

4(ii)(a)

LRB-2024-10

LRB-2024-10

**23/01564/FLL - Erection of dwellinghouse, land 20 metres
south west of 4 Lageonan Road, Grandtully, Aberfeldy**

**PAPERS SUBMITTED
BY THE
APPLICANT**

NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2013

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

Use **BLOCK CAPITALS** if completing in manuscript

Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Mark this box to confirm all contact should be through this representative:

* Do you agree to correspondence regarding your review being sent by e-mail?

Yes No

Planning authority

Planning authority's application reference number

Site address

Description of proposed development

Date of application

Date of decision (if any)

Note. This notice must be served on the planning authority within three months of the date of the decision notice or from the date of expiry of the period allowed for determining the application.

Nature of application

- 1. Application for planning permission (including householder application)
- 2. Application for planning permission in principle
- 3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition)
- 4. Application for approval of matters specified in conditions

Reasons for seeking review

- 1. Refusal of application by appointed officer
- 2. Failure by appointed officer to determine the application within the period allowed for determination of the application
- 3. Conditions imposed on consent by appointed officer

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.

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

- 1. Further written submissions
- 2. One or more hearing sessions
- 3. Site inspection
- 4. Assessment of review documents only, with no further procedure

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

Site inspection

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

- | | | |
|--|-------------------------------------|--------------------------|
| | Yes/ | No |
| 1. Can the site be viewed entirely from public land? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

Statement

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. Note: 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.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

* SEE STATEMENT OF REVIEW ATTACHED

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 new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

List of documents and evidence

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.

DOC 1. DECISION NOTICE
 DOC 2. SCOTTISH GOVERNMENT APPEAL DECISION NOTICE 6 DEC 2007
 DOC 3. SITE CONTEXT
 DOC 4. REGULATORY SERVICES CONTAMINATED LAND CONSULTATION RESPONSE
 DOC 5. TREE SURVEY ~ ARBORICULTURAL IMPACT ASSESSMENT
 DOC 6. PROPOSED SITE PLAN (UPDATED TO INCLUDE VISIBILITY SPLAYS)

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

- Full completion of all parts of this form
- Statement of your reasons for requiring a review
- All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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 from that earlier consent.

Declaration

I the applicant/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed

[Redacted Signature Box]

Date

16/02/2024

Statement

Notice of Review

Erection of a dwellinghouse at Land 20 Metres South West of 4 Lagoonan Road, Grandtully, Aberfeldy PH15 2QY.

23/01564/FLL

Introduction

This Notice of Review is submitted following the refusal of planning permission under delegated powers on the 29th November 2023 for the erection of a dwellinghouse at Lagoonan Road, Grandtully under application 23/01564/FLL.(Doc 1)

The reasons for refusal are outlined below, relating to Policies 6 and 40 of the adopted local development plan and policies 6, 9(b) and 17 of NPF4: –

1. The proposal is contrary to Policy 6 of the Perth and Kinross Local Development Plan 2 2019 as the site adjoins the settlement boundary and that no justification has been provided in relation to the proposal to meet the exceptions in the policy. This policy seeks to prevent the unplanned and ad hoc expansion of those settlements which have a boundary identified in the Local Development Plan.

2. The proposal is contrary to Policy 9(b) Brownfield, vacant and derelict land and empty buildings of the National Planning Framework 4 (2023) as the proposal is on a greenfield site, but the site is not an allocated site and the development proposed is not explicitly supported by policies in the Local Development Plan.

3. The proposal is contrary to Policy 17 Rural Homes of the National Planning Framework 4 (2023) as the proposal fails to meet any of the specific circumstances listed.

4. The proposal is contrary to Policy 40 Forestry Woodland and Trees of the Perth and Kinross Local Development Plan 2 2019 and Policy 6 Forestry, woodland and trees of NPF4 as the submission fails to consider the impact of the development in relation to trees.

The Review site is outwith the current settlement boundary as defined in the local development plan and the adjacent 4 neighbouring dwellinghouses to the east are within it.

The crux of this Review is that there has been precedent set for a single dwellinghouse, Torr Darroch which is partly adjacent and to the north of the Review site.

Torr Darroch is also adjacent and outwith the current Grandtully local development plan settlement boundary and was outwith the settlement boundary when it was approved. The appeal was approved by the Scottish Government on the 6 December 2007 for a single dwellinghouse following refusal of application 07/01371/OUT, under appeal reference P/PPA/340/597(Doc 2).

In this Review it will be demonstrated that the Review proposal is acceptable on this site given the previous neighbouring appeal decision for a single dwellinghouse within a similar context.

This previous decision is a material consideration, supporting the Review site's context. Furthermore, the scale, design and siting of the Review dwellinghouse will not have a detrimental impact on the appearance and character of the existing dwellinghouses on Lageonan Road, the wider countryside or on the defined settlement of Grandtully.

The Environmental Health Contaminated Land consultation response suggests the Review site is a brownfield site and not a greenfield site as stated in reason for refusal 2.

A Tree Survey Report completed following the refusal decision in support of the Review will demonstrate that there will be no detrimental impact on any trees on or adjacent to the Review site or that these trees will impact on residential amenity.

Current Planning Policy Context

The Development Plan for the area comprises National Planning Framework 4 (NPF4) and the Perth and Kinross Local Development Plan 2 (2019) (LDP2).

National Planning Framework 4

The National Planning Framework 4 (NPF4) is the Scottish Government's long-term spatial strategy with a comprehensive set of national planning policies. This strategy sets out how to improve people's lives by making sustainable, liveable and productive spaces.

NPF4 was adopted on 13 February 2023. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan.

The Council's assessment of this application has considered the following policies of NPF4 :

Policy 6: Forestry, Woodland and Trees

Policy 14: Design, Quality and Place

Policy 17: Rural Homes

Perth and Kinross Local Development Plan 2 – Adopted November 2019

The Local Development Plan 2 (LDP2) is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are:

Policy 1A: Placemaking

Policy 1B: Placemaking

Policy 6: Settlement Boundaries

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 53B: Water Environment and Drainage: Foul Drainage

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

Policy 60; Transport

Statutory Supplementary Guidance

- Supplementary Guidance - Developer Contributions & Affordable Housing (adopted in 2020)
- Supplementary Guidance - Placemaking (adopted in 2020)

OTHER POLICIES

Non- Statutory Guidance

- Planning Guidance - Planning & Biodiversity

NATIONAL GUIDANCE

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

National Roads Development Guide 2014

This document supports Designing Streets and expands on its principles and is considered to be the technical advice that should be followed in designing and approving of all streets including parking provision.

Reason for Refusal and Grounds of the Review

1.Planning Policy & Precedent

It is accepted that the Review proposal is contrary to the adopted local plan policy 6, however it is considered that a departure from this policy is acceptable given the precedence set in the previous appeal decision, where following refusal of application 07/01371/OUT the appeal was upheld by the Scottish Government on 6 December 2007 under P/PPA/340/597 for a single dwellinghouse. (Doc 2).

Document 3 – Site Context indicates the 2007 appeal site's relationship with the Review site, where it clearly shows that both sites are contained to the wider countryside by woodland and the A827 and Lagoonan Road.

As highlighted in the appeal decision for Torr Darroch the settlement boundary for Grandtully loops around the vicinity of the site on 3 sides. It stated:-

“The characteristics of the appeal site have changed significantly since the adoption of the local plan in 2000. The mature woodland planting has been cleared, creating a vacant site surrounded on three sides by the settlement boundary. The site is contained by a mature conifer plantation to the west and north, by the road with houses beyond to the east and by the recently planted woodland belt with houses beyond to the south. I consider the site to be well contained by woodland and built development. During my site inspection I formed a strong visual impression of the site forming part of the settlement. I do not consider that the development of the appeal site would lead to further encroachment of built development in the countryside, nor do I consider that the proposal would harm the amenity of the settlement or the surrounding countryside.” (P/PPA/340/597)

In the Appeal it is stated that the Reporter had a *strong visual impression of the site forming part of the settlement* and it was not considered that the development of land in this area would harm the amenity of the settlement or surrounding countryside.

This wider area of ground is contained to the wider countryside by existing built development and the public roads with the A827 to the north and west and Lagoonan Road to the south. There is also a substantial tree belt between the A827 and the Review site which provides further containment.

