturbance to nesting birds. If works are scheduled to commence within the bird breeding season then a screening survey should be undertaken by an ecologist prior to work at the site.

5 APPENDIX I – PHOTOGRAPHS



Photo 1.

View of the partially demolished Craigdallie Cottage from the south near to the roadside site boundary.



Photo 2.

Craigdallie Cottage north and west elevations.



Photo 3.

Craigdallie Cottage west and south elevations.

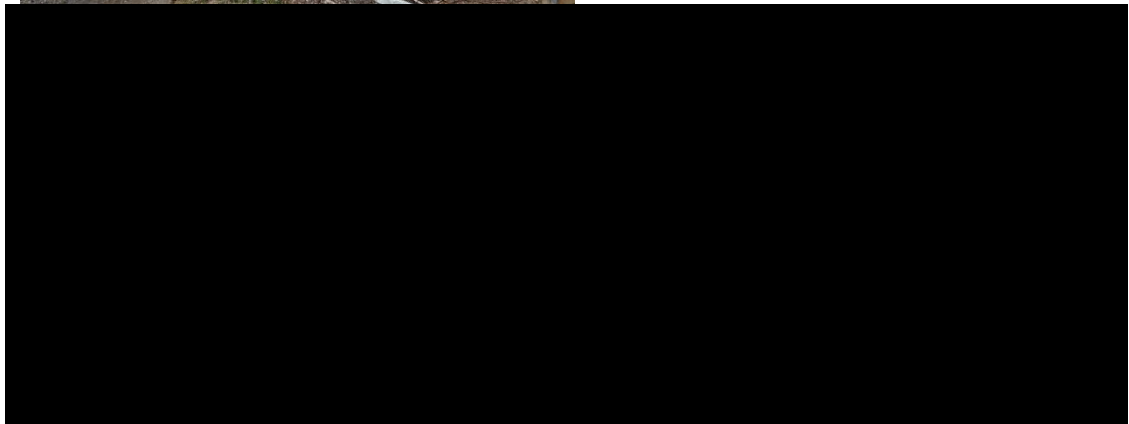




Photo 5.

Cleared broadleaved trees on roadside.



Photo 6.

Cleared broadleaved trees on roadside.



Photo 7.

Species-poor broadleaved plantation woodland on slopes above cottage.



Photo 8.

Species-poor broadleaved plantation woodland on slopes above cottage. Planted daffodils dominate.



Photo 9.

Species-poor broadleaved plantation woodland on slopes above cottage. The invasive non-native few-flowered leek completely carpets the ground layer having outcompeted all other vegetation in this part of the plantation.



Photo 10.

View of the powerline wayleave which runs upslope through the site.



Photo 11.

Building located near to the northern boundary of the site.



Photo 12.

Himalayan balsam growing around the cottage.



Photo 13.

Himalayan balsam growing on and around the cottage.

6 APPENDIX II - LEGISLATION (EUROPEAN PROTECTED SPECIES AND BIRDS)

Bats: legal protection

All species of bats occurring within Scotland are protected under the Conservation (Natural Habitats, &c.) Regulations 1994 (the Habitats Regulations) as amended in 2004 and 2007. In February 2007 amendments to Regulations 39, 40, in respect of protection of European Protected Species of animal, were brought about with a view to improving the transposition of the Habitats Regulations in Scotland. Along with all other European Protected Species of animal, all species of bats were removed from Schedule 5 of the Wildlife and Countryside Act (1981), meaning that the Conservation (Natural Habitats, &c.) Regulations 1994 as amended is the primary legislation protecting bats and their roosts.

Regulation 39(1) now contains the following offences:

- (a) deliberately or recklessly to capture, injure or kill a wild animal of a European protected species;
- (b) deliberately or recklessly-
 - (i) to harass a wild animal or group of wild animals of a European protected species;
 - (ii) to disturb such an animal while it is occupying a structure or place which it uses for shelter or protection;
 - (iii) to disturb such an animal while it is rearing or otherwise caring for its young;
 - (iv) to obstruct access to a breeding site or resting place of such an animal, or otherwise to deny the animal use of the breeding site or resting place;
 - (v) to disturb such an animal in a manner that is, or in circumstances which are, likely to significantly affect the local distribution or abundance of the species to which it belongs; or
 - (vi) to disturb such an animal in a manner that is, or in circumstances which are, likely to impair its ability to survive, breed or reproduce, or rear or otherwise care for its young;
- (c) deliberately or recklessly to take or destroy the eggs of such an animal; or
- (d) to damage or destroy a breeding site or resting place of such an animal.

Importantly the regulations previously provided a defence for offences which were the incidental result of lawful operations (subject to certain conditions). This defence has now been removed.

There are provisions in the legislation to allow actions to take place under licence that would otherwise contravene the law. Licences may be given authorising activities involving European Protected Species which would otherwise be illegal under the Regulations. The licences are granted by SNH. For a licence to be issued the following three tests must be satisfied:

- That the development is 'in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment';
- That there is 'no satisfactory alternative';

- That the derogation (*i.e.* any permission/licence granted) is 'not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range'.

Birds: legal protection

Section 1 of the WCA provides protection to all birds, their eggs and nests when they are being built or are in use. It is an offence to intentionally or recklessly destroy, or otherwise interfere with the nest of any bird if it is in use, or whilst it is being built. This includes preventing access to a nest at these times.

Enhanced protection is provided for bird species listed on Schedule 1, including Golden Eagle, Kingfisher, Osprey, Peregrine, Barn Owl and Crossbill. It is an offence to recklessly disturb Schedule 1 species when they have dependent young. Licences are available for the disturbance to birds and their nests for certain purposes.

Additionally, for birds listed on Schedule A1, it is an offence to take, damage, destroy or otherwise interfere with a nest habitually used by the species at any time of year.

Any works which may potentially cause disturbance to these Schedule 1 or Schedule A1 species requires prior consultation with SNH.

Exceptions exist for game birds during the open season and pest species which may be controlled under licence. The Scottish Government operates a 'general licence' for pest species, where control can be undertaken for the purposes of protecting public health and safety. These species include Great Black-backed Gull (to April 2020), Herring Gull, Collared Dove (to April 2020), Feral Pigeon, Woodpigeon, Carrion Crow, Hooded Crow, Jackdaw, Magpie, Rook (to April 2020) and Canada Goose.



TD Tree & Land Services Ltd.
BS 8545:2014 'Trees: from nursery to independence in the landscape –
Recommendations
Craigdallie

Date: 18/05/2020
Version: 1A

Site: Craigdallie
Kinnaird
Perth
PH14 9QZ

Client: Tradecast Building Services
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This report is intended for the sole use of Mr Iain Chalmers of Tradecast Building Services and their client. No responsibility can be assumed by the author for any third party's actions arising through their interpretation of the document. Any third party relying on this document therefore does so entirely at his or her own risk.

Table of Contents

References.....	2
Introduction.....	2
Authors Qualifications	3
Limitations	3
Location	4
Tree Species - Hedgerow.....	4
Hazel – <i>Corylus avellana</i>	4
Hawthorn – <i>Crataegus monogyna</i>	5
Guelder Rose - <i>Viburnum opulus</i>	5
Blackthorn - <i>Prunus spinosa</i>	5
Tree and Shrub Species.....	5
Juniper – <i>Juniperus communis</i>	5
Crab Apple – <i>Malus sylvestris</i>	6
Aspen – <i>Populus tremula</i>	6
Wild Cherry – <i>Prunus avium</i>	6
Silver Birch – <i>Betula pendula</i>	7
Planting procedure.....	7
Aftercare.....	8

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Introduction

TD Tree & Land Services Ltd were commissioned to provide a Tree Survey and Arboricultural Constraints Report BS5837: 2012 for Mr Iain Chalmers of Tradecast Building Services on the 21/4/2020. Please read this report in conjunction with [TD Trees, Craigdallie, Arboricultural Impact assessment BS5837:2012](#)

As part of the recommendations outlined in that report a replanting schedule was advised to compensate for the loss of trees and hedgerows during development.

The following report outlines a selection of native species suited to the location that is intended to improve biodiversity, increase ecological value and enhance the aesthetic quality of the proposed development.

Mr Rikki Soroczynski, Survey Manager of TD Trees undertook the assessment and report writing. The report was technically checked and proofed by Mr David Whyte, European Protected Species and Training Manager.

Authors Qualifications

This report is based upon the observations and investigations carried out by the author who is an experienced Ecological consultant and Arborist with 6 years' experience.

Rikki joined the TD Trees team in 2019 as an Ecological consultant and Survey manager. His main roles are:

- Arboricultural consultancy and tree surgery
- Arboricultural surveying
- Ecological surveying for management of Bats and their habitat
- Tree conservation and their management

His qualifications include:

- NPTC 0020-12, 0020-13, 0021-01, 0021-02, 0021-08
- LANTRA Professional Tree Inspector
- SNH licensed bat worker
- British Red Cross First Aid at Work + F

Limitations

- Species selection has been limited by local environment and current tree stock.
- No soil analysis has been undertaken to aid species selection
- A desktop survey was used to ascertain local biodiversity

Location

The site is located at NO 24976 28862. A historic broadleaf plantation, the site is dominated by Sycamore (*Acer pseudoplanatus*) and Ash (*Fraxinus excelsior*) with a sporadic understory of Hawthorn (*Crataegus monogyna*) and Elder (*Sambucus nigra*). A desktop study indicates slightly acidic Brown soil types of Red Sandstone Sedimentary origin.

The site is surrounded by both arable and pasturable land with wild hedgerows marking respective boundaries.

The introduction of hedgerow plants to the site, particularly along the Southern boundary will both, offer seclusion to the development and increase the biodiversity of the area with particular attention paid to the attraction of pollinators.

As noted in the proposed design drawings, although a fewer number of trees have been retained, scope for a robust planting schedule that enhances the biodiversity of plant species has been built into the landscape design. The location of larger trees being restricted to the entrance to the driveway on the South West corner of the site and in the centre of the grounds to the South of the main dwelling.

Tree species has been selected to provide potential habitat and to compliment the aesthetic design of the development.

Tree Species - Hedgerow

Below is a short description of the trees/shrubs selected along with maintenance advice.

Hazel – *Corylus avellana*

A common native species associated more in recent years with hedgerows. *C. avellana* than its traditional habitat as understory of lowland Oak (*Quescus spp*) Ash (*Fraxinus excelsior*) or Birch (*Betula spp*). *C. avellana* provides food for many varieties of butterfly and moths (particularly where wildflower habitat is abundant) as well as many small mammals and bird species.

Historically, where *C. avellana* has grown in open ground it has been cut back periodically to stimulate growth to be used as a crop, either as firewood or as timber. This process is known as coppicing.

As such its use in hedgerows where regular maintenance is undertaken would negatively impact its development.

C. avellana should be planted in autumn to promote root growth prior to dormancy. In subsequent years it should be first pruned to promote structural branches.

Sprigs can be cut back by 1/3 at this stage.

Thereafter *C. avellana* should be left for a number of years (4-5) to promote development then lightly pruned during the dormant state (Dec-mid Feb) by cutting back new growth by no more than half.

Heavy pruning is detrimental to the development of *C. avellana* and should be avoided.

Hawthorn – *Crataegus monogyna*

C. monogyna is noted both for its dense canopy and for the wide array of wildlife that it can support. For that reason, it has long been used as a hedgerow tree. Maintenance is minimal once they have become established and needed only to retain a shape.

C. monogyna should be pruned only through the dormant months (late Winter – Early Spring)

Guelder Rose - *Viburnum opulus*

A spreading deciduous shrub, *V. opulus*, although being native has become rare in Scotland. It is an ancient woodland indicator that populates riversides, scrub and fens. It can also be found in old hedgerows where its berries provide an important food source to Bullfinch (*Pyrrhula pyrrhula*) and Mistle thrush (*Turdus viscivorus*)

V. opulus can take some time to flower if planted young, sometimes into the second season. It should be planted where protection from surrounding trees protects it from full sun.

V. opulus can be pruned either during Spring (no later than May) or during Autumn (September – October) although when pruning during Autumn it is advised that wounds are closed with sulphur powder or bees wax to minimize the chance of frost damage.

Blackthorn - *Prunus spinosa*

P. spinosa is an early blooming thorny shrub with white flowers appearing in March and April. Acting as a pollinator to bees in early spring and food source to many moths and butterflies *P. spinosa* also provides nesting seclusion to many bird species.

P. spinosa requires minimal pruning and is often only required should the shrub become invasive to the wider environment. If pruning is undertaken it should be done late Spring/early summer once its flowers have been replaced by blueish berries, known as Sloe.

Tree and Shrub Species

Juniper – *Juniperus communis*

Juniperus communis has been designated a UK Biodiversity Action Plan priority species and has been identified in the Scottish Forestry Strategy 2006 as a woodland species that requires action to promote its population in Scotland. There are 2 sub species of Common Juniper *Juniperus communis ssp communis* and Dwarf/Prostrate Juniper *Juniperus communis ssp. Nan.* In the case of this selection, the former is the more appropriate variation for the site. Rarely growing more than 5m. Juniper can be used in either the hedgerow or as individual stands in a garden, although consideration its prickly needles may conclude that the former is the more appropriate location.

J. communis has, what is commonly known as, a 'dead zone'. Care should be taken when pruning during Late Winter – Early Spring, not to cut old growth back to this zone.

General pruning is required to remove deadwood from. *J communis* should it be planted ornamentally rather than in a hedgerow.

If this is the case, then dead wood can and should be cut back into the 'dead zone' if possible.

This will create space for new growth to inhabit.

In ornamental growth, more complicated techniques are required to protect health and stimulate growth. Any works being carried out should be undertaken by a competent professional Arboriculturalist.