The local plan boundary loops around this area of land as indicated in Document 3 – Site Context. This containment provides a strong physical barrier for any built development within this area and protects the wider countryside from further encroachment. A modestly scaled dwellinghouse to the west of the existing houses on Lagoonan Road will not have any adverse impact on the character or appearance of the area.

An exception to Policy 6 is considered appropriate here, as was the case in the Torr Darroch appeal decision, due to the well contained nature of the site and the relationship with existing residential properties on Lageonan Road.

In terms of Policy 17 of NPF4 the proposal is *suitably scaled, sited and designed to be in keeping with the character of the area and the development.*

It is considered that the previous appeal decision is a significant material consideration which would take precedence over Policy 6 of the LDP in supporting the proposal. The Review proposal will not have any detrimental impact on the character or appearance of neighbouring properties or the wider area, in accordance with NPF4 Policy 17.

2. Status of the Review Site – Brownfield/Greenfield Land

It was stated in reason for refusal 2 that the Review site was a greenfield site, however in the Council's Contaminated Land consultation response it stated: -

Historical mapping indicates that the site was previously occupied by railway land. There is the potential for the site to be impacted by contamination as a result of this former land use. It will therefore be necessary for an assessment of the site to be made to determine its suitability for the proposed use. (Doc 4)

This consultation response considers that the Review site is brownfield land and not greenfield land as indicated in the Delegated Report and Decision Notice. It is considered therefore that as a result of this evidence, reason for refusal 2 is not a valid reason as there is no conclusive proof that the Review site is a greenfield site.

Following on from this then, the Review site as a brownfield site would satisfy NPF4 Policy 17 where residential development is considered acceptable where it *reuses brownfield land where a return to a natural state has not or will not happen without intervention.*

3. Tree Impact

Reason for refusal 4 cited that the submission fails to consider the impact of the development in relation to trees. It should be noted that the Council's Tree Officer did not comment on the application. In support of the Notice of Review the applicant has had a Tree Survey, Arboricultural Impact Assessment, Tree Protection and Compensatory Planting Plan carried out – Doc 5.

In summary the following recommendations were made in relation to trees:-

It is proposed to fell two Category C trees, T83 and T88, a larch and a Scots pine to accommodate the development footprint. BS5837 states that there is no restriction

on felling Category C trees. Compensatory planting will mitigate against the loss of the two trees. It is proposed to fell five Category U (dead) Scots pine trees, T74, 75, 76, 79, 87 for safety reasons where tree-work recommendations have been made. It is recommended that the deadwood is retained on the woodland floor. All other trees will be retained..... the trees are not under a Tree Preservation Order, they are not in a Conservation Area and the woodland is not Ancient Woodland.

It is anticipated that the impact of the proposed development can be satisfactorily mitigated against to ensure that there is no detrimental long-term impact to retained trees at the site and that compensatory planting will mitigate against the loss of the felled trees.

It is considered that there will be no significant impact on trees on or within the vicinity of the site, in accordance with Policy 40 Forestry Woodland and Trees of the Perth and Kinross Local Development Plan 2 2019 and Policy 6 Forestry, woodland and trees of NPF4.

Other Planning Considerations

As indicated in the Delegated Report there were concerns raised about the access:-

Visibility onto the public road network hasn't been shown by the applicant and it is unclear if the 2-metre-high fence will impact onto the splay and if a length of fence is to be removed. The lower of the fence seems to be indicated on the plans but further clarification would have been sought if the recommendation had been to approve.

It is confirmed here that the lowering of the fence towards the public road was indicated in the application submission. For clarification Doc 6 – proposed Site Plan indicates the fence detail and the visibility splays onto Lageonan Road.

There were no objections raised from the main consultees.

Conclusions

It is considered that the previous appeal decision is a material consideration in this Review and that the site and policy context for the Review proposal is no different from the previous appeal approval.

The Review site is considered to be a brownfield site and has both local plan and NPF4 policy support for residential development.

The Tree Survey Report and recommendations made indicate that there will be no significant impact on existing trees and that suitable monitoring and management of the trees in the vicinity of the site will protect residential amenity.

For the reasons outlined above it is considered that the Review proposal for a single dwellinghouse is acceptable in principle and it is respectfully requested that the Review is upheld.



Mr Stuart Hendry
 c/o Kellston Developers Ltd
 David Johnston
 Cuil Bheag
 Cuilc Brae
 Pitlochry
 PH16 5QS

Pullar House
 35 Kinnoull Street
 PERTH
 PH1 5GD

Date of Notice: **29th November 2023**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **23/01564/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 28th September 2023 for Planning Permission for **Erection of dwellinghouse at Land 20 Metres South West Of 4 Lagoonan Road Grandtully Aberfeldy Ph15 2qy Lagoonan Road Grandtully**

David Littlejohn
Strategic Lead (Economy, Development and Planning)

Reasons for Refusal

- 1 The proposal is contrary to Policy 6 of the Perth and Kinross Local Development Plan 2019 as the site adjoins the settlement boundary and that no justification has been provided in relation to the proposal to meet the exceptions in the policy. This policy seeks to prevent the unplanned and ad hoc expansion of those settlements which have a boundary identified in the Local Development Plan.
- 2 The proposal is contrary to Policy 9(b) Brownfield, vacant and derelict land and empty buildings of the National Planning Framework 4 (2023) as the proposal is on a greenfield site, but the site is not an allocated site and the development proposed is not explicitly supported by policies in the Local Development Plan.
- 3 The proposal is contrary to Policy 17 Rural Homes of the National Planning Framework 4 (2023) as the proposal fails to meet any of the specific circumstances listed.
- 4 The proposal is contrary to Policy 40 Forestry Woodland and Trees of the Perth and Kinross Local Development Plan 2019 and Policy 6 Forestry, woodland and trees of NPF4 as the submission fails to consider the impact of the development in relation to trees.

Justification

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

The plans 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

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04

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Directorate for Planning and Environmental Appeals

Appeal Decision Notice

T: 01324 696 400
 F: 01324 696 444
 E: dpea@scotland.gsi.gov.uk



Decision by Scott M Ferrie, a Reporter appointed by the Scottish Ministers

- Planning Appeal reference: P/PPA/340/597
- Site Address: Land at Lagoonan Road, Grandtully
- Appeal by T and M Developments against the decision by Perth and Kinross Council
- Application for outline planning permission dated 08 June 2007, refused by notice dated 04 August 2007
- The development proposed: erection of a dwellinghouse
- Date of site visit by Reporter: 08 November 2007

Date of appeal decision: 6 December 2007

Decision

I allow the appeal and grant outline planning permission subject to the 8 conditions listed at the end of this notice.

Reasoning

1. The determining issues in this appeal are whether the proposed development complies with policies 45 and 54 of the adopted Highland Area Local Plan; and (b) whether there are any other material considerations that lead me to determine the appeal not in accordance with those policies.
2. The appeal site is located on the outskirts of the village of Grandtully and consists of a hollow of land rising away from the road in the north-east with a relatively level plateau to the south-west. The site extends to 0.33 hectares and was formerly wooded but is now largely cleared of mature trees. Replacement woodland planting has been undertaken along the eastern boundaries of the site.
3. Policy 45 of the adopted local plan states that built development should not be located adjoining and outwith settlements. The appeal site adjoins but is outwith the settlement boundary defined in the local plan and I find therefore, that the proposal is contrary to policy 45.
4. Policy 54 of the local plan states that the council will normally support proposals for the erection of individual houses in the countryside on sites in or adjacent to established building groups, provided that they do not detract from the amenity of the group. Development will also be supported on sites which extend the group into definable sites



created by surrounding topography, landscape features or field boundaries which will constrain the continued spread of the group. The settlement boundary of Grandtully loops around the site on three sides. The council states that policy 54 allows for small scale residential development in and adjacent to undefined building groups and does not apply to land adjoining defined settlements. This is confirmed by the terms of policy 45, which seeks to prevent the extension of settlements outwith their boundaries. I conclude therefore, that the proposed development is also contrary to policy 54.

5. Turning to other material considerations, the council considers that the proposal is contrary to its supplementary planning guidance on housing in the countryside. This guidance aims to safeguard the character of the countryside; support the viability of communities; meet development needs in appropriate locations; and ensure that high standards of siting and design are achieved. The guidance allows for the development of sites in or adjacent to building groups subject to the same criteria contained within policy 54 of the local plan. I agree with the council that as the appeal site adjoins a settlement and not an undefined building group, the proposal cannot be justified with reference to this guidance.

6. The characteristics of the appeal site have changed significantly since the adoption of the local plan in 2000. The mature woodland planting has been cleared, creating a vacant site surrounded on three sides by the settlement boundary. The site is contained by a mature conifer plantation to the west and north, by the road with houses beyond to the east and by the recently planted woodland belt with houses beyond to the south. I consider the site to be well contained by woodland and built development. During my site inspection I formed a strong visual impression of the site forming part of the settlement. I do not consider that the development of the appeal site would lead to further encroachment of built development in the countryside, nor do I consider that the proposal would harm the amenity of the settlement or the surrounding countryside.

7. SPP1: The Planning System states that where planning permission has been refused, the reasons must be stated in the decision notice. It is not enough to indicate that the proposal is contrary to the provisions of the development plan. Notwithstanding the policy position described above, the council has not referred to any damage to the amenity of the countryside or any other harm which it considers the appeal proposal would cause. Based on my findings above, I conclude that an exception to policy is justified by the well contained nature of the site and its visual relationship with the surrounding settlement. Although the site extends to 0.33 hectares, I do not consider that it is likely, due to level differences within the site, to be able to accommodate more than the one dwelling applied for. Development of the site would not, therefore, result in any significant impact on the infrastructure and services of the village.

8. I consider that careful positioning of the proposed dwelling on the site would avoid any detrimental impact on the residential amenity of the houses to the south. This could be achieved in such a way as to avoid the removal of the mature and newly planted trees containing the site. An objector has expressed concern that the proposal would adversely impact upon the local red squirrel population but I note that the proposal does not entail the felling of any mature trees. The council has provided me with a list of suggested conditions should the appeal be sustained. I consider these to be acceptable, subject to

minor amendment and consolidation. I have considered all other matters raised but find none to lead me to a different conclusion.

This is the version issued to parties 6 December 2007

SCOTT M FERRIE
Reporter

Conditions:

1. Before development commences written approval from the planning authority must be obtained for the details of the siting, design and external appearance of any building(s), the means of access and the landscaping (collectively these are termed the reserved matters).
2. Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted for consideration by the planning authority and no work shall begin until the written approval of the authority has been given.
3. Application for approval of reserved matters shall be made to the planning authority within three years from the date of this notice.
4. The development hereby permitted shall commence within five years from the date of this permission, or within two years from the date of approval by the planning authority of the last of the reserved matters to be approved.

Reason for Conditions 1-4: to accord with the requirements of Section 59 of the Act, and with Article 2 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992.

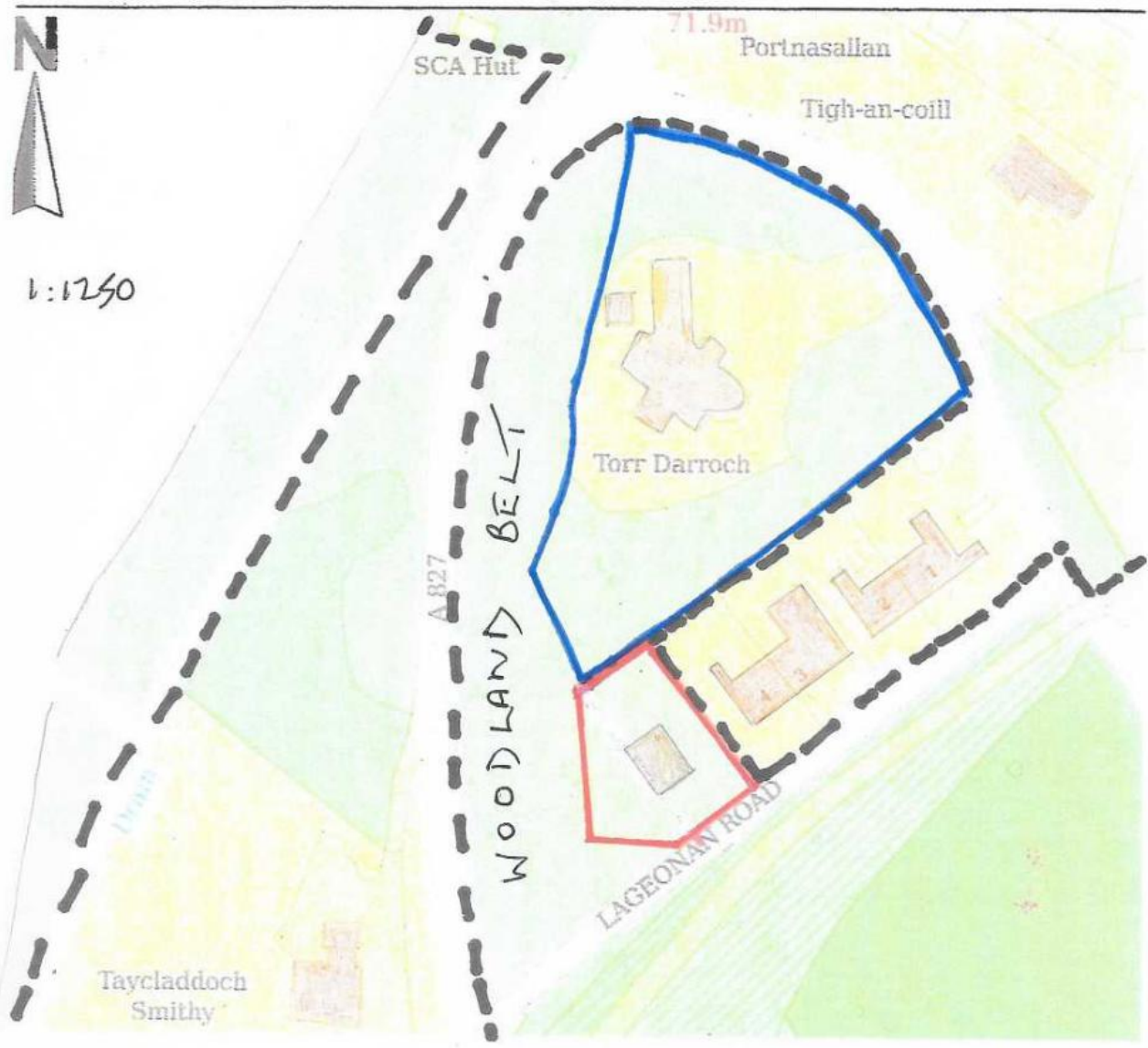
5. Before development commences written approval from the planning authority must be obtained for the details of all means of enclosure and car parking. *Reason: these details have not been provided and in order to ensure the provision of satisfactory boundary treatments and parking facilities.*
6. The detailed landscaping and planting scheme for the site shall be implemented simultaneously with the development hereby approved and thereafter maintained to the satisfaction of the planning authority. Any planting failing to become established within five years shall be replaced during the following planting season with others of similar size and species. *Reason: to ensure that a satisfactory landscape scheme is implemented and maintained.*
7. That no trees within the site shall be felled and all existing mature trees shall be protected in accordance with British Standard BS 5837 2005 – Trees in Relation to Construction. *Reason: to ensure that all trees within the site are*

retained and that the mature trees are adequately protected in order to visually contain the site.

8. The submission of reserved matters and further details required by conditions 1 and 5 above shall include:

- (a) a vehicular access in accordance with specification Type B, Fig 5.6 access detail;
- (b) a widening of the public road to 5 metres over a distance of 6 metres immediately adjacent to the site access;
- (c) a site access with a maximum gradient of 3% for the first 3 metres measured back from the edge of the carriageway and constructed so that no surface water is discharged to the public road;
- (d) visibility splays of 2 metres by 40 metres to the right and left of the access measured between points 1 metre above the adjacent road channel level;
- (e) turning facilities within the site to enable all vehicles to enter and leave the site in forward gear; and
- (f) a minimum of 2 car parking spaces within the site.

Reason: to ensure the provision of a satisfactory means of access, turning and parking facilities in the interests of pedestrian and traffic safety.



- REVIEW SITE
- 2007 APPEAL SITE (GRANTED 2007)
- SETTLEMENT BOUNDARY LDP

Memorandum

To Development Management & Building
Standards Service Manager

From Regulatory Services Manager

Your ref 23/01564/FLL

Our ref CHF

Date 08/11/2023

Communities

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

23/01564/FLL RE: Erection of dwellinghouse at Land 20 Metres South West Of 4 Lagoonan Road Grandtully Aberfeldy Ph15 2qy Lagoonan Road Grandtully for Mr Stuart Hendry

I refer to your letter dated 18 October 2023 in connection with the above application and have the following comments to make.