Crab Apple – *Malus sylvestris*

A small to medium sized deciduous tree which flowers during spring and produces edible fruits in Autumn. *M.sylvestrus* is also known to be a good pollinator that will help to develop a thriving ecosystem.

The maintenance of *M. sylvestris* is relatively straightforward and generally only needed to maintain shape and/or to prevent the spread of disease. The approach should be to maintain space between branches and focus on removing dead branches or low branches that can impede movement under the canopy.

Pruning should be undertaken during late Winter or early Spring once the cold weather has peaked. Epicormic and basal suckers can be removed at any time of year

Aspen – *Populus tremula*

Populus tremula is a beautiful and distinctive tree with shimmering summer foliage. in Scotland it is increasingly scarce and occurs in mostly isolated populations.

P. tremula supports a wide range of animal and plant species, some exclusively.

Pruning of *P. tremula* should be undertaken during dormancy (Late Winter – Early Spring)

Wild Cherry – *Prunus avium*

Another early flowering tree, *P. avium* is a haven for wildlife throughout the year and is prized as an ornamental addition to gardens with early flowers in spring being replaced by fruit in the summer.

A little more care is required to prune *P. avium* as undertaking this at the wrong time of year can put trees at risk from silver leaf disease. With this in mind maintenance should only be carried out during the dormant months (late Winter – Early Spring)

Silver Birch – *Betula pendula*

B. pendula is an elegant medium sized deciduous tree, most notable for its light canopy and silvery white bark. A good choice as a garden tree with its unobtrusive form.

Prune during dormant months and only for aesthetic and/or remedial reasons.

Planting procedure

Hedgerow

Although the area may seem initially exposed, starting a native hedge with saplings (bare root or plugs) will provide a better opportunity to develop a dense hedge in later years. Hedgerows should be planted during either autumn months or late winter/ early spring.

Digging a trench approx. 36 inches wide and ensuring that the soil is not compacted, mix with mulch.

At this point mycorrhizal fungi (readily available) can be added to the soil mix. This will help to establish and maintain nutrient distribution as the hedge develops.

Plants should be organised with 3 of the same species with one each of a further 2 species per meter and planted at a 45-degree angle to ensure growth is established evenly from ground level.

Double staggered rows should be planted to maximise coverage of the trench area.

After the first year's growth creeping plants such as Honeysuckle (*Lonicera periclymenum*) and Bramble (*Rubus fruticosus*) can be introduced that will help to increase density within the developing hedgerow.

Pruning should be considered only after the second year of establishment.

Trees

Most tree species can be planted from sapling to the category 'Extra Heavy Standard'. Their height upon purchase ranging from approx. 1.75m up to approx. 4.5m. Although the 'Standard' categorization is measured by girth and not height, the dimensions of purchased plants is unlikely to be guaranteed.

With this in mind, the final choice will depend on the preferred immediate aestheticism of the site. Planting procedure is unchanged other than relative size of holes to be dug and space between trees.

Deciduous trees should only be planted during the dormant season November to April but avoiding mid-winter or before the last frost.

Again, the pit in which selected trees are planted will be determined by the size of tree purchased. For example, a 'regular standard' will have a Diameter at Breast Height (DBH) of 80-100mm and an approximate height of 2.5-3m. The pit into which it should be planted will be 600x600mm wider than the root spread and 600mm deep.

- NOTE: THIS IS AN EXAMPLE AND NOT APPLICABLE TO ALL TREE SIZES

The bottom of planting pits should be left slightly domed to assist drainage and broken up to a depth of 150mm. Removed topsoil should be mixed with compost before being backfilled once the tree is in position. The surface level will be raised by a minimum of 75mm and max of 150mm above adjacent surface levels. Where tree stakes/guards will be used (where necessary) to provide protection and increase stability as the tree establishes.

Aftercare

For both hedgerows and trees, it is important to keep the area weed free whilst establishing. Add 56g of fertiliser with a ration of 10:6:6 NPK after 60 months to tree pits to top up nutrient levels in area.

Ensure that all maintenance and remedial work is carried out by a suitably qualified Arboriculturalist.

End of document

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TD TREE & LAND SERVICES LTD

Professional Tree Surgeons : Arboricultural Contracting & Consultancy : Forestry : Grounds Maintenance

Tree Survey & Arboricultural Impact Assessment and Constraints Report

BS 5837: 2012 Trees in Relation to Design, Demolition, Construction- Recommendations

Date: 10/05/2020
Version: 1A

Site: Craigdallie
Kinnaird
Perth
PH14 9QZ

Client: Tradecast Building Services
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Table of Contents

<i>References</i>	2
<i>Introduction</i>	2
<i>Authors Qualifications</i>	3
<i>Limitations</i>	3
<i>Methodology</i>	4
TREE SURVEY RESULTS	5
THE SITE:	5
<i>Trees Surveyed</i>	6
<i>Discussion</i>	6
<i>Recommendations</i>	7
BS 5837:2012 CATEGORY GRADING	7
APPENDIX 1, TD TREES, CRAIGDALLIE, BS5837:2012	9
APPENDIX 2 – TOPOGRAPHICAL MAPS	15
APPENDIX 3- SITE PHOTOGRAPHS	18

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Introduction

TD Trees and Land Services Ltd were commissioned to provide a tree survey and Arboricultural Impact Assessment (AIA) and Constraints Report BS5837: 2012 for Mr Iain Chalmers of Tradecast Building Services on the 21/4/2020.

Mr Chalmers offered that the report related to a planning application for proposed development on the site at NO 24976 28862.

A topographical map was provided on the 22/4/2020 outlining the area of the proposed development to be surveyed. ***See Appendix 2, topographical maps***

The related report follows British Standards Institute (BSI) publication BS 5837: 2012 Trees in relation to design, Demolition and Construction – Recommendation.

It may be used to form future planning applications to the Local Planning Authority (LPA):

- 5 trees and 0 groups of trees were surveyed as part of this report.
- Only trees with a Diameter Breast Height (DBH) of over 150mm were inspected
- Inspected trees were tagged with aluminium numbered tags (Tree Tag)
- Inspected trees were GPS plotted using TreeSmart Arb Software and their recorded position shown in maps.

This report must be read in conjunction with *Appendix 1: TD Trees, Craigdallie, BS5837: 2012*

Mr Rikki Soroczynski, Survey Manager of TD Trees undertook the assessment and report writing. The report was technically checked and proofed by Mr David Whyte, European Protected Species and Training Manager.

Authors Qualifications

This report is based upon the observations and investigations carried out by the author who is an experienced Ecological consultant and Arborist with 6 years' experience.

Rikki joined the TD Trees team in 2019 as an Ecological consultant and Survey manager. His main roles are:

- Arboricultural consultancy and tree surgery
- Arboricultural surveying
- Ecological surveying for management of Bats and their habitat
- Tree conservation and their management

His qualifications include:

- NPTC 0020-12, 0020-13, 0021-01, 0021-02, 0021-08
- LANTRA Professional Tree Inspector
- SNH licensed bat worker
- British Red Cross First Aid at Work + F

Limitations

- The findings of this report are valid for a period of 12 months from the date of issue. Trees are living organisms that are constantly growing and changing – it is important that they are inspected regularly.
- Trees were inspected visually from ground level; no invasive or non-invasive quantitate assessments were used.
- Whilst every effort has been made to detect defects within the individual trees inspected, no guarantee can be given as to the absolute safety or otherwise of any individual tree. Extreme climatic conditions can cause damage to even apparently healthy trees.
- This report has been prepared for the sole use of Mr Iain Chalmers of Tradecast Building Services and their client. Any third party referring to this report or relying on the information contained therein does so entirely at his or her own risk.
- No soil, foliage or root samples were taken for analysis – should this be required, recommendations will be stated below.

- No decay measurement techniques were used during this survey – should further investigation be necessary, specific recommendations will be made below.
- The plotted location of the trees was taken and reproduced using TreeSmart Arb Software and is accurate to 5m. Its position is therefore to be used as a guide only.
- Height and crown spreads were measured using Nikon Forestry Pro Hypsometer.
- Diameter at breast height (DBH) was measured using Arboricultural diameter and circumference measuring tape.
- Any durations or timescales mentioned in this report should be taken from the date of inspection as recorded in [*Appendix 1: TD Trees, Craigdallie, BS5837: 2012*](#)

Methodology

- Trees within the survey area were inspected from ground level following methods described in Visual Tree Assessment (VTA type 1), (Mattheck and Breloer, 1994).
- Only trees with a Diameter at breast height (DBH) of over 150mm were inspected.
- Measurements and calculations related to and required by British Standards Institute (BSI) publication *BS 5837:2012 Trees in relations to design, demolition and construction* – recommendations were made.
- Considerations were made to the future development of the site; to neighbouring property development; site traffic and plant; excavation; construction and further private use.
- Trees of DBH> 150mm within groups were visually counted. A walkthrough visual count of trees was performed and repeated 3 times. The average number of the counts is used in this report.
- The individual tree data was recorded using the TreeSmart Arb software.
- Maps and tree positions therein are accurate to 5m

Information recorded includes (but not limited to):

- **Tree ID** - Identification number of tree as shown on plan
- **Species** - Botanical and Common name of species. Where the sub-group was unknown (Spp) has been used alongside the genus.
- **Age class** - Young (Y), Early Mature (EM), Mature (M), Late mature. (LM) and Veteran (V)
- **Hgt** - Height of tree in meters.

- **DBH** - Diameter at Breast Height: trunk diameter in cm measured at 1.5m.
- **Crown spread** - Average of 4 measurements taken of North, South, East and West crown spread.
- **MS** - Multi-stemmed.
- **RPA** - Root Protection Area, calculated as 12x the DBH unless multi-stemmed, in which case 10 the DBH.
- **Retention Category** – All trees within the survey have been ascribed a Retention Category as per *BS 5837: 2012*. This takes account of the tree, as well as its amenity and landscape value and suitability for retention within any proposed development. The retention category for each tree is shown in the Tree Survey Schedule.
- **Comments** – General comments on tree health, condition and form, highlighting any defects and/or areas of concern.
- **Recommended Management** - Recommended remedial action/Arboricultural work described in detail or No work required (NWR)

Tree Survey Results

The site:

- Grid reference: NO 24976 28862
- Access to the site can be made from a minor road that runs South West to East along the Southern boundary, from Rait to Ballindean, 1 mile off the A90 at the Errol turnoff from Perth to Inchtute.
- The Northern boundary is marked unmanaged woodland and neighbouring properties.
- The Eastern boundary is marked by a neighbouring property.
- The Western boundary is marked by a neighbouring property.

Mr Rikki Soroczynski of TD Tree & Land Services Ltd. visited the site on the 28/4/20 to conduct the surveys recorded in this report.

Trees Surveyed

The development site has already seen a large majority of the trees identified in the topographical maps *See appendix 2- Topographical maps*, removed.

These include 4 multi-stemmed Ash (*Fraxinus excelsior*) and 1 Hawthorn (*Crataegus monogyna*) from the Southern boundary, 1 Willow (*Salix caprea*) located approx. 8m from the Southern facade. 3 multi stemmed Sycamore (*Acer pseudoplanatus*) from the Southern and Eastern facade of the existing building and 1 Holly (*Ilex aquifoliaceae*) from the South Western gable corner.

As the site has largely been cleared these figures have been taken from the remaining stumps and correlation with pre – clearance photographs provided by the client *See Appendix 3 – site photographs*.

The photographs in *Appendix 3 – Site photographs* indicate that the removed trees are approximately 10m in height with an average DBH of 30cm.

Multiple piles of debris from the removed trees was observed on site, although determining the condition of the trees from those remains would not be accurate. Therefore, due to the lack of data for those removed trees, no further reference will be made within this report. However, compensatory replanting recommendations have been made in the accompanying report *See TD Trees, Craigdallie, BS8545:2014*

A small number of trees remain on the Eastern and Northern boundary of the proposed development footprint.

- Only trees with a Diameter Breast Height (DBH) of 150mm were inspected.
- 5 Trees were surveyed
- 0 Groups of trees were surveyed.
- Inspected trees were tagged with aluminium numbered tags (Tree ID)

Appendix 1: TD Trees, Craigdallie, BS 5837:2012 assessment schedule details the current condition, short term life expectancy and, observations for potential remedial works for remaining trees located within the perimeter boundary. *See Appendix 2: topographical maps*.

Discussion

T1 and T5 *See Appendix 1: TD Trees, Craigdallie, BS5837: 2012* along the Northern boundary of the proposed development footprint require removal due to a conflict with the proposed design.

T3 and T4 should be retained and along with T2 should have protective measures implemented to minimize any damage occurring through development of the site. These measures should be provided in the form of a Tree Protection Plan (TPP)

Recommendations

- A BS8596: Surveying for Bats in Trees and Woodlands is commissioned for the site prior to any further recommendations being implemented.
- A Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) are commissioned prior to any further recommendations being implemented.
- A robust replanting schedule is commissioned prior to the removal of any trees identified in this report.
- Remove T1 and T5
- Regular hazard and condition surveys are commissioned post development to ensure the minimizing of risk and hazard to the property and its inhabitants.
- All tree works are carried out to the standards defined in the BS 3998: 2010.
- Recommendations for tree work to be undertaken by arborists with the appropriate insurance and qualifications and approved contractors of the Arboricultural Association. TD Tree & Land Services Ltd are AA approved contractors. *see www.TDTREES.co.uk

BS 5837:2012 Category Grading

The trees were categorised for quality, based on guidance given in British Standard BS 5837: 2012 *Trees in relation to, Demolition and Construction – Recommendations*. Trees were classified per their retention category. An explanation of the categories and their meanings is given below:

Category & Definition	Criteria - Subcategories
Trees unsuitable for retention	
Category U <i>Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years.</i>	Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other category U trees (e.g. where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning). Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline. Trees infected with pathogens of significance to the health and/or safety of other trees nearby, or very low-quality trees suppressing adjacent trees of better quality <i>NOTE Category U trees can have existing or potential conservation value which it might be desirable to preserve.</i>
Trees to be considered for retention	
Category A High quality and value with an estimated life expectancy of at least 40 years.	Particularly good example of their species, especially if rare or unusual; or those that are essential components of formal or semi-formal arboricultural feature.