Contaminated Land

Recommendation

I refer to the above application and have the following comments to make in respect of the proposed development.

Historical mapping indicates that the site was previously occupied by railway land. There is the potential for the site to be impacted by contamination as a result of this former land use. It will therefore be necessary for an assessment of the site to be made to determine its suitability for the proposed use.

Therefore if planning permission is granted in respect of this development I would recommend that the following condition is applied within the consent.

Condition

EH41

Prior to the commencement of works on site, an evaluation for the potential of the site to be affected by contamination by a previous use should be undertaken and as a minimum, a Preliminary Risk Assessment (Phase 1 Desk Study) will be submitted for consideration by the Council as Planning Authority. If after the preliminary risk assessment identifies the need for further assessment, an intrusive investigation should be undertaken to identify;

- I. the nature, extent and type(s) of contamination on the site
- II. measures to treat/remove contamination to ensure the site is fit for the use proposed
- III. measures to deal with contamination during construction works
- IV. condition of the site on completion of decontamination measures.

Prior to the completion or bringing into use of any part of the development the agreed measures to decontaminate the site shall be fully implemented as approved by the Council

as Planning Authority. Validation that the scheme has been fully implemented must also be submitted to the Council as Planning Authority.



**Tree Survey, Arboricultural Impact Assessment,
Tree Protection and Compensatory Planting Plan**

**For Proposed New Dwelling,
Land Adjacent to 4 Lagoonan Road, Grandtully**

Thursday 25th January 2024



**Author Emma O'Shea MCIEEM, BSc, PG Dip Env Mgmt.
Arboricultural Consultant**

Professional Tree Inspector and Technician Member of Arboricultural Association

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Disclaimer

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PART 1 - EXECUTIVE SUMMARY

1.1 Proposal

The proposal is to construct a new dwelling on land to the west of 4 Lagoonan Road, Grandtully. A tree survey is required, written in accordance with British Standard Institute publication BS 5837:2012 'Trees in relation to design, demolition and construction - Recommendations'.

1.2 Tree Survey

A tree survey was carried out by the surveyor on 19th January 2024. The trees were recorded as T70-100, with 101 & 102 in neighbouring garden. All trees surveyed were assigned to the category A, B, C or U classification.

1.3 Arboricultural Impact Assessment

It is proposed to fell two Category C trees, T83 and T88, a larch and a Scots pine to accommodate the development footprint. BS5837 states that there is no restriction on felling Category C trees. Compensatory planting will mitigate against the loss of the two trees. It is proposed to fell five Category U (dead) Scots pine trees, T74, 75, 76, 79, 87 for safety reasons where tree-work recommendations have been made. It is recommended that the deadwood is retained on the woodland floor. All other trees will be retained.

The proposed development impacts the RPA of 1 tree T102. The directly impacted area is approximately 4% of the RPA. Arboricultural methodology must be followed in the RPA. However, as most of the rooting area is beyond the development footprint it is considered that the long-term health and longevity of the tree will not be detrimentally affected. Where excavation is required within RPAs non-mechanical excavation is proposed and cutting roots greater than 2.5cm diameter is to be avoided. A no dig surface methodology such as a 3D cellular confinement system is proposed to avoid negative impacts in other areas. Where this raises the level of the ground in any RPA a permeable surface material is recommended to allow air and water to percolate.

It is not anticipated that the RPAs of other retained trees will be directly impacted by the work. However, in the event work is required which may encroach into any RPA, work must be non-mechanical excavation using hand tools or use a no dig surface method where excavation is not required. Arboricultural methodology must be adopted for any works in the RPAs of retained trees in case tree roots are discovered. It is anticipated that the impact of the proposed development can be satisfactorily mitigated against to ensure that there is no detrimental long-term impact to RPAs at the site. The RPAs of all trees on the site which are in the vicinity of, but out-with, the proposed development footprint can be safely protected from compaction or other disturbance by protective fencing and/or ground protection.

It is not anticipated that the RPAs of other retained trees will be directly impacted by the work. However, in the event work is required which may encroach into any RPA, work must be non-mechanical excavation using hand tools or use a no dig surface method where excavation is not required. Arboricultural methodology must be adopted for any works in the RPAs of retained trees in case tree roots are discovered. It is anticipated that the impact of the proposed development can be satisfactorily mitigated against to ensure that there is no detrimental long-term impact to RPAs at the site. The RPAs of all trees on the site which are in the vicinity of, but out-with, the proposed development footprint can be safely protected from compaction or other disturbance by protective fencing and/or ground protection.

1.4 Tree Protection

Tree protection specifications for tree protection barriers are provided, together with general advice on tree retention, working in RPAs, and an arboricultural method statement for tree works.

1.5 Conclusion

It is anticipated that the impact of the proposed development can be satisfactorily mitigated against to ensure that there is no detrimental long-term impact to retained trees at the site and that compensatory planting will mitigate against the loss of the felled trees.

PART 2 - GENERAL INFORMATION

2.1 Brief From Client

A tree survey is required written in accordance with British Standard Institute publication BS 5837:2012 'Trees in relation to design, demolition and construction - Recommendations'.

2.2 Proposed Works

The proposal is to construct a new dwelling on land west of 4 Lageonan Road, Grandtully.

2.3 Documents Referred To

The British Standard Institute publication BS 5837:2012 'Trees in relation to design, demolition and construction - Recommendations' is referred to throughout this report. This is a nationally recognised standard typically used by LPAs to assess planning applications.

2.4 Documents Received

Location Plan, Existing and Proposed Site Plan

2.5 Limitations

2.5.1 This report was prepared for use by our client in accordance with the terms of the contract and for planning purposes only. Information provided by third parties used in the preparation of this report is assumed to be correct.

2.5.2 All trees have been inspected from ground level only using established visual assessment methodology. This is primarily a survey to assess the general health, condition, value, and life expectancy of existing trees as part of the planning and design process. This report is not a detailed document on tree safety.

2.5.3 Trees are dynamic living organisms, whose health and condition can be subject to rapid change, depending on a number, of external and internal factors. The conclusions and recommendations contained in this report relate to the trees at the time of inspection. The findings and recommendations are valid for twelve months and it is strongly recommended that trees are inspected at regular intervals and after extreme weather events for reasons of safety.

2.5.4 Whilst every effort has been made to detect defects within the trees inspected, no guarantee is given as to the absolute safety or otherwise of any individual tree. Extreme climatic conditions can cause damage to apparently healthy trees.

2.5.5 The findings and recommendations contained within this report are based on the current site conditions. The construction of roads, buildings, service wayleaves, removal of shelter, and alterations to established soil moisture conditions can all have a detrimental impact on the health and stability of retained trees. Accordingly, a re-inspection of retained trees is recommended on completion of any development operations.

2.5.6 This report has been prepared for the use of the client and their appointed agents. A 10 figure GPS was used to position features, this has limitations of 2-4m accuracy, therefore site photos and field measurements were utilised to reduce the error. Adjacent private property was not entered, all measurements were from within the site boundary or areas of open public access. Any third party referring to this report or relying on information contained within it does so at their own risk.

2.6 Personnel

Emma has worked in the environmental sector for nineteen years, including thirteen years predominantly focused on woodland management, during which time she has gained a wealth of experience and expertise. Emma has been qualified in arboriculture for seventeen years, has carried out tree surveys for eleven years, and holds the Lanta Professional Tree Survey and Inspection Award. During the last nine years she has worked as an ecological and arboricultural consultant for Tay Ecology with lead responsibility for development projects. She graduated with a BSc from University of Edinburgh, has a Postgraduate Diploma in Environmental Management and is a member of the Arboricultural Association, Chartered Institute for Ecology and Environmental Management, and the Institute of Environmental Management and Assessment.

PART 3 – TREE SURVEY

3.1 METHODOLOGY

3.1.1 Trees on and adjacent to the proposed development site where these trees may be impacted by the proposed work have been recorded. Trees are numbered T70-100, with 101 & 102 in neighbouring garden. All trees surveyed were assigned to the category A, B, C or U classification.

3.1.2 Data was collected in accordance with the requirements of British Standard 5837:2012. All observations were from ground level, with the aid of binoculars, without detailed or invasive investigations. Measurements were taken using a tape measure, clinometer, and laser measure. Where this was not possible or reasonably practical, measurements have been estimated by eye.