	Trees, groups or woodlands of particular visual importance as arboricultural and/or landscape features. Trees, groups or woodlands of significant conservation, historical, commemorative or other value.
Category B Moderate quality and value with an estimated life expectancy of at least 20 years.	Trees that might be in category A, but are downgraded because of impaired condition (e.g. presence of significant though remediable defects, including unsympathetic past management or storm damage), such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to merit the category A designation. Trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals; or trees occurring as collectives but situated so as to make little visual contribution to the wider locality. Trees with material conservation or other cultural value.
Category C Low quality and value with an estimated life expectancy of at least 10 years, or young trees with a diameter <150mm.	Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories. Trees present in groups or woodlands, but without this conferring on them significantly greater landscape value, and/or trees offering low landscape benefit. Trees with no material conservation or other cultural value.

Appendix 1, TD Trees, Craigdallie, BS5837:2012

Prepared by:	TD Trees
Address:	TD Tree & Land Services Ltd Platform 1 Station Rd Duns Berwickshire TD113HS
Work Package:	
Site Name/Order No:	Craigdallie
Inspector's Name:	TD Trees
Date of Report:	12-06-2020

Executive Summary:

TD Tree & Land Services Ltd. was commissioned to provide a tree report in line with BS5837:2012

As part of this report

5 Individual trees were surveyed

0 groups of trees were surveyed

This tree and woodland survey was undertaken by a qualified inspector from ground level. It is advised that following any extreme weather conditions any damaged tree or tree movement that has occurred and noticed by persons on site or ground staff is reported to the surveyor for further advice or a revisit if required.

Keys:

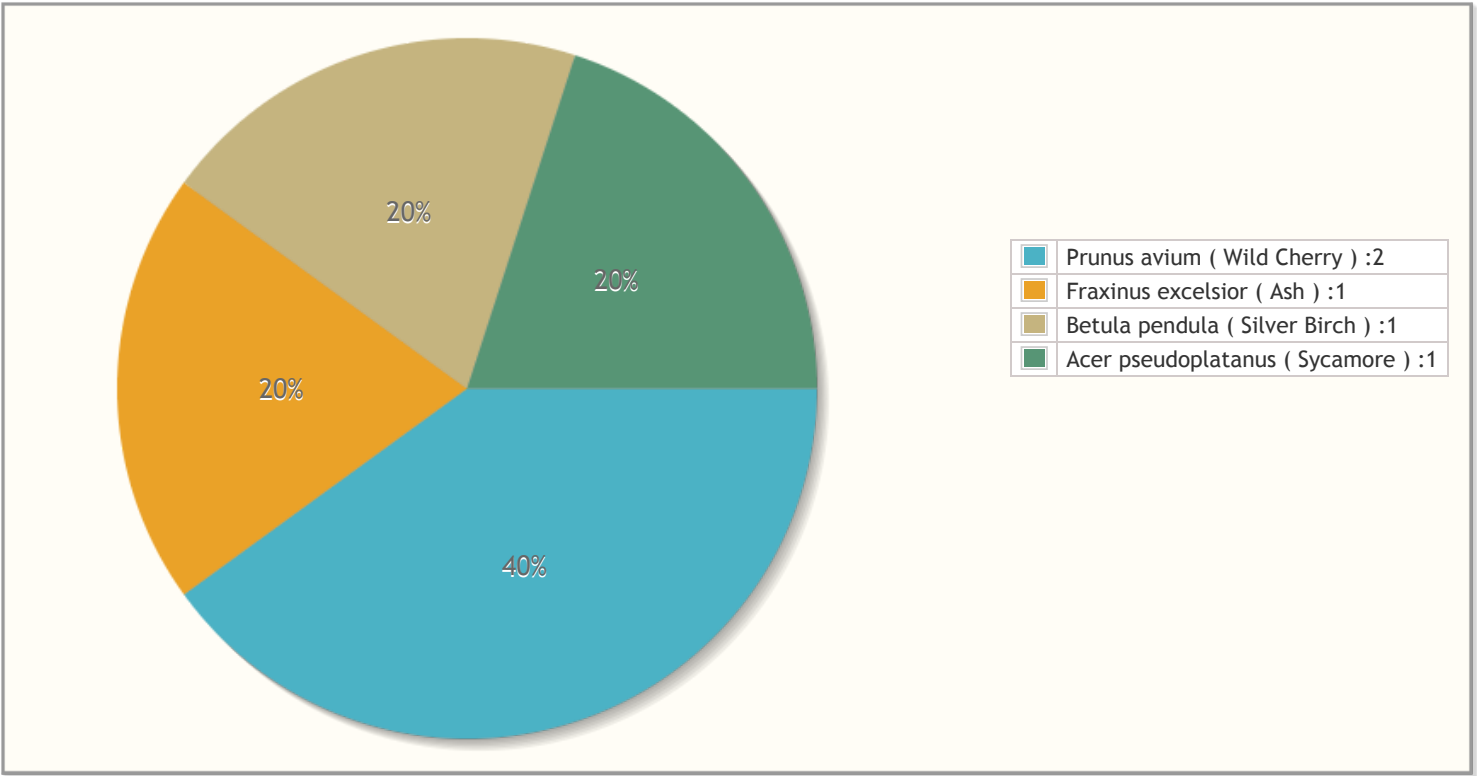
Condition	Definition
Good	Good - Healthy full crown, long life expectancy, no significant defects.
Fair	Fair - Generally healthy, some thinning in the crown, with defects of low significance.
Poor	Poor - Lacking vigour, poor leaf cover, with significant defects.
Dangerous	Dangerous - Urgent removal required
Dead	Dead

Treework Priority	Definition
0	No work required
1	Within 2 weeks
2	Within 1 month
3	Within 3 months
4	Within 6 Months
5	Within 1 Year

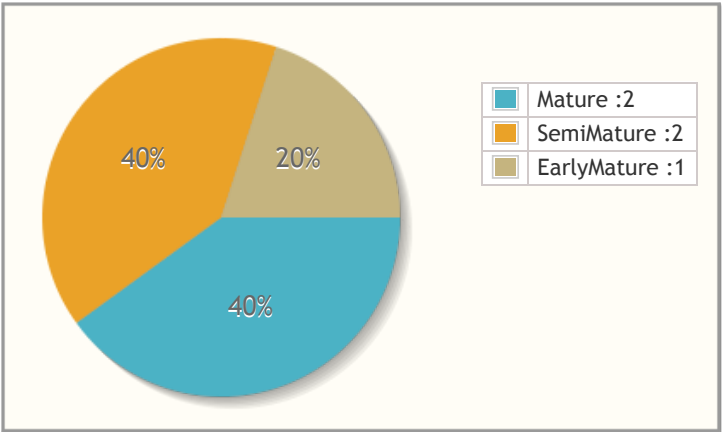
Category	Definition	BS5837 Classification
A		Trees of high quality and value capable of making a significant contribution to the area for 40 or more years.
B		Trees of moderate quality or value capable of making a significant contribution to the area for 20 or more years.
C		Trees of low quality, adequate for retention for a minimum of 10 years expecting new planting to take place; or young trees that are less than 15 cms in diameter which should be considered for re-planting where they impinge significantly on the proposed development.
U		Unretainable
?		Category not known

Subcategory	Definition
1	Mainly arboricultural values
2	Mainly landscape values
3	Mainly cultural values, including conservation

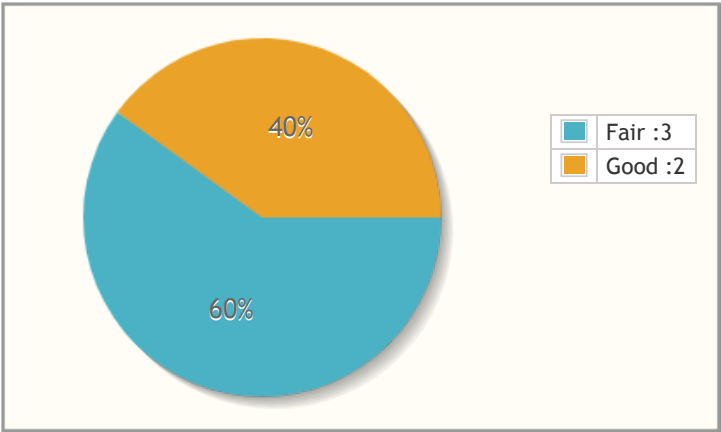
Species



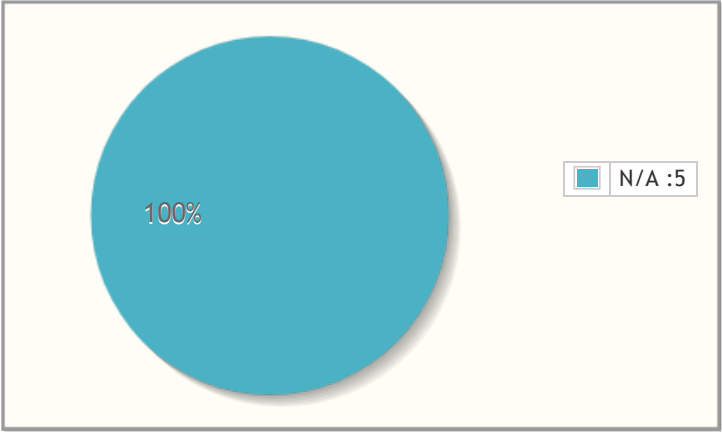
Age Class



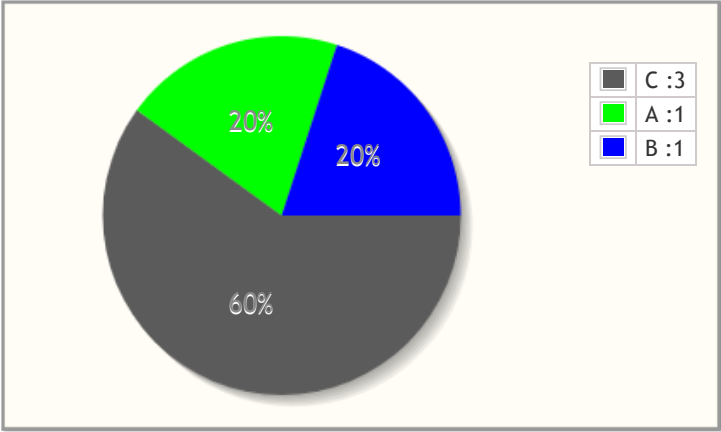
Physical Condition



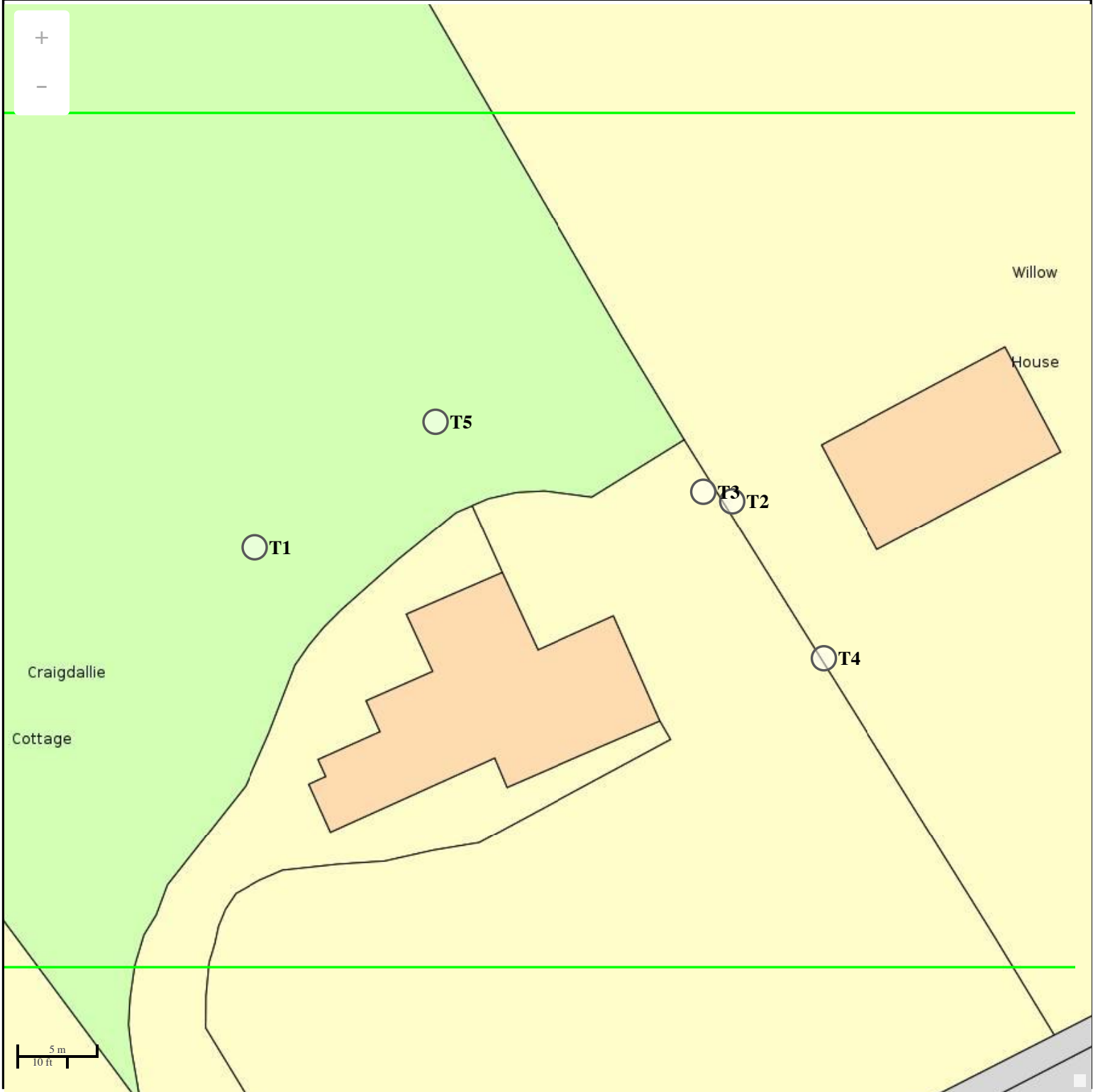
Work Priority



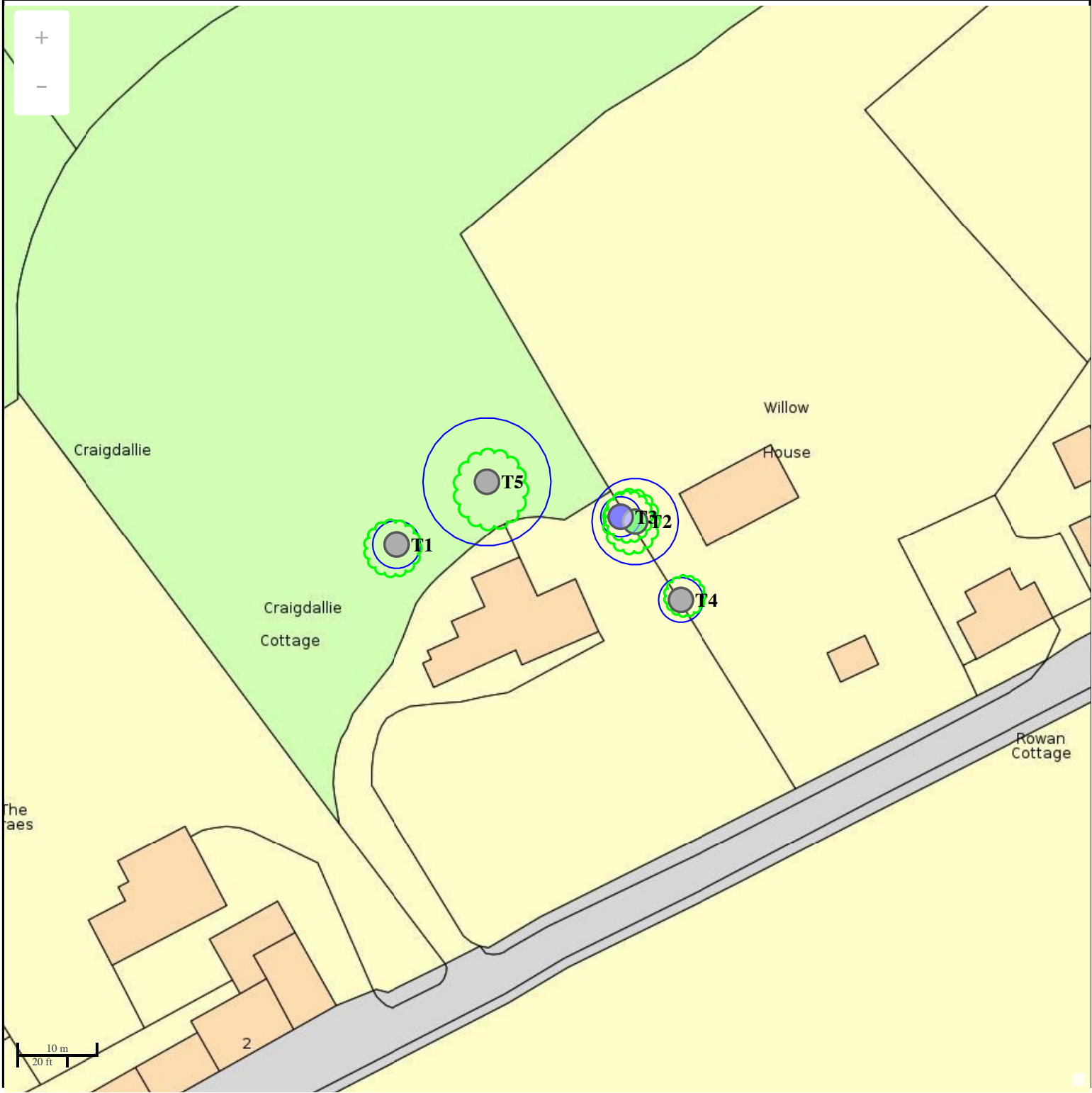
BS5837 Category



No	Species	Height (m)	Age Class	Next Inspection	Priority	Est. Duration
T1	Fraxinus excelsior (Ash)	8	EarlyMature	10-05-2021		0
GENERAL OBSERVATIONS CATEGORY C3 ; PHYSICAL_CONDITION Fair ; STRUCTURAL_CONDITION Fair ; LIFE EXPECTANCY 10-19 years ; TREE/GROUP TAG 875 ; KT ASSET ID 110108495 ; INSPECTION TYPE Cyclical ; TRAFFIC MANAGEMENT REQD None ; NUMBER OF STEMS 1 ; RPA 31m² ; RPA RADIUS 3.1m ; ORIENTATION OF FIRST BRANCH S ; HEIGHT OF FIRST BRANCH 2 ; CANOPY SPREAD N 3m, E 3m, S 4m, W 4m ; CANOPY HEIGHT 3 ; AMENITY VALUE Medium ; STEM DIAMETERS 26cm ; EASTING/NORTHING point(324960.39 728878.64) ; CAVAT FUNCTIONAL VALUE 0% ; CAVAT CASH VALUE - ; USER NAME TD Trees ; LAST INSPECTED 10-05-2020			NO WORKS REQUIRED AT THE TIME OF INSPECTION			
T2	Betula pendula (Silver Birch)	16	Mature	10-05-2021		0
GENERAL OBSERVATIONS In neighbouring property just over boundary CATEGORY A2 ; PHYSICAL_CONDITION Good ; STRUCTURAL_CONDITION Good ; LIFE EXPECTANCY 20-40 years ; TREE/GROUP TAG 878 ; KT ASSET ID 110108498 ; INSPECTION TYPE Cyclical ; TRAFFIC MANAGEMENT REQD None ; NUMBER OF STEMS 1 ; RPA 100m² ; RPA RADIUS 5.6m ; ORIENTATION OF FIRST BRANCH E ; HEIGHT OF FIRST BRANCH 3 ; CANOPY SPREAD N 4m, E 3m, S 4m, W 4m ; CANOPY HEIGHT 6 ; AMENITY VALUE High ; STEM DIAMETERS 47cm ; EASTING/NORTHING point(324991.33 728881.61) ; CAVAT FUNCTIONAL VALUE 0% ; CAVAT CASH VALUE - ; USER NAME TD Trees ; LAST INSPECTED 10-05-2020			NO WORKS REQUIRED AT THE TIME OF INSPECTION			
T3	Prunus avium (Wild Cherry)	6	SemiMature	10-05-2021		0
GENERAL OBSERVATIONS CATEGORY B2 ; PHYSICAL_CONDITION Fair ; STRUCTURAL_CONDITION Fair ; LIFE EXPECTANCY 10-19 years ; TREE/GROUP TAG 876 ; KT ASSET ID 110108496 ; INSPECTION TYPE Cyclical ; TRAFFIC MANAGEMENT REQD None ; NUMBER OF STEMS 1 ; RPA 22m² ; RPA RADIUS 2.6m ; ORIENTATION OF FIRST BRANCH N ; HEIGHT OF FIRST BRANCH 2 ; CANOPY SPREAD N 3m, E 4m, S 3m, W 2m ; CANOPY HEIGHT 3 ; AMENITY VALUE Medium ; STEM DIAMETERS 22cm ; EASTING/NORTHING point(324989.45 728882.23) ; CAVAT FUNCTIONAL VALUE 0% ; CAVAT CASH VALUE - ; USER NAME TD Trees ; LAST INSPECTED 10-05-2020			NO WORKS REQUIRED AT THE TIME OF INSPECTION			
T4	Prunus avium (Wild Cherry)	5	SemiMature	10-05-2021		0
GENERAL OBSERVATIONS CATEGORY C2 ; PHYSICAL_CONDITION Fair ; STRUCTURAL_CONDITION Fair ; LIFE EXPECTANCY 10-19 years ; TREE/GROUP TAG 877 ; KT ASSET ID 110108497 ; INSPECTION TYPE Cyclical ; TRAFFIC MANAGEMENT REQD None ; NUMBER OF STEMS 1 ; RPA 26m² ; RPA RADIUS 2.9m ; ORIENTATION OF FIRST BRANCH S ; HEIGHT OF FIRST BRANCH 2 ; CANOPY SPREAD N 3m, E 3m, S 2m, W 2m ; CANOPY HEIGHT 2 ; AMENITY VALUE Medium ; STEM DIAMETERS 24cm ; EASTING/NORTHING point(324997.26 728871.45) ; CAVAT FUNCTIONAL VALUE 0% ; CAVAT CASH VALUE - ; USER NAME TD Trees ; LAST INSPECTED 10-05-2020			NO WORKS REQUIRED AT THE TIME OF INSPECTION			
T5	Acer pseudoplatanus (Sycamore)	13	Mature	10-05-2021		0
GENERAL OBSERVATIONS CATEGORY C2 ; PHYSICAL_CONDITION Good ; STRUCTURAL_CONDITION Fair ; LIFE EXPECTANCY 10-19 years ; TREE/GROUP TAG 870 ; KT ASSET ID 110108494 ; INSPECTION TYPE Cyclical ; TRAFFIC MANAGEMENT REQD None ; NUMBER OF STEMS 5 ; RPA 215m² ; RPA RADIUS 8.3m ; ORIENTATION OF FIRST BRANCH S ; HEIGHT OF FIRST BRANCH 2 ; CANOPY SPREAD N 4m, E 5m, S 6m, W 4m ; CANOPY HEIGHT 3 ; AMENITY VALUE High ; STEM DIAMETERS 28cm, 36cm, 31cm, 30cm, 28cm ; EASTING/NORTHING point(324972.11 728886.76) ; CAVAT FUNCTIONAL VALUE 0% ; CAVAT CASH VALUE - ; USER NAME TD Trees ; LAST INSPECTED 10-05-2020			NO WORKS REQUIRED AT THE TIME OF INSPECTION			



Map 1



Maps: © Crown Copyright [and database rights] 2013–2020 OS 100055243

Appendix 2 – Topographical maps



Schedule of Accommodation		
		Plot 1
Area of New Craigdallie Cottage	528sq.m	(1.5 storey) 292+236sq
Area of Garage	35sq.m	
Area of Plot	3200sq.m	
Parking (off-street)	7 (min.)	
		Plot 2
Area of New Build Plot 2	75sq.m	(1 storey)
Area of Garage	n/a	
Area of Plot	390sq.m	
Parking (off-street)	2+2 visitor	
		Plot 3
Area of New Build Plot 3	75sq.m	(1 storey)
Area of Garage	n/a	
Area of Plot	312sq.m	
Parking (off-street)	2+2 visitor	

Total built square meterage - 678sq.m
Site Area - 1.77hectares (17691sq.m) approx.

PROPOSED DWELLING DEVELOPMENT
Site at Craigdallie Cottage, Craigdallie
Inchture, Perth

Proposed Site Plan

1:200 | Nov. 2019 | planning/03/A

Proposed Site Plan 1:200





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1:200 | Nov. 2019 | planning/03/A

Proposed Site Plan 1:200

Appendix 3- Site Photographs









LRB-2021-06

Planning Application – 20/01100/FLL – Demolition of dwellinghouse, erection of 3 dwellinghouses, garage, retaining walls and formation of an access road, land 130 metres north of Craigdallie Cottage, Inchtire

REPRESENTATIONS

Joanne Ferguson
Perth & Kinross Council
Pullar House
35 Kinnoull Street
Perth
PH1 5GD

Plant Protection
Cadent
Block 1; Floor 1
Brick Kiln Street
Hinckley
LE10 0NA
E-mail: plantprotection@cadentgas.com
Telephone: +44 (0)800 688588

National Gas Emergency Number:
0800 111 999*

National Grid Electricity Emergency Number:
0800 40 40 90*

* Available 24 hours, 7 days/week.
Calls may be recorded and monitored.

www.cadentgas.com

Date: 28/09/2020

Our Ref: XX_GS1B_3NWP_025734

Your Ref: 20/01100/FLL (JP)

RE: Formal Planning Application, PH14 9QT Land 130 Metres North Of Craigdallie Cottage Inchtur

Thank you for your enquiry which was received on 24/09/2020.
Please note this response and any attached map(s) are valid for 28 days.

An assessment has been carried out with respect to Cadent Gas Limited, National Grid Electricity Transmission plc's and National Grid Gas Transmission plc's apparatus. Please note it does not cover the items listed in the section "Your Responsibilities and Obligations", including gas service pipes and related apparatus.

For details of Network areas please see the Cadent website (<http://cadentgas.com/Digging-safely/Dial-before-you-dig>) or the enclosed documentation.

Are My Works Affected?

Searches based on your enquiry have identified that there is apparatus in the vicinity of your enquiry which may be affected by the activities specified.

Can you please inform Plant Protection, as soon as possible, the decision your authority is likely to make regarding this application.

If the application is refused for any other reason than the presence of apparatus, we will not take any further action.

Please let us know whether Plant Protection can provide you with technical or other information that may be of assistance to you in the determination of the application.