3.1.3 The trees were surveyed and assessed impartially and irrespective of the proposed development. Management recommendations should be implemented regardless of any proposed development for reasons of sound arboricultural management or safety.

3.1.4 BS 5837:2012 requires retention of better quality (category A and B trees) where possible. Planning permission overrides a Tree Preservation Order and Conservation Area. Furthermore, trees are a material consideration in the UK planning system irrespective of their legal status. It is therefore not considered necessary to highlight or give additional merit to trees that have legal protection.

3.1.5 All category A, high & B moderate quality and value trees will, where possible, be retained on development sites, and should influence and inform the design, site layout, and in some cases the specific construction methods to be used. The root protection areas of these trees will generally form a construction exclusion zone, although under certain circumstances it may be possible to build within these areas providing that appropriate, specifications have been agreed between the local planning authority, the consulting arboriculturist and the developer/client.

3.1.6 As regards category C trees; under normal circumstances these would not normally be required to be retained in a development context, unless in a location that they do not represent a significant constraint on the proposal. See relevant note at foot of Cascade diagram BS 5837:2012.

3.1.7 All category U trees should be removed for reasons of sound arboricultural practice or health & safety, irrespective of any development proposals.

3.1.8 Trees may be recorded as group or woodland where:

- i) The canopies touch.
- ii) The trees have more group value than individual merit.
- iii) They are part of a formal landscape feature like an avenue.
- iv) It is impractical to record them individually.

3.1.9 Where trees within groups or woodlands etc. are recorded together, it may be necessary to record individual trees where it is necessary to distinguish them from others, this may be required initially, e.g., if a tree is in category U, or at a subsequent stage as the design process evolves.

3.2 ANALYSIS

3.2.1 Site Description

The proposed plot is located to the west of 4 Lageonan Road, Grandtully. The eastern part of the plot is grassland and the western part is planted coniferous woodland. The woodland is densely planted and there are a number of dead trees within it which have been shaded out by their close neighbours. The trees are not under a Tree Preservation Order, they are not in a Conservation Area and the woodland is not Ancient Woodland.

3.2.2 Species

The woodland on the site is a coniferous plantation dominated by Scots pine with abundant larch, there are occasional self-seeded broadleaves dominated by elder with a single sycamore. The scientific names for the species recorded only in common names are as follows:

Common Name	Scientific Name	Number
Sycamore	<i>Acer pseudoplatanus</i>	1
Larch	<i>Larix decidua</i>	8
Scots pine	<i>Pinus sylvestris</i>	15
Elder	<i>Sambucus nigra</i>	7

3.2.3 Categories

The trees on the site recorded are 84% Category C and 16% Category U trees. The distribution of categories of individual trees is as follows:

BS 5837 Category	Number of Trees	% Trees
A	0	0
B	0	0
C	26	84
U	5	16
Total	31	100

3.2.4 Life stage

84% mature, 16% dead trees are recorded on the site.

The life stages recorded for individual trees are summarised as follows:

Life Stage	Number of trees	% of Trees
Young	0	0
Semi-mature	0	0
Mature	26	84
Over-mature	0	0
Dead	5	16

3.3 Tree Survey Schedule

Ref.	Species	Hgt. (m)	DBH (mm)	Branch spread (m)				Clr (m)	Life stage	General observations/vigour	Condition	ERC	Cat.	RPA (m)	Recommendations / Timescale
				N	E	S	W								
70	Elder	5	180	2	2	2	2	n/a	M	Moderate	Fair	10+	C2	2.16	No work required.
71	Larch	18	260	1	1	1	1	n/a	M	Moderate	Fair	10+	C2	3.12	No work required.
72	Scots pine	18	230	1	1	1	1	n/a	M	Moderate	Fair	10+	C2	2.76	No work required.
73	Scots pine	18	340	1	1	1	1	n/a	M	Moderate	Fair	10+	C2	4.08	No work required.
74	Scots pine	14	220	1	1	1	1	n/a	D	Dead tree / low	Poor	10-	U	2.64	Fell – retain dead wood / 12 months
75	Scots pine	10	140	1	1	1	1	n/a	D	Dead tree / low	Poor	10-	U	1.68	Fell – retain dead wood / 12 months
76	Scots pine	18	300	1	1	1	1	n/a	M	Moderate	Fair	10+	C2	3.6	No work required.
77	Elder	5	130;130	2	2	2	2	n/a	M	Moderate	Fair	10+	C2	2.2	No work required.
78	Larch	16	170	1	1	1	1	n/a	M	Moderate	Fair	10+	C2	2.04	No work required.
79	Scots pine	16	180	1	1	1	1	n/a	D	Dead tree / low	Poor	10-	U	2.16	Fell – retain dead wood / 12 months
80	Sycamore	12	240	2	2	2	2	n/a	M	Moderate	Fair	10+	C2	2.88	No work required.
81	Larch	16	180	1	1	1	1	n/a	M	Moderate	Fair	10+	C2	2.16	No work required.
82	Elder	5	120	2	2	2	2	n/a	M	Moderate	Fair	10+	C2	1.44	No work required.
83	Larch	18	240	1	1	1	1	n/a	M	Moderate	Fair	10+	C2	2.88	No work required.
84	Elder	5	100	1	1	1	1	n/a	M	Moderate	Fair	10+	C2	1.2	No work required.
85	Scots pine	18	240	1	1	1	1	n/a	M	Moderate	Fair	10+	C2	2.88	No work required.
86	Larch	17	160	1	1	1	1	n/a	M	Moderate	Fair	10+	C2	1.92	No work required.
87	Scots pine	12	180	1	1	1	1	n/a	D	Dead tree / low	Poor	10-	U	2.16	Fell – retain dead wood / 12 months
88	Scots pine	18	280	1	1	1	1	n/a	M	Moderate	Fair	10+	C2	3.36	No work required.
89	Larch	18	300	1	1	1	1	n/a	M	Moderate	Fair	10+	C2	3.6	No work required.
90	Scots pine	18	260	1	1	1	1	n/a	M	Moderate	Fair	10+	C2	3.12	No work required.
91	Larch	18	260	1	1	1	1	n/a	M	Moderate	Fair	10+	C2	3.12	No work required.
92	Scots pine	17	190	1	1	1	1	n/a	M	Moderate	Fair	10+	C2	2.28	No work required.
93	Scots pine	10	130	1	1	1	1	n/a	D	Dead tree / low	Poor	10-	U	1.56	Fell – retain dead wood / 12 months
94	Scots pine	18	280	1	1	1	1	n/a	M	Moderate	Fair	10+	C2	3.36	No work required.
95	Scots pine	17	220	1	1	1	1	n/a	M	Moderate	Fair	10+	C2	2.64	No work required.
96	Scots pine	16	160	1	1	1	1	n/a	M	Moderate	Fair	10+	C2	1.92	No work required.
97	Larch	18	290	1	1	1	1	n/a	M	Moderate	Fair	10+	C2	3.48	No work required.
98	Scots pine	17	180	1	1	1	1	n/a	M	Moderate	Fair	10+	C2	2.16	No work required.
99	Elder	5	150	2	2	2	2	n/a	M	Moderate	Fair	10+	C2	1.8	No work required.
100	Elder	5	80x5	2	2	2	2	n/a	M	Moderate	Fair	10+	C2	2.2	No work required.
101	Elder group	5	100	1	1	1	1	n/a	SM	Neighbouring garden / Moderate	Fair	10+	C2	1.2	No work required.
102	Prunus spp.	10	250	2	2	2	2	2S	M	Neighbouring garden / Moderate	Fair	10+	C2	3.0	No work required.

KEY

Ref: Reference number assigned to that item with a code to help identification such as T = tree

Hgt: Height of the tree in metres rounded up to the nearest half metre.

DBH: ‘Diameter at Breast Height’ – the stem diameter measured in millimetres at 1.5m above ground level, to the nearest 10mm. Where the ground around the base of the tree is not level this is taken 1.5m above the upper side of the slope.

Crown Spread: The crown spread is given to four cardinal points, rounded up to the nearest half metre.

Clr: ‘Crown clearance’ is the height of the lowest branch above ground level, with the general direction it is growing to a cardinal point.

Life Stage: Recorded with codes as follows, and relative to the species of the tree: Y – Young; SM – Semi-mature; M – Mature; OM - Over-mature; D – Dead.