As your proposed activity is in close proximity to National Grid's Transmission assets we have referred your enquiry/consultation to our Asset Protection team for further detailed assessment. We request that you do not commence work or take further action with regards to your proposal until you hear from us. We will endeavour to contact you within 21 days from the date of this response. Please contact us at assetprotection@nationalgrid.com if you have not had a response within this time frame.

Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.

Your Responsibilities and Obligations

The "Assessment" Section below outlines the detailed requirements that must be followed when planning or undertaking your scheduled activities at this location.

It is your responsibility to ensure that the information you have submitted is accurate and that all relevant documents including links are provided to all persons (either direct labour or contractors) working for you near Cadent and/or National Grid's apparatus, e.g. as contained within the Construction (Design and Management) Regulations.

This assessment solely relates to Cadent Gas Limited, National Grid Electricity Transmission plc (NGET) and National Grid Gas Transmission plc (NGGT) and apparatus. This assessment does **NOT** include:

- | Cadent and/or National Grid's legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent and/or National Grid's assets in private land. You must obtain details of any such restrictions from the landowner in the first instance and if in doubt contact Plant Protection.
- | Gas service pipes and related apparatus
- | Recently installed apparatus
- | Apparatus owned by other organisations, e.g. other gas distribution operators, local electricity companies, other utilities, etc.

It is **YOUR** responsibility to take into account whether the items listed above may be present and if they could be affected by your proposed activities. Further "Essential Guidance" in respect of these items can be found on either the [National Grid](#) or [Cadent](#) website.

This communication does not constitute any formal agreement or consent for any proposed development work; either generally or with regard to Cadent and/or National Grid's easements or wayleaves nor any planning or building regulations applications.

Cadent Gas Limited, NGGT and NGET or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you require further assistance please contact the Plant Protection team via e-mail ([click here](#)) or via the contact details at the top of this response.

Yours faithfully

Plant Protection Team

ASSESSMENT

Affected Apparatus

The apparatus that has been identified as being in the vicinity of your proposed works is:

- I National Gas Transmission Pipelines and associated equipment

As your proposal is in proximity to apparatus, we have referred your enquiry / consultation to the following department(s) for further assessment:

- I Land and Development Asset Protection Team (High Pressure Gas Transmission and Electricity Transmission Apparatus)

We request that you take no further action with regards to your proposal until you hear from the above. We will contact you within 28 working days from the date of this response. Please contact us if you have not had a response within this timeframe.

Requirements

BEFORE carrying out any work you must:

- I **Ensure that no works are undertaken in the vicinity of our gas pipelines and that no heavy plant, machinery or vehicles cross the route of the pipeline until detailed consultation has taken place.**
- I Carefully read these requirements including the attached guidance documents and maps showing the location of apparatus.
- I Contact the landowner and ensure any proposed works in private land do not infringe Cadent and/or National Grid's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.
- I Ensure that all persons, including direct labour and contractors, working for you on or near Cadent and/or National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 - 'Avoiding Danger from Underground Services' and GS6 – 'Avoidance of danger from overhead electric power lines'. This guidance can be downloaded free of charge at <http://www.hse.gov.uk>
- I In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken.

GUIDANCE

High Pressure Gas Pipelines Guidance:

If working in the vicinity of a high pressure gas pipeline the following document must be followed: 'Specification for Safe Working in the Vicinity of Cadent and/or National Grid High Pressure Gas Pipelines and Associated Installations - Requirements for Third Parties' (SSW22). This can be obtained from: <http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=33968>

National High Pressure Gas Pipelines Guidance:

<http://www.nationalgrid.com/NR/rdonlyres/9934F173-04D0-48C4-BE4D-82294822D29C/51893/Above7barGasGuidance.pdf>

Dial Before You Dig Pipelines Guidance:

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=33969>

Standard Guidance

Essential Guidance document:

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=8589934982>

General Guidance document:

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=35103>

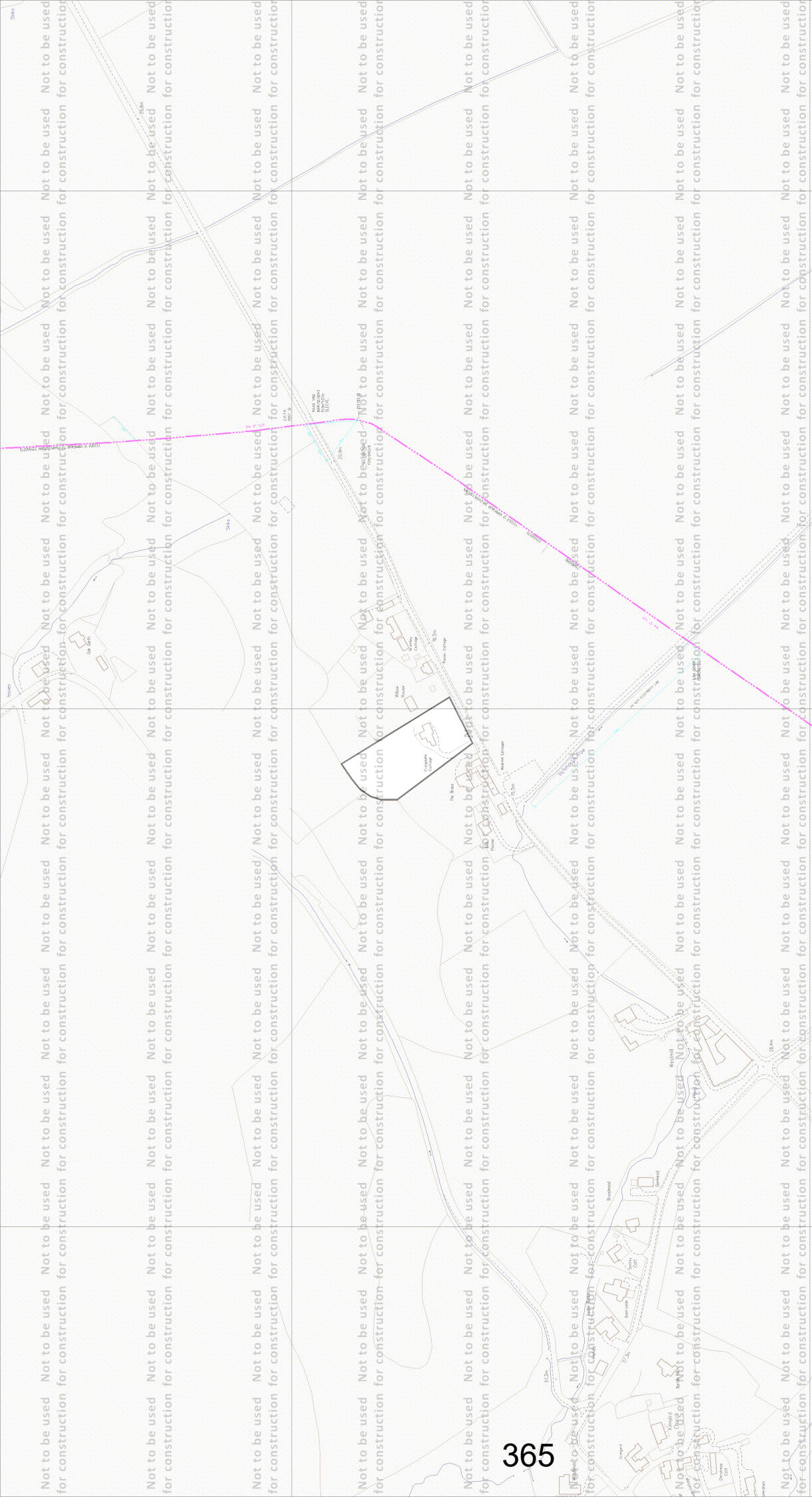
Excavating Safely in the vicinity of gas pipes guidance (Credit card):

<http://www.nationalgrid.com/NR/rdonlyres/A3D37677-6641-476C-9DDA-E89949052829/44257/ExcavatingSafelyCreditCard.pdf>

Excavating Safely in the vicinity of electricity cables guidance (Credit card):

<http://www.nationalgrid.com/NR/rdonlyres/35DDEC6D-D754-4BA5-AF3C-D607D05A25C2/44858/ExcavatingSafelyCreditCardelectricitycables.pdf>

Copies of all the Guidance Documents can also be downloaded from the [National Grid](#) and [Cadent](#) websites.



ID: XX_GS1B_3NWP_025734		View extent: 1445m, 785m		Do not proceed without further consultation This plan shows those pipes owned by Cadent Gas Limited in its role as a Licensed Gas Transporter (GT). Gas pipes owned by other GTs, or otherwise privately owned, may be present in this area. Information with regard to such pipes should be obtained from the relevant owners. The information shown on this plan is given without warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Cadent Gas Limited or their agents, servants or contractors for any error or omission. Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus. The information included on this plan should not be referred to beyond a period of 28 days from the date of issue.	Map 1 of 1 (GAS) MAPS Plot Server Version 1.11.0 Requested by: Perth & Kinross Council This plan is reproduced from or based on the OS map by Cadent Gas Limited, with the sanction of the controller of HM Stationery Office. Crown Copyright Reserved. Ordnance Survey Licence number 100024886
USER: James.Parker		LP MAINS MP MAINS IP MAINS LHP MAINS NHP MAINS 0m 100m Approximate scale 1:5000 on A4 Colour Landscape			
DATE: 28/09/2020		Diameter Change Material Change Out of Standard Service Syphon Depth of Cover			
DATA DATE: 26/09/2020					
REF: 20/01100/FLL (JP)					
MAP REF: NO2428					
CENTRE: 324962, 728869					
Some examples of Plant Items:					
Valve		Depth of Cover		Syphon	

ENQUIRY SUMMARY

Received Date

24/09/2020

Your Reference

20/01100/FLL (JP)

Location

Centre Point: 324962, 728889

X Extent: 100

Y Extent: 128

Postcode: PH14 9QT

Location Description: PH14 9QT Land 130 Metres North Of Craigdallie Cottage Inchtute

Map Options

Paper Size: A4

Orientation: LANDSCAPE

Requested Scale: 1250

Actual Scale: 1:5000 (GAS)

Real World Extents: 1445m x 785m (GAS)

Recipients

pprsteam@cadentgas.com

Enquirer Details

Organisation Name: Perth & Kinross Council

Contact Name: Joanne Ferguson

Email Address: DevelopmentManagement@pkc.gov.uk

Telephone: 01738 475000

Address: Pullar House, 35 Kinnoull Street, Perth, PH1 5GD

Description of Works

PA Demolition of dwellinghouse, erection of 3 dwellinghouses, garage, retaining walls and formation of an access road SP

Enquiry Type

Formal Planning Application

Development Types

Development Type: Development for use by General Public

Memorandum

To Development Quality Manager

From Regulatory Service Manager

Your ref 20/01100/FLL

Our ref MA

Date 1/10/2020

Tel No

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

RE: Demolition of dwellinghouse, erection of 3 dwellinghouses, a garage, retaining walls and formation of an access road Land 130 Metres North Of Craigdallie Cottage Inchtute for Tradecast Building Services Ltd

I refer to your letter dated 24 September 2020 in connection with the above application and have the following comments to make.

Water (assessment date – 1/10/20)

Recommendation

I have no objections to the application but recommend the undernoted condition and informatives be included in any given consent.

Comments

The development is for 3 dwelling houses in a rural area with private water supplies believed to serve properties in the vicinity. To ensure the new development has an adequate and consistently wholesome supply of water and to maintain water quality and supply in the interests of residential amenity and ensure the private water supply or septic drainage systems of neighbours of the development remain accessible for future maintenance please note the following condition and informatives. It should be noted that once the development is operational this Service may have statutory duties detailed in the Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017 to monitor the water quality. No public objections relating to the water supply were noted at the date above.

WS00 Condition

Prior to the commencement of the development hereby approved, details of the location and measures proposed for the safeguarding and continued operation, or replacement, of any septic tanks and soakaways, private water sources, private water supply storage facilities and/or private water supply pipes serving properties in the vicinity, sited within and running through the application site, shall be submitted to and approved in writing by the Council as Planning Authority. The subsequently agreed protective or replacement measures shall be put in place prior to the development being brought into use and shall thereafter be so maintained insofar as it relates to the development hereby approved.

WAYL - Informative 1

The applicant should ensure that any existing wayleaves for maintenance or repair to existing private water supply or septic drainage infrastructure in the development area are honoured throughout and after completion of the development.

PWS - Informative 2

The applicant shall ensure the private water supply for the dwellinghouse/ development complies with the Water Scotland Act 1980 (Section 63), The Private Water Supplies (Scotland) Regulations 2006 and The Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017. Detailed information regarding the private water supply, including the nature, location and adequacy of the source, any storage tanks/ pipework and the filtration and disinfection treatment proposed to ensure provision of an adequate and consistently wholesome water supply shall be submitted to Perth and Kinross Council Environmental Health in line with the above Act and Regulations.

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	20/01100/FLL	Comments provided by	Lucy Sumner
Service/Section	Strategy & Policy	Contact Details	Development Contributions Officer: Lucy Sumner
Description of Proposal	Demolition of dwellinghouse, erection of 3 dwellinghouses, garage, retaining walls and formation of an access road		
Address of site	Land 130 Metres North Of Craigdallie Cottage Inchtute		
Comments on the proposal	NB: Should the planning application be successful and such permission not be implemented within the time scale allowed and the applicant subsequently requests to renew the original permission a reassessment may be carried out in relation to the Council's policies and mitigation rates pertaining at the time. THE FOLLOWING REPORT, SHOULD THE APPLICATION BE SUCCESSFUL IN GAINING PLANNING APPROVAL, <u>MAY</u> FORM THE BASIS OF A SECTION 75 PLANNING AGREEMENT WHICH MUST BE AGREED AND SIGNED PRIOR TO THE COUNCIL ISSUING A PLANNING CONSENT NOTICE. Affordable Housing With reference to the above planning application the Council's Affordable Housing Policy requires that 25% of the total number of houses, above a threshold of 5 units, for which planning consent is being sought is to be in the form of affordable housing. The proposal is for 3no units. The Affordable Housing Policy is not applied. Primary Education With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity. This proposal is within the catchment of Inchtute Primary School. The per unit contribution rate for Primary Education is £5,164 per open market unit. Transport Infrastructure With reference to the above planning application the Council Transport Infrastructure Developer Contributions Supplementary Guidance requires a financial contribution towards the cost of delivering the transport infrastructure improvements which are required for the release of all development sites in and around Perth.		