General observations: includes notes on structural defects, physiological problems, special features, decay, and management recommendations. Please note that management recommendations do not constitute a specification for any required works.

Condition: Good = Healthy tree with no major defects, considerable life expectancy, with good shape or form; Fair = Healthy tree with easily remedied defects, shorter life expectancy, with reasonable shape or form; Poor = Tree with significant structural defects and/or decay, low vigour, under stress, limited life expectancy and with inferior shape and form; Dead = Dead, dying, and dangerous trees, very, low vigour, severely limited life expectancy, serious structural defects and/or decay.

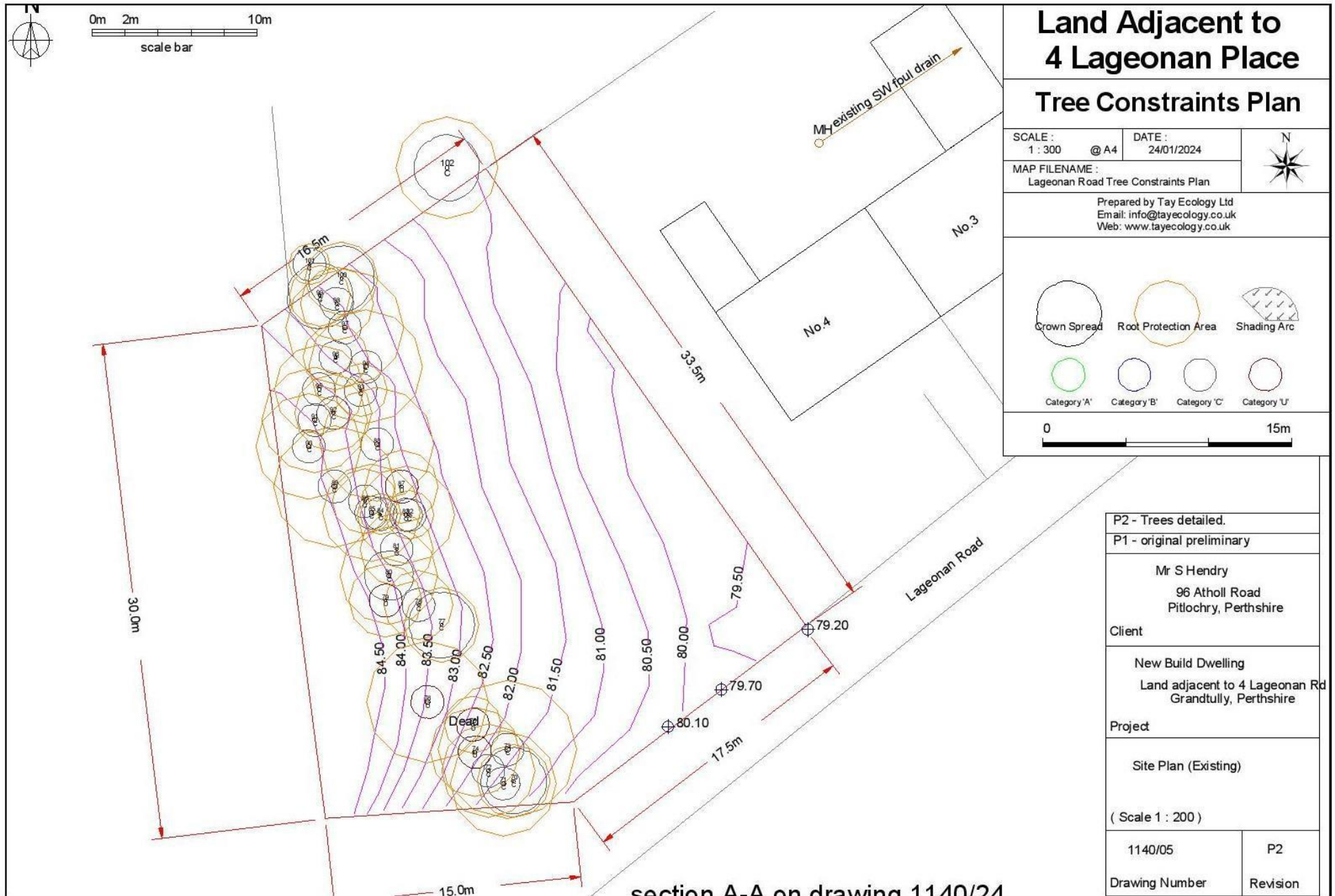
ERC: ‘Estimated remaining contribution’, recorded in a range of years is the amount of time the tree can realistically be retained for. <10 - Unsuitable for retention; 10-20 - Can be retained in the short term; 20-40 - Will continue to offer benefits for the foreseeable future; 40+ - Good longevity potential

Cat.: ‘Category grading’, a full explanation of the categories is given in an excerpt from BS 5837:2012 in the cascade chart, appendix 2.

RPA: ‘Root protection area’, appears on the survey plan and is calculated by multiplying the stem diameter using one of three methods specified in BS 5837:2012 depending on the number of stems the tree has. This should be considered an indication only as various factors may influence the size and shape of the RPA, such as past and present site conditions, and ground constraints such as roads, underground services, soil type, drainage, and topography.

The morphology of tree roots is influenced by past and present site conditions and tree management, e.g., soil type, drainage, and local topography. The RPAs of trees may be exaggerated.

3.4 Tree Constraints Plan - see below and Tree Constraints Plan as separate pdf 1



3.5 Site Photographs

Site from Lageonan Road looking north-west



South-east along woodland edge



North-east from woodland edge across plot



From woodland east along Lageonan Road



Elder, Larch and Scots pine in woodland



Scots pine plantation at western end Lageonan Road



PART 4 – ARBORICULTURAL IMPACT ASSESSMENT

4.1 TREE LOSS AND RETENTION

It is proposed to fell two Category C trees, T83 and T88, a larch and a Scots pine to accommodate the development footprint. BS5837 states that there is no restriction on felling Category C trees. Compensatory planting will mitigate against the loss of the two trees.

It is proposed to fell five Category U (dead) Scots pine trees, T74, 75, 76, 79, 87 for safety reasons. It is recommended that the deadwood is retained on the woodland floor.

All other trees will be retained.

4.2 INCURSION INTO ROOT PROTECTION AREAS

The proposed development impacts the RPA of 1 tree T102. The directly impacted area is approximately 4% of the RPA. Arboricultural methodology must be followed in the area where the RPA is located. However, as most of the rooting area is beyond the development footprint it is considered that the long-term health and longevity of the tree will not be detrimentally affected.

Where excavation is required within RPAs non-mechanical excavation is proposed and cutting roots greater than 2.5cm diameter is to be avoided. A no dig surface methodology such as a 3D cellular confinement system is proposed to avoid negative impacts in other areas. Where this raises the level of the ground in any RPA a permeable surface material is recommended to allow air and water to percolate.

It is not anticipated that the RPAs of other retained trees will be directly impacted by the work. However, in the event work is required which may encroach into any RPA, work must be non-mechanical excavation using hand tools or use a no dig surface method where excavation is not required. Arboricultural methodology must be adopted for any works in the RPAs of retained trees in case tree roots are discovered. It is anticipated that the impact of the proposed development can be satisfactorily mitigated against to ensure that there is no detrimental long-term impact to RPAs at the site. The RPAs of all trees on the site which are in the vicinity of, but out-with, the proposed development footprint can be safely protected from compaction or other disturbance by protective fencing and/or ground protection.

4.2.2 Protective Fencing

BS 5837 requires the installation of protective fencing to protect trees to be retained during construction operations. The fence creates a physical barrier between the construction area and the Construction Exclusion Zone (CEZ). The line that a protective fence takes is based upon the calculation of Root Protection Areas but also requires the physical constraints of the site to be taken into consideration. The provisional Tree Protection Plan gives an indicative positioning for the placement of protective fencing and construction exclusion zones. A specification for protective fencing is given in Appendix 3.

4.2.3 Changes in Ground Level and Surfaces

Changes in ground levels and surfaces within the RPAs of trees to be retained can be detrimental to tree health and stability. Excavations which result in root severance and soil compaction can have serious implications for the long-term future health and stability of the tree. Increasing levels and changing surfaces within root protection areas can be equally damaging as this may result in anaerobic conditions at rooting level resulting in tree root disease and death. Therefore, it is essential that trees to be retained must have their RPAs protected from any changes in in levels. Permeable surfacing materials are recommended to be used in the construction of any surfacing that encroaches on RPAs to allow for percolation of water and gas diffusion.