	The site is located outwith the Transport Infrastructure contributions area.
Recommended planning condition(s)	Summary of Requirements Education: 3 x £5,164 <u>Total: £15,492</u> Phasing It is advised that the preferred method of payment would be upfront of release of planning permission. Due to the scale of the contribution requirement it may be appropriate to enter into a S.75 Legal Agreement. If S.75 entered into the phasing of financial contributions will be based on occupation of open market units with payments made 10 days prior to occupation. Payment for each open market unit will be £5,164 (£15,492 / 3).
Recommended informative(s) for applicant	Payment Before remitting funds the applicant should satisfy themselves that the payment of the Development Contributions is the only outstanding matter relating to the issuing of the Planning Decision Notice. Methods of Payment On no account should cash or cheques be remitted. Scheduled within a legal agreement This will normally take the course of a Section 75 Agreement where either there is a requirement for Affordable Housing on site which will necessitate a Section 75 Agreement being put in place and into which a Development Contribution payment schedule can be incorporated, and/or the amount of Development Contribution is such that an upfront payment may be considered prohibitive. The signed Agreement must be in place prior to the issuing of the Planning Decision Notice. NB: The applicant is cautioned that the costs of preparing a Section 75 agreement from the applicant's own Legal Agents may in some instances be in excess of the total amount of contributions required. As well as their own legal agents fees, Applicants will be liable for payment of the Council's legal fees and outlays in connection with the preparation of the Section 75 Agreement. The applicant is therefore encouraged to contact their own Legal Agent who will liaise with the Council's Legal Service to advise on this issue. Other methods of payment Providing that there is no requirement to enter into a Section 75 Legal Agreement, eg: for the provision of Affordable Housing on or off site and or other Planning matters, as advised by the Planning Service the

	developer/applicant may opt to contribute the full amount prior to the release of the Planning Decision Notice. Bank Transfers All Bank Transfers should use the following account details; Sort Code: 834700 Account Number: 11571138 Please quote the planning application reference. Direct Debit The Council operate an electronic direct debit system whereby payments may be made over the phone. To make such a payment please call 01738 475300 in the first instance. When calling please remember to have to hand: a) Your card details. b) Whether it is a Debit or Credit card. c) The full amount due. d) The planning application to which the payment relates. e) If you are the applicant or paying on behalf of the applicant. f) Your e-mail address so that a receipt may be issued directly. Education Contributions For Education contributions please quote the following ledger code: 1-30-0060-0001-859136 Indexation All contributions agreed through a Section 75 Legal Agreement will be linked to the RICS Building Cost Information Service building Index. Accounting Procedures Contributions from individual sites will be accountable through separate accounts and a public record will be kept to identify how each contribution is spent. Contributions will be recorded by the applicant's name, the site address and planning application reference number to ensure the individual commuted sums can be accounted for.
Date comments returned	05 October 2020

Mr Donald Marshall



Tel:

Mobile:

E Mail:



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

5th October 2020

PLANNING APPLICATION - REFERENCE 20/01100/FLL

Reference A: Notification of a Planning Application on Neighbouring Land dated 24th September 2020.

At Reference A were the details of Planning Application Reference 20/01100/FLL. In response I have the following comments to make:

1. This is the second recent planning application within the hamlet of Craigdallie that has not included [REDACTED]
[REDACTED] It is also noted that the notice has not been sent to the [REDACTED]
Both parties own neighbouring land located within 20 metres and should have received the notification.
- 2 It is proposed to demolish the existing dwellinghouse and replace it with a new build house and garage on Plot 1. I have the following comments regarding Plot 1:
 - a. Although the proposed new build would be replacing an existing house, the footprint of the proposed new build would be significantly larger than the footprint of the existing house.
 - b. The proposed new build would extend to the North well outside the framework of the existing hamlet of Craigdallie and therefore would not constitute a development within a development zone.
 - c. The proposed house would not be a fulfilment of an operational need.
 - d. The dimensions of the proposed house would be significantly larger than any other house in the hamlet of Craigdallie and would dominate all other properties.

3. It is also proposed within the planning application at Plot 2 & Plot 3, to build 2 single storey dwellings to the south of the site. Although in principle I have no objection to this proposal, it would appear to be an over development of the existing site and would undoubtedly fit the definition of "garden creep".

4. There must also be some doubt about who would actually want to live in an extremely expensive large 6 bedroom house with 2 cottages located directly in front of it. As a result, there is some concern that the cottages and/or the house may prove to be unsellable.

Yours Faithfully

A solid black rectangular box used to redact the signature of the sender.

pg∓KC IDMI9/10/202010:42:22

Your Ref:
Our Ref: AR/AR/BRY029/0001
Please reply to: Alison Ramsay, Perth Office

14 October 2020

**JAMESON
+ MACKAY**
SOLICITORS AND ESTATE AGENTS

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

Dear Sirs

Mr William Bryden

Objection to 20/01100/FLL | Demolition of dwellinghouse, erection of 3 dwellinghouses, garage, retaining walls and formation of an access road | Land 130 Metres North Of Craigdallie Cottage Inchtute

We act on behalf of William Bryden

Our client wishes to object in the strongest terms to the current proposal for the site. He wishes to make it clear that he is not objecting to any development of the site. He considers though that the current proposal is entirely inappropriate.

No detailed Supporting Statement accompanies the application but we assume that the applicant is seeking to rely on the application complying with the Local Development Plan 2, Policy 19, Housing in the Countryside Supplementary Guidance 2020 and Policy 1A Placemaking.

1. Policy 19 Housing in The Countryside sets out where the Council can support proposals for the erection, or creation through conversion, of single houses and small groups of houses in the countryside. These must fall into at least one of the following categories:

- (1) building groups;
- (2) infill sites;
- (3) new houses in the open countryside on defined categories of sites as set out in Section 3 of the Supplementary Guidance;
- (4) renovation or replacement of houses;
- (5) conversion or replacement of redundant non-domestic buildings;
- (6) development on rural brownfield land.

We assume that the applicant seeks to place his application in categories 1, 2 and 4.

A derelict house extending to 170sqm with a small building a considerable distance to the north of the house extending to 39sqm have been lying empty and in a dilapidated state on the application site for many years. It is clear that some development of the site would be appropriate and indeed have a positive impact on the village but in our client's view the current proposal comprising the erection of 3 new houses does not comply with policy 19.

Categories 1 and 2-Building Groups and Infill Sites

The current proposal does not comply as it represents an overdevelopment of the site. It does not respect the character, scale and form of the existing building group of Craigdallie. The size and design of the infill houses is not sympathetic to the neighbouring buildings. The proposed housing development would visually dominate the village and thus detract from the visual amenity of the historic building group when viewed from the wider landscape.

Category 4- Renovation or replacement of houses

The proposed replacement house for the derelict, and partly demolished, Craigdallie Cottage is more than 3 times (528sqm) the size of the previous house and, as such, fails to comply with the requirement that the scale of the new house should normally be similar to that of the existing building. It would be out of scale to its setting within the village. The Housing in the Countryside Supplementary Guidance indicates that where a proposed house is to be of a significantly different scale then a supporting planning and design statement should accompany the application. Not only is the proposed house much larger in scale than the original house but the applicant also seeks permission for 2 additional houses within the development site. Such an application clearly necessitates a planning and design statement.

2. Policy 1A Placemaking

The scale, layout and design of the proposal must be appropriate to, and have a good fit with, the landscape character of the area in which it is located. Buildings should be sympathetic in terms of scale and proportion to other buildings in the locality. The proposed house on Plot 1 is disproportionately large in comparison not only to the existing building it would replace but also to the current neighbouring houses. The buildings on Plots 2 and 3 are not only in close proximity to Plot 1 but are also located immediately on the roadside. Although there is already other existing roadside development within the village the introduction of further housing immediately on the roadside would unbalance the current staggered nature of the linear character of the village. The 2 additional proposed houses on Plots 2 and 3 are in fact our client's major concern. Overall the proposed development scheme overdominates and appears incongruous in its setting. It represents clear overdevelopment of the site with a view to maximising financial gain to the detriment of the visual aspect of the site within the village setting all of which is contrary to Policy 1A.

3. Landscape Supplementary Guidance

A specific objective of the Guidance in relation to the Sidlaw Special Landscape Area is to "preserve the distinctive character of small villages along the Braes of the Carse". These historic settlements along the road at the foot of the Braes of the Carse all have their own distinctive character and landscapes. Craigdallie is one such village with some existing properties dating to mid 1700. The proposed overdevelopment of the application site would result in an adverse visual change to the character of Craigdallie contrary to the Guidance.

3. Flooding

Our client is particularly concerned that additional housing will increase the problem of flooding on his low lying land. It is well known that the flat farmland in the Carse has heavy clay soil and is not free draining. Our client's land lies below the level of the application site and any additional water run off

from new housing would only exacerbate what is already a considerable problem not only to our client's farmland but also to other residents in the village and road users in the area.

The roadway immediately ex adverso the application site and also immediately to the west of the site already suffers from persistent flooding issues due to the natural watercourses on the Braes of the Carse steeply rising to the rear of the site and from the general run off of surface water due to the topography. His concerns about additional development are threefold.

1. He is concerned about surface water running off the hard surfaced areas that would comprise the driveways of the 3 plots.
2. Although parking spaces have been shown for plots 2 and 3 the parking area within each plot is limited. Parking would likely occur in front of the houses on the very narrow public road which would result in the banks being eroded either by the parked cars or traffic trying to pass the parked cars. There is already bank erosion encroaching on our client's fields caused by the lack of off road parking for existing houses in the village and this creates water run off into the fields.
3. Additional houses will use extra water and, although the application site is large, due to the sloping nature of the site it would be difficult, if not impossible, to deal with the drainage issue onsite and when it soaks away it would inevitably do so into our client's land and his crops would suffer even more damage than at present.

To summarise, in its current form our client considers that the application does not comply with the Local Development Plan 2 and its planning policies and no evidence has been presented with the application to suggest any material planning considerations that would justify setting aside adherence to policy. We would therefore respectfully ask you to refuse the application.

Yours faithfully

A large black rectangular redaction box covering the signature and any accompanying text or stamp.

From: Donald Marshall [REDACTED]
Sent: 14 October 2020 23:24
To: Development Management - Generic Email Account
Subject: Re: Planning Application Reference 20/0100/FLL

Sorry the previous email was sent incomplete. Further to my earlier submission I have the following

additional comments to make:

1. The proposed development at Plot 1 would significantly affect the natural light available within the garden/patio at the rear of Willow House.

2. The proposed development at Plot 1 would be overbearing in terms of scale and mass, It would also feel oppressive and intrusive.

3. The proposed development at Plot 1 would significantly overlook the rear of Willow House leading to loss of privacy, particularly with some 7 windows facing the rear garden of Willow House.

4. The proposed development at Plot 2 & 3 has no vehicle parking spaces located at the front of the properties. This will undoubtedly lead to vehicles blocking the High Carse Road when unloading/loading vehicles.

Donald Marshall
[REDACTED]

[REDACTED]



To:	Joanne Ferguson, Planning Officer
From:	Sophie Nicol, Historic Environment Manager
Tel:	01738 477037
Email:	[REDACTED]
Date:	14th October 2020

20/01100/FLL | Demolition of dwellinghouse, erection of 3 dwellinghouses, garage, retaining walls and formation of an access road | Land 130 Metres North Of Craigdallie Cottage Inchtute

Thank you for consulting PKHT on the above application. The proposed development site is considered to be archaeologically sensitive as it includes the demolition of a historic cottage, which appears to pre-date the 1st Edition Ordnance Survey of the area and include part of a former historic orchard (MPK16554) that ran behind the houses.

PKHT believes that wherever possible historic buildings should be retained and re-used in order to preserve the character of the local rural landscape. As noted in Scottish Planning Policy (paragraph 137) sensitive re-development that protects the special characteristics of historic buildings can positively contribute to a sense of place. This is reflected in the Local Development Plan policies relating to Placemaking and Housing in the Countryside. The loss of this historic resource is unfortunate and irreplaceable. We always strongly recommend reuse and repair of historic buildings as the first port of call and would query whether the requirement for demolition has been evidenced in this application. However, should the application be successful we would strongly advise a standing building recording of the cottage is undertaken to ensure an appropriate record is made of the building prior to demolition.

We would also like pass on to the applicant that planting heritage fruit varieties from the area might be something they wish to consider, as a link to the site's history. According to the 2008 Carse Orchard Survey a few old apple trees still exist at the western end of the orchard extent, out with this application. The Carse of Gowrie has a rich fruit growing heritage and some of the varieties can be traced back hundreds of years.

In conclusion, should this application be approved a negative suspensive condition for standing building recording of the cottage should be attached to consent to ensure a permanent record is made prior to change of use and modification. to demolition.

Recommendation:

In line with Scottish Planning Policy historic environment section (paragraphs 135-137 and 150), it is recommended that the following condition for historic building survey be attached to consent, if granted:

HE26 *Development shall not commence until the developer has secured an archaeological standing building survey, to be carried out by an independent and suitable qualified archaeological organisation. The scope of the archaeological standing building survey will be set by Perth and Kinross Heritage Trust on behalf of the Council as Planning Authority. The name of archaeological organisation retained by the developer shall be given to the Planning Authority and Perth and Kinross Heritage Trust in writing not less than fourteen days before the commencement date provided in the Notice of Initiation of Development. Copies of the resulting*

survey shall be deposited in the National Monuments Records for Scotland and in the Perth and Kinross Historic Environment Record upon completion of the survey.