Where excavation is required within RPAs non-mechanical excavation is proposed and cutting roots greater than 2.5cm diameter is to be avoided.

A no dig surface methodology such as a 3D cellular confinement system is proposed to avoid negative impacts to RPAs in other areas. This would raise the level of the ground in the identified area. A no dig surface can cover approximately 20% of any RPA. Where the ground level is raised in any RPAs a permeable surface material is recommended to allow air and water to percolate.

4.2.4 Installation of Services

Traditionally the installation of underground services is carried out by the digging of open trenches and installation of the service(s) prior to backfilling. It is widely recognised that this methodology is detrimental to the health of trees where the digging of trenches involves the severance of tree roots. Overhead services can also come into conflict with tree canopies resulting in unnecessary pruning or tree removal. To minimise any impact on trees all services should, wherever possible, be located out-with the root protection areas and crown spreads (for overhead cables) of retained trees. Where services must be installed in root protection areas excavation must be non-mechanical and roots greater than 2.5cm diameter retained.

4.2.5 During Construction

Where construction vehicles are required to enter any RPA, a preference will be given to the use of small construction vehicles and ground protection will be used. Ground protection requirements will depend on the intensity of work around any individual tree in such areas. Where materials storage is required, this will be outside of any RPAs of trees to be retained.

4.3 ABOVE GROUND CONSTRAINTS

4.3.1 Canopies and Shading

The canopies of retained trees can be protected with barriers where any work takes place or where any machinery to be used on site which may impact the canopies.

4.3.2 Future Tree Inspections

Due to the time lapse between the initial survey and start of any development work a further inspection of the trees should form part of the formal risk assessment process carried out prior to commencement. This initial assessment of the trees was carried out on the basis that a follow-up inspection would be undertaken within one year and the advice given on tree condition reviewed on an annual basis or after extreme weather events.

4.4 TREE-WORK RECOMMENDATIONS

There are tree-work management recommendations proposed for five Category U (dead) Scots pine trees and it is recommended that the trees are felled within 12 months and that the deadwood is retained on the site.

4.5 CONCLUSIONS

It is proposed to fell two Category C trees, T83 and T88, a larch and a Scots pine to accommodate the development footprint. BS5837 states that there is no restriction on felling Category C trees. Compensatory planting will mitigate against the loss of the two trees. It is proposed to fell five Category U (dead) Scots pine trees, T74, 75, 76, 79, 87 for safety reasons where tree-work recommendations have been made. It is recommended that the deadwood is retained on the woodland floor. All other trees will be retained.

The proposed development impacts the RPA of 1 tree T102. The directly impacted area is approximately 4% of the RPA. Arboricultural methodology must be followed in the RPA.

However, as most of the rooting area is beyond the development footprint it is considered that the long-term health and longevity of the tree will not be detrimentally affected. Where excavation is required within RPAs non-mechanical excavation is proposed and cutting roots greater than 2.5cm diameter is to be avoided. A no dig surface methodology such as a 3D cellular confinement system is proposed to avoid negative impacts in other areas. Where this raises the level of the ground in any RPA a permeable surface material is recommended to allow air and water to percolate.

It is not anticipated that the RPAs of other retained trees will be directly impacted by the work. However, in the event work is required which may encroach into any RPA, work must be non-mechanical excavation using hand tools or use a no dig surface method where excavation is not required. Arboricultural methodology must be adopted for any works in the RPAs of retained trees in case tree roots are discovered. It is anticipated that the impact of the proposed development can be satisfactorily mitigated against to ensure that there is no detrimental long-term impact to RPAs at the site. The RPAs of all trees on the site which are in the vicinity of, but out-with, the proposed development footprint can be safely protected from compaction or other disturbance by protective fencing and/or ground protection.

Tree protection specifications for tree protection barriers are provided, together with general advice on tree retention, working in RPAs, and an arboricultural method statement for tree works.

It is anticipated that the impact of the proposed development can be satisfactorily mitigated against to ensure that there is no detrimental long-term impact to retained trees at the site and that compensatory planting will mitigate against the loss of the felled trees.

4.6 ARBORICULTURAL IMPACT ASSESSMENT - see below and Arboricultural Impact Plan as separate pdf 2

An arboricultural impact assessment plan has been produced for the site. The trees were recorded as T70-100, with 101 & 102 in neighbouring garden.

Land Adjacent to 4 Lagoon Place

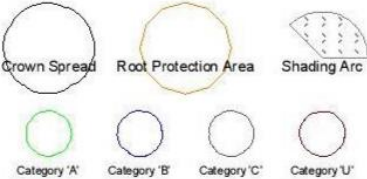
Arboricultural Impact Plan

SCALE: 1 : 300 @ A4
DATE: 25/01/2024

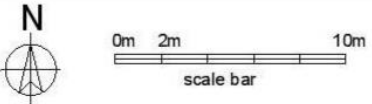


MAP FILENAME : Lagoon Road Arboricultural Impact Plan

Prepared by Tay Ecology Ltd
Email: info@tayecology.co.uk
Web: www.tayecology.co.uk



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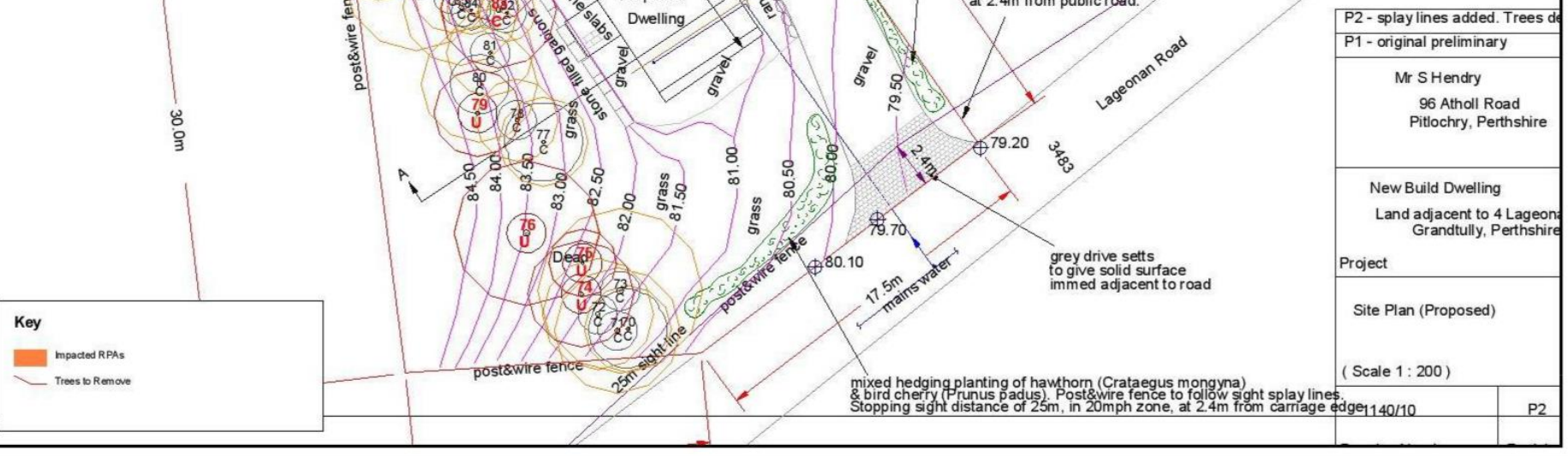


**Impacted RPA
T102 = 4%**

**Fell 2 Category C
T83, 88**

**Fell 5 Category U
T74, 75, 76, 79, 87**

	Impacted RPAs
	Trees to Remove



P2 - splay lines added. Trees de
P1 - original preliminary
Mr S Hendry 96 Atholl Road Pitlochry, Perthshire
New Build Dwelling Land adjacent to 4 Lagoon Grandtully, Perthshire
Project
Site Plan (Proposed)
(Scale 1 : 200)
140/10
P2

PART 5 – TREE PROTECTION PLAN

5.1 GENERAL

5.1.1 The client and agent shall ensure that:

- the site manager and all other personnel are provided with this document.
- all planning conditions relating to underground works, services, trees and landscaping are cleared before development commences.
- all requirements of this Tree Protection Plan are adhered to.
- the site manager is updated of any approved changes or variations to this document.