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.**

15 October 2020

**JAMESON
+ MACKAY**
SOLICITORS AND ESTATE AGENTS

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

Dear Sirs

Maureen Dick

Objection to 20/01100/FLL | Demolition of dwellinghouse, erection of 3 dwellinghouses, garage, retaining walls and formation of an access road | Land 130 Metres North Of Craigdallie Cottage Inchtute

of the application site. She wishes us to object on her behalf to this application for the following reasons:

1. It does not comply with Policy 19 Housing in the Countryside and Policy 1A Placemaking in the Local Development Plan. Whilst it is a site located within the building group of Craigdallie the proposed development would represent an over development of the site. The proposed more than trebling of the built footprint of the main house on Plot 1 and the addition of two further houses on the roadside would unbalance the visual aspect of the building group and overly dominate the hamlet. This is illustrated by the applicant's own "3D perspective – south west" document accompanying the application.
2. The small hamlet of Craigdallie is located in the Sidlaw Special Landscape Area. The aim of this designation is to "preserve the distinctive character of small villages along the Braes of the Carse". Craigdallie has a pleasing variety of types and locations of houses with the application site in the centre providing an open frontage to the road. To allow the proposed development of two more houses along the roadside would unbalance the building group and be contrary to the aim of the Council's Landscape Guidance.
3. Our client's property and the public road that runs in front of her property and the application site already suffers from the effect of water run off from the hills behind them. There is a well known history of persistent flooding in this area that has proved impossible to prevent. Our client and local residents already encounter problems with this issue. The proposed formation of three additional dwellings would only make this known problem worse.

PARTNERS:
Alison G Ramsay MBE
Stephen Inglis
Jennifer Kirkwood

CONSULTANT:
Brian Marnoch

ACCREDITED PARALEGALS:

Pauline Gloishein
Charlie McCall

REGISTERED PRACTITIONER:

Gary Davies
Society of Trust and
Estate Practitioners



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1 Charlotte Street
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DX 556060 AUCHTERARDE
auchterarder@jamesonmackay.co.uk

RESIDENT PARTNER:

Stephen Inglis

ESTATE AGENCY:

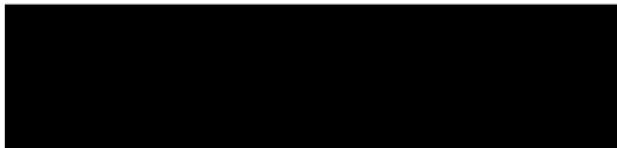
1 Charlotte Street
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F: 01738 530264
DX PE1 17 PERTH
property@jamesonmackay.co.uk



4. If planning were to be granted for Plots 2 and 3 fronting the public road this would inevitably lead to parking issues notwithstanding that parking spaces have been allocated within the plots. Parking on the roadside already causes problems for local residents as there are often cars parked on the grass verges and banking damaging natural habitat and also creating safety issues for road users. The narrow public road has been designated a "cycling and walking friendly" road by the Council and is now used by cyclists, dog walkers (there is a designated dog walk route closeby), joggers, walkers and horse riders. Their safety would be compromised by even more roadside parking.

For all of these reasons our client would ask you to refuse this application.

Yours faithfully

A large black rectangular redaction box covering the signature and any accompanying text.

Memorandum

To Development Quality Manager

From Regulatory Services Manager

Your ref 20/01100/FLL

Our ref LRE

Date 15 October 2020

Tel No

Housing & Environment

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

PKC20/01100/FLL RE: Demolition of dwellinghouse, erection of 3 dwellinghouses, a garage, retaining walls and formation of an access road Land 130 Metres North of Craigdallie Cottage Inchtute for Tradecast Building Services Ltd

I refer to your letter dated 24 September 2020 in connection with the above application and have the following comments to make.

Environmental Health Recommendation

I have no objection in principle to the application but recommend the under noted informative be included on any given consent.

Comments

This application is for the demolition of an existing dwellinghouse at the site and the erection of three new dwellinghouses.

The plans indicate that the applicant proposes to install stoves within the livingroom area of Plot 1 dwellinghouse and Livingroom/dining areas of Plot 2&3 dwellinghouses.

The flue exhausts for the individual stoves are through new individual chimneys that terminate at roof height of the dwellinghouses.

Air Quality

The Environment Act 1995 places a duty on local authorities to review and assess air quality within their area. Technical Guidance LAQM.TG (16) which accompanies this act advises that biomass boilers within the range of 50kW to 20MW should be assessed in terms of nitrogen dioxide and particulate matter. The pollution emissions of concern from biomass are particulate matter (PM₁₀/PM_{2.5}) and nitrogen oxides (NO_x).

The applicant has submitted technical specification information for the stove to be installed within the dwellinghouse, however the data sheet is for 5 models within the Burley Fireball range and it does not indicate which model. The kW output for the models range from 3kW to 12 kW which are out with the range to be assessed so, I have no adverse comments to make with regards to air quality.

Nuisance

This Service has seen an increase in nuisance complaints with regards to smoke and smoke odour due to the installation of biomass appliances. Nuisance conditions can come about

due to poor installation and maintenance of the appliance and inadequate dispersion of emissions due to the inappropriate location and height of flue with regards to surrounding buildings.

The flue exhausts are through chimneys which terminate at roof height and emissions should adequately disperse and the residential amenity of future and existing dwellinghouses should not be adversely affected from smoke/odour.

I would advise that smoke/odour could be further minimised using fuel recommended by the manufacturer, therefore I recommend that the undernoted informative be included on any given consent.

Informative

- The approved stove system shall be installed and thereafter operated and maintained in accordance with the manufacture's recommendations, such that smoke odours are not exhausted into or escape into any neighbouring dwellings. Failure to do so may result in an investigation and possible action by Environmental Health under the Environmental Protection Act 1990.

Comments for Planning Application 20/01100/FLL

Application Summary

Application Number: 20/01100/FLL

Address: Land 130 Metres North Of Craigdallie Cottage Inchtur

Proposal: Demolition of dwellinghouse, erection of 3 dwellinghouses, garage, retaining walls and formation of an access road

Case Officer: Joanne Ferguson

Customer Details

Name: Mrs Carolyn Low

Address: [REDACTED]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Adverse Effect on Visual Amenity
- Contrary to Development Plan Policy
- Loss Of Sunlight or Daylight
- Out of Character with the Area
- Over Intensive Development
- Over Looking

Comment: When the next door derelict Craigdallie Cottage and lands were purchased in 2019, we were led to believe that the existing cottage would be rebuilt or renovated to a similar character and scale of the existing building, and in harmony with the character of other properties in the area (such as ours). The plans clearly do not reflect this and we wish to object for the following reasons:

1: Loss of amenity/privacy/nuisance. The current building has no windows or otherwise, facing our property, our garden or patio. Whilst the cottage is unoccupied/derelict, even if it were occupied, there would be no impact on our amenity or privacy. The proposed plans however, show 8 windows on the west elevation, at a height that looks directly into our bathroom, our bedroom & en suite, and over looks our kitchen, our patio and our rear garden. The double garage has a first floor studio with a balcony which looks directly into our rear garden on the north side and a circular window on the south side. This would have a significant impact on our amenity/privacy.

Two additional cottages are shown on the plans and car parking for 12 additional cars. A 6 space car park is shown next to our boundary wall and facing our bedrooms/bathrooms. We would suffer nuisance, disturbance & noise from traffic coming in and out of this car park. It should be noted that since the lockdown, we have experienced a significant increase in cars parking outside our property, i.e. dog walkers from outside the area, causing damage, nuisance and theft from our

garden to which we have made police reports. A planning officer came to view the damage. The proposed car park could be potentially used as a "free for all" giving rise to more nuisance and crime.

2. Overbearing, out of scale & out of character with the existing properties in the area. As per the Housing in the Countryside Supplementary Guidance, Category 4 states

"The scale of the new house will normally be similar to that of the existing building.", "In all cases, any alterations or extensions to an existing house should be in harmony with the existing building's form and proportion."

The proposed plans for the house are clearly much larger in scale, i.e. almost double the size of the existing cottage, increased in height and we would have concerns about loss of light.

The house would dominate the landscape from the wider view.

No supporting statement has been supplied to justify the scale of the proposed house.

The design is not in harmony with the existing building and is out of character with other properties in the area.

The existing building is of traditional construction. The proposed house however is of non traditional construction, and appears to be of "kit house" construction in nature, therefore of no architectural benefit to the area.

No Development Viability Statement is provided to justify the replacement with new build over renovation/replacement by traditional methods.

Westmill Cottages and our adjoining cottage/annex are of red limestone and slate construction dating to 1739. Our cottage/annex was renovated in 2014, preserving the original character.

The proposed additional cottages are not of the same character - i.e. of non traditional construction. The design of the cottages is out of character with existing cottages.

Ribbon Development

The proposed new cottages will infill/"garden-grab" the existing garden grounds. This in turn will create a continuous line of 6 roadside cottages (from Westmill to Rowan) and we understand this may constitute/contribute a "ribbon development". That being the case, the cottages should not be supported as per the supplementary notes.

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	20/01100/FLL	Comments provided by	Joanna Dick Tree and Biodiversity Officer
Service/Section	Strategy and Policy	Contact Details	Email biodiversity@pkc.gov.uk
Description of Proposal	Demolition of dwellinghouse, erection of 3 dwellinghouses, garage, retaining walls and formation of an access road.		
Address of site	Land 130 Metres North Of Craigdallie Cottage Inchtute		
Comments on the proposal	Policy 40: Forestry, Woodland and Trees The Council will apply the principles of the Scottish Government Policy on Control of Woodland Removal and there will be a presumption in favour of protecting woodland resources. Where the loss of woodland is unavoidable, mitigation measures in the form of compensatory planting will be required. Ten trees have already been felled and a further two trees (ash and sycamore) require to be felled to allow this development to proceed. Three trees (T2, T3, T4) are to be retained with the creation of a Tree Protection Plan as recommended in the submitted Tree Survey but that has not been submitted with this application. Details of how the trees are to be protected during development is required. The submitted BS 8545:2014 'Trees: from nursery to independence in the landscape – Recommendations' Report lists recommended species that are to be planted to compensate for the loss of 12 trees but does not detail location, how many and of what species. A Landscaping Plan is required outlining the location, species and number of trees and shrubs to be planted. Policy 41: Biodiversity The Council will seek to protect and enhance all wildlife and habitats, whether formally designated or not, considering natural processes in the area. Planning permission will not be granted for development likely to have an adverse effect on protected species unless clear evidence can be provided that the ecological impacts can be satisfactorily mitigated. European Protected Species All bat species found in Scotland are classed as European protected species. They receive full protection under the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) making it an offence to disturb a bat in a roost, obstruct access to a roost and damage or destroy a breeding or resting place of such an animal. The impact of development on protected species must be understood before planning permission can be granted. Planning permission will not be granted for development that would, either individually or cumulatively, be likely to have an adverse effect upon European protected species (listed in Annex IV of the Habitats Directive (Directive 92/43/EEC)) unless the Council as Planning Authority is satisfied that: (a) there is no satisfactory alternative, and (b) the development is required for preserving public health or public safety or for other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment.		

	In no circumstances can a development be approved which would be detrimental to the maintenance of the population of a European protected species at a favourable conservation status in its natural range. All methods in the submitted Preliminary Ecological Appraisal and Bat Roost Assessment Survey are in accordance with best practice. Dusk and dawn surveys carried out in June and July 2020 confirmed the presence of one common pipistrelle bat roost containing a single bat. Due to the presence of bat roosts, no works can be undertaken before a derogation licence from NatureScot (formerly Scottish Natural Heritage) has been issued. The submitted Bat Survey and Assessment Report contains sufficient information for the planning authority to be satisfied that all three tests are likely to be met. The same tests need to be passed in order for NatureScot to issue a licence. The Species Protection Plan in Section 4.2.3 of the submitted Preliminary Ecological Appraisal and Bat Roost Assessment Survey contains mitigation measures to reduce the impact on bat roosts and compensation measures for the lost roosts. Allowing bats to access the completed dwelling houses through integrated bat boxes, bat bricks or Morris slates is strongly encouraged and would result in a positive contribution to biodiversity through this development. The locations of these measures need to be agreed and shown on architects' drawings to ensure they are included. No further works can commence without a licence from NatureScot. Invasive Non-Native Species The submitted Preliminary Ecological Appraisal and Bat Roost Assessment Survey notes the presence of Himalayan Balsam growing around the existing cottage. A programme of control of Himalayan balsam should be initiated to control this invasive species and prevent its spread into the wider countryside as recommended in Section 4.1.2 of the Report. Details of the control programme should be submitted to the planning authority. Breeding Birds For all wild bird species in Great Britain, it is an offence to intentionally or recklessly kill, injure or take a bird; take, damage, destroy or interfere with a nest of any bird while it is in use or being built; or obstruct or prevent any bird from using its nest. This proposal could contribute positively to local biodiversity by providing at least two swallow and two sparrow nest boxes on the completed buildings.
Recommended planning condition(s)	More information is required to progress this application.
Recommended informative(s) for applicant	
Date comments returned	16 October 2020

Joanne Ferguson
Perth & Kinross Council
Pullar House, 35 Kinnoull Street, Perth, PH1 5GD

Jay Lad
Asset Protection Assistant
Business & Operation Support
Gas Transmission Asset Management
National Grid
Warwick
Direct Tel:
Email: Jay.lad@nationalgrid.com

Planning Work?

Contact us on 0800 688 588*

Mon-Fri 8am-4pm

(*Calls may be recorded and monitored)

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Electricity Emergency Number:

0800 40 40 90*

National Gas Emergency Number:

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www.nationalgrid.com

Date : 10/29/2020
Our Reference: XX_GS1B_3NWP_025734
Your Reference: 20/01100/FLL (JP)

Dear Joanne Ferguson/Perth & Kinross Council

Ref: PH14 9QT Land 130 Metres North Of Craigdallie Cottage Inchtute

The Local Planning Authority will need to liaise with the HSE regarding their Land Use Planning Methodology and associated Consultation Zones.

National Grid has No Objection to the above proposal which is in close proximity to a High-Pressure Gas Pipeline – Feeder.

I have enclosed a location map to show the location of National Grid high-pressure gas pipeline(s) within the vicinity of your proposal and associated information below.

Yours sincerely
Jay Lad

Asset Protection Assistant

EAGLES (Electricity And Gas Location Enquiry System)

National Grid is a trading name for:
National Grid Electricity Transmission plc
Registered Office: 1-3 Strand, London WC2N 5EH
Registered in England and Wales, No 2366977

Is now available to use simply click on the link to register www.beforeyoudig.nationalgrid.com, submit details of your proposed works and receive instant guidance and if appropriate maps showing the location of National Grid gas and electric apparatus.

PLEASE READ CAREFULLY

- No buildings should encroach within the Easement strip of the pipeline indicated above
- No demolition shall be allowed within 150 metres of a pipeline without an assessment of the vibration levels at the pipeline. Expert advice may need to be sought which can be arranged through National Grid.
- National Grid has a Deed of Easement for each pipeline which prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent / temporary buildings, or structures. If necessary National grid will take action to legally enforce the terms of the easement.
- We would draw your attention to the Planning (Hazardous Substances) Regulations 1992, the Land Use Planning rules and PADHI (Planning Advise for Developments near Hazardous Installations) guidance published by the HSE, which may affect this development.
- To view the PADHI Document, please use the link below:
<http://www.hse.gov.uk/landuseplanning/padhi.pdf>
- You should be aware of the Health and Safety Executives guidance document HS(G) 47 "Avoiding Danger from Underground Services", and National Grid's specification for Safe Working in the Vicinity of National Grid High Pressure gas pipelines and associated installations - requirements for third parties T/SP/SSW22. You should already have received a link to download a copy of T/SP/SSW22, from our Plant protection Team, which is also available to download from our website.
- To view the SSW22 Document, please use the link below:
<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=33968>
- A National Grid representative will be monitoring the works to comply with SSW22.
- To download a copy of the HSE Guidance HS(G)47, please use the following link:
<http://www.hse.gov.uk/pubns/books/hsg47.htm>
- National Grid will also need to ensure that our pipelines access is maintained during and after construction.
- Our pipelines are normally buried to a depth cover of 1.1 meters however; actual depth and position must be confirmed on site by trial hole investigation under the supervision of a National Grid representative. Ground cover above our pipelines should not be reduced or increased.
- If any excavations are planned within 3 meters of National Grid High Pressure Pipeline or, within 10 meters of an AGI (Above Ground Installation), or if any embankment or dredging works are proposed then the actual position and depth of the pipeline must be established on site in the presence of a National Grid representative. A safe working method must be agreed prior to any work taking place in order to minimize the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.
- Excavation works may take place unsupervised no closer than 3 meters from the pipeline once the actual depth and position has been confirmed on site under the supervision of a National Grid representative. Similarly, excavation with hand held power tools is not permitted within 1.5 meters from our apparatus and the work is undertaken with NG supervision and guidance.

Pipeline Crossings

- Where existing roads cannot be used, construction traffic should ONLY cross the pipeline at locations agreed with a National Grid engineer.
- All crossing points will be fenced on both sides with a post and wire fence and with the fence returned along the easement for a distance of 6 meters.
- The pipeline shall be protected, at the crossing points, by temporary rafts constructed at ground level. No protective measures including the installation of concrete slab protection shall be installed over or near to the National Grid pipeline without the prior permission of National Grid. National Grid will need to agree the material, the dimensions and method of installation of the proposed protective measure. The method of installation shall be confirmed through the submission of a formal written method statement from the contractor to National Grid.
- Please be aware that written permission from National Grid is required before any works commence within the National Grid easement strip.
- A National Grid representative shall monitor any works within close proximity to the pipeline to comply with National Grid specification T/SP/SSW22.
- A Deed of Indemnity is required for any crossing of the easement including cables

Cables Crossing

- Cables may cross the pipeline at perpendicular angle to the pipeline i.e. 90 degrees.
- A National Grid representative shall supervise any cable crossing of a pipeline.
- An impact protection slab should be laid between the cable and pipeline if the cable crossing is above the pipeline.
- Where a new service is to cross over the pipeline a clearance distance of 0.6 meters between the crown of the pipeline and underside of the service should be maintained. If this cannot be achieved the service must cross below the pipeline with a clearance distance of 0.6 meters.

All work should be carried out in accordance with British Standards policy

- BS EN 13509:2003 - Cathodic protection measurement techniques
- BS EN 12954:2001 - Cathodic protection of buried or immersed metallic structures – General principles and application for pipelines
- BS 7361 Part 1 - Cathodic Protection Code of Practice for land and marine applications
- National Grid Management Procedures

Memorandum

To Head of Development Management From Regulatory Services Manager

Your ref 20/01100/FLL

Our ref LJA

Date 2 November 2020

Tel No

Housing and Environment

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

PK20/01100/FLL RE: Demolition of dwellinghouse, erection of 3 dwellinghouses, a garage, retaining walls and formation of an access road Land 130 Metres North Of Craigdallie Cottage Inchtute for Tradecast Building Services Ltd

I refer to your letter dated 24 September 2020 in connection with the above application and have the following comments to make.

Contaminated Land

Comments

A search of the historical mapping has not identified any potential sources of contamination likely to impact upon the proposed development site and there is no further information held by the Authority to indicate that the application area has been affected by contamination. However, it shall be the responsibility of the applicant to satisfy themselves that the ground conditions are suitable for the development for which planning consent has been granted.

Recommendation

A search of the historic records did not raise any concerns regarding ground contamination and therefore I have no adverse comments to make on the application.

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	20/01100/FLL	Comments provided by	Lachlan MacLean Project Officer – Transport Planning
Service/Section	Transport Planning	Contact Details	TransportPlanning@pkc.gov.uk
Description of Proposal	Demolition of dwellinghouse, erection of 3 dwellinghouses, garage, retaining walls and formation of an access road		
Address of site	Land 130 Metres North Of Craigdallie Cottage, Inchture		
Comments on the proposal	This application proposes the erection of 3 dwellinghouses, which will be served by there own vehicle access. The vehicle access for Plot 1 will be 5.5 metres wide and will have 6 parking spaces for visitors or for parking in the winter months. Plot 2 and 3 will each be accessed via a 3.5 metre wide vehicle access directly onto the C401. To maintain the visibility splays for the existing properties as well as the new properties, it is advised that no object or plant shall exceed a height of 1.05m above the road level within 2.4 metres back from the northern edge public road network. A condition is recommended to secure this. As there are three plots on site which will require different vehicle access specifications, different conditions are recommended to secure their construction. Due to the topography of the site and there is a likelihood that water could be discharged onto the public road network, there for it is recommended that a condition is added to any notice to ensure no water is discharged onto the public road. The applicant has shown an area between the public road and the hedge in front of Plot 2 and 3, but it is unclear if this is a footway as it extends up to Plot 1. This point will need to be clarified with the applicant. The applicant is recommended to update the drawings to clarify if the area is a footway. Should these drawings be submitted and subject to checks, insofar as the Roads matters are concerned I have no objections to this proposal on the following conditions.		

Recommended planning condition(s)	Prior to the development of Plot 1 hereby approved being completed or brought into use, the vehicular access for Plot 1 shall be formed in accordance with Perth & Kinross Council's Road Development Guide Type C Figure 5.7 access detail, of Type B Road construction detail. The Type B Road construction detail shall continue into the entrance for a minimum distance of 6 metres from the boundary of the public road surface. Reason - In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary. Prior to the development of Plot 2 or Plot 3 hereby approved being completed or brought into use, the vehicular access for the plot shall be formed in accordance with Perth & Kinross Council's Road Development Guide Type B Figure 5.6 access detail, of Type B Road construction detail. Reason - In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary. Prior to the development of Plot 1, 2 or 3 hereby approved being completed or brought into use, each access shall be constructed so that no surface water is discharged to the public road. Reason - In the interests of road safety. Prior to the development hereby approved being completed or brought into use, the car parking facilities shown on the approved drawings shall be implemented and thereafter maintained. Reason - In the interests of road safety; to ensure the provision of adequate off-street car parking facilities. No object or plant shall exceed a height of 1.05 metres above the road level, within 2.4 metres back from the northern edge public road network and thereafter maintained, to ensure that visibility splays are maintained for all plots and neighbouring properties. Reason - In the interests of road safety; to ensure the provision of adequate visibility of the vehicular access.
Recommended informative(s) for applicant	The applicant should be advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
Date comments returned	14 December 2020

18 March 2021

Local Review Body

Dear Sirs

Mr William Bryden**Local Review Body case 2021-06****Objection to planning application 20/01100/FLL - Land 130 metres north of Craigdallie Cottage
Inchture**

We act on behalf of William Bryden [REDACTED]

[REDACTED] Our client continues to object to the current proposal for the site. He does not consider that any of the points raised in the appellant's notice of appeal justify overturning of the planning officer's original decision. As stated in our initial objection letter our client is certainly not objecting to any development of the site. He does however consider that the current proposal is entirely inappropriate.

We will not rehearse again the detailed grounds of our objection and would simply refer you to our letter of 14th October 2020. Our grounds of objection remain the same.

Our client disagrees with what appears to be the appellant's main ground of appeal that the proposed houses would not be out of scale with the rest of the building group of Craigdallie. The fact that the appellant suggests that what is currently proposed is a smaller development than their initial proposal (we are told this was to have been 3 one and a half storey houses on the road frontage and an additional house behind) does not in itself make the current proposal acceptable. It is perhaps just less unacceptable than the developer's original plan for the site. Put simply, as suggested by our client and other local objectors and as agreed by the planning officer, the current proposal would represent severe overdevelopment of the site. In our client's view a single dwellinghouse replacing the mainly demolished former house would represent a more appropriate scale of development for the site and be visually more in keeping with its location in the heart of the building group.

We would also reiterate our client's concern that additional housing (as opposed to simply a replacement of the previous dwelling) would exacerbate the flooding issues of which we gave further details in our letter of 14th October.

To summarise, we do not consider that the application complies with the Local Development Plan 2 and its planning policies and that the planning officer was correct in her initial assessment of the application and therefore in her decision to refuse the application. We do not consider that any

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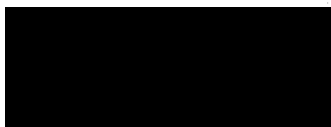
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material new points have been raised in the notice of appeal to warrant the overturning of the original decision and would respectfully call upon the Local Review Body to refuse this appeal.

Yours faithfully

A solid black rectangular box used to redact a signature.

CHX Planning Local Review Body - Generic Email Account

From: Stuart Carolyn [REDACTED]
Sent: 19 March 2021 13:56
To: CHX Planning Local Review Body - Generic Email Account
Subject: Re: LRB-2021-06
Attachments: view2.jpg; view3.jpg; view1.jpg; fallen-tree-craigdallie.jpg; tree-fall-into-our-garden.jpg

Dear Lisa,

Thank you for this notification. Please find the following additions which list concerns about the appeal submission.

We would like to make it clear that we would be keen to see the existing property restored or rebuilt in keeping with the existing character & footprint, but we reaffirm our initial objection that the development is simply excessive in scale and out of character with the village as it exists.

1. With regards to the computer generated images (Figs 1.1 & 1.2) they are not identical images. Fig 1.1 is cropped smaller than fig 1.2. and this is a known method used in cinematography/photography to give the illusion of a lesser scale/size than is actually the case. Please see the attached images which show the proposed development outlined in red over the existing building. It is clear that there is a significant increase in scale of the development which in turn will dominate the view and will appear out of place and out of character with the village as it stands.

2. With regards to Fig 1.11 - the proposed retaining walls at the rear of the proposed development, we have serious concerns about how this would affect and contribute to landslip, tree fall and/or increase drainage problems. There are currently natural springs and issues that drain surface water to the natural course and to the pows below. When the contractors first started clearing the site, removing trees etc., a stream appeared from the hill behind and flooded the road and we believe this has disturbed the natural springs. Water has since diverted and flooded onto the main road which iced over and caused a danger to road users and pedestrians. Around the same time, a stream appeared within the grounds of our property causing flooding in our garden. We reported this to Mary Barr who came and witnessed this at our property.

Since the site has been cleared, there have been two further instances of flooding from the hill and in February 2021, several trees fell behind our property (see attached images of trees that fell into our garden). We have had these inspected and also by SSE hydro, and it is absolutely clear that these trees have come down as a result of water coursing and undermining the roots.

The size of the proposed development is significantly larger than what exists in terms of built on land, drainage etc. Therefore, to facilitate the increased size of the proposed development this would require that a significant area of land is cleared and/or disturbed and this poses new risks of flooding and potential landslip. The proposed shoring up of land to form the large retaining wall behind the existing cottage will further exacerbate this and create new flood paths which could flow into our property and the properties to the east.

It is important to note that prior to the land being cleared at this site, there were no such issues that we encountered. In the year since however there has been flooding to the rear of the unoccupied cottage to the east which undermined the orchard trees and resulted in them having to be cut down. It should also be noted that the woods behind the development site consist of very large sycamores of approx 50-70 feet in height. If the land is disturbed or carved out to make retaining walls, then we have serious concerns of the land being weakened resulting in slippage and further trees falling onto properties.