5.1.2 The client and site manager shall ensure that:

- a copy of this document with the tree protection plan is easily accessible for site personnel to refer to before and during the time construction activity is taking place.
- all personnel working on the site are made aware of the tree protection plan and arboricultural method statements covering any activities they will undertake. This duty includes delegating the task of briefing personnel in the absence of the site manager.
- The tree protection measures are left in place until the construction phase of development is completed, except with the written consent of the LPA.
- site personnel are updated of any approved changes to approved tree protection measures.

5.1.3 Procedures for incidents

If any breach of the approved tree protection measures occurs:

- The LPA Tree officer or other Planning Officer and Tay Ecology are informed.
- The site manager must be informed immediately.
- Swift action must be taken to halt the breach and prevent any further breach.
- Damage mitigation measures appropriate to the scale of incident, deployed where required.

5.1.4 Prohibited Activities

The following must not be carried out under any circumstances:

- Cutting down, uprooting, damaging or otherwise destroying any retained tree.
- Lighting a fire within 10 metres of the canopy of any retained tree.
- Equipment, signage, fencing, tree protection barriers, materials, components, vehicles, or structures shall not be attached to or supported by a retained tree.
- Mixing cement, chemical toilets and other use or storage of anything that would be harmful to trees shall not take place within, or close to a Root Protection Area (RPA). The distance away from the RPA must be sufficient, and site slope must be such that contamination of soil in the RPA would not occur if there were spillage, seepage, or displacement.
- No plant or vehicle with a hydraulic arm such as a mini digger shall be operated within striking distance of the stem and branches or the RPA of any retained tree unless otherwise specified.

5.1.5 No alterations or variations shall be made to the approved tree protection measures without written approval from the LPA.

5.1.6 Timing and order of operations

The development must be carried out in the following order unless otherwise agreed in writing with the LPA. Each step must be completed before moving onto the next:

- i. Tree felling.
- ii. Mark out RPAs of retained trees.
- iii. Installation of tree protection barriers and temporary ground protection.
- iv. Construction.
- v. Removal of the remaining ground protection and barriers.

5.2 TREE PROTECTION PLAN - see below and Tree Protection Plan separate pdf 3



Arboricultural Methodology
T102 = 4%

Fell 2 Category C
T83, 88

Fell 5 Category U
T74, 75, 76, 79, 87

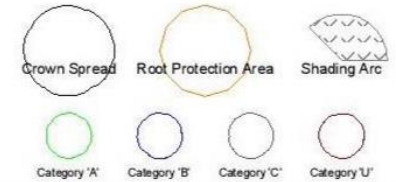
Land Adjacent to 4 Lagoonan Place Tree Protection Plan

SCALE: 1:300 @ A4 DATE: 25/01/2024



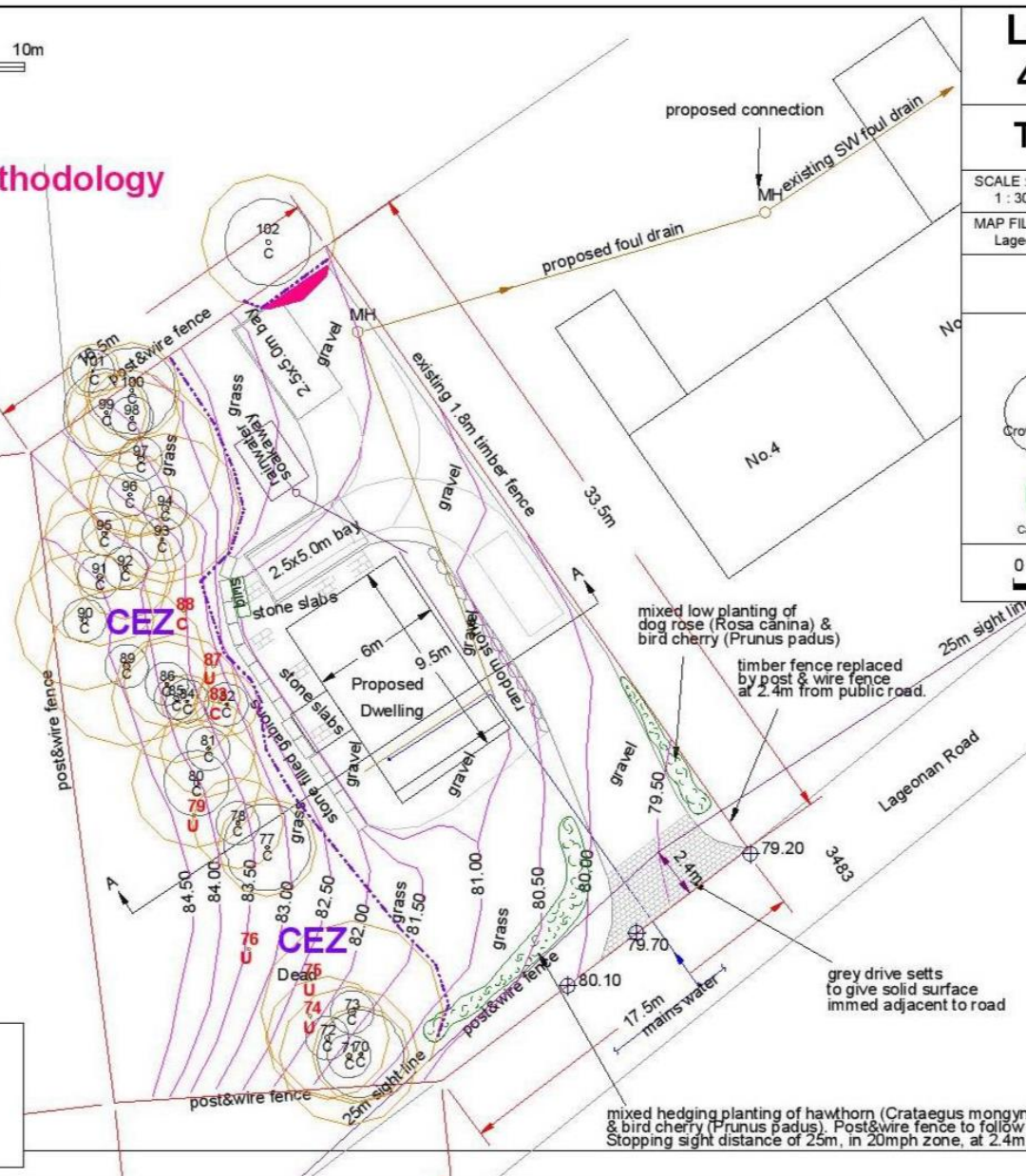
MAP FILENAME: Lagoonan Road Tree Protection Plan

Prepared by Tay Ecology Ltd
Email: info@tayecology.co.uk
Web: www.tayecology.co.uk



Key

- Arboricultural Methodology
- Trees to Remove
- Protective Fencing



P2 - splay lines added. Trees de	
P1 - original preliminary	
Mr S Hendry 96 Atholl Road Pitlochry, Perthshire	
New Build Dwelling Land adjacent to 4 Lagoonan Grandtully, Perthshire	
Project	
Site Plan (Proposed)	
(Scale 1:200)	
140/10	P2

5.3 PROTECTIVE BARRIERS AND GROUND PROTECTION

5.3.1 Protective barriers, ideally at the limit of the RPA, or in positions to be agreed within the RPA once further detailed proposals are available, are required to enclose a sufficient RPA to ensure that trees to be retained survive the development process. The aim of any barrier is to exclude any construction activity which may damage tree health. Appropriate distances to be measured from the base of trees are as in the Tree Survey Schedule RPA.

5.3.2 Any barriers shall be installed and removed in accordance with the timing of operations above and laid out in accordance with the appended Tree Protection Plan. The appended notice, Appendix 6 Tree Protection Notice, should be used to create all weather notices that must be added to the tree protection barriers or suitable intervals. In the event of any panel or support becoming damaged, this must be immediately reinforced by adding panels with the designs below as appropriate.

5.3.3 Tree protection barriers

The default specification is a vertical and horizontal scaffold framework, braced to resist impacts, Appendix 3. The vertical tubes are spaced at a maximum interval of 3m and these are driven securely into the ground. Welded mesh panels are securely attached to the frame. During installation it is important to consider the position of below ground services and structural roots, which must not be damaged. Where these constraints prevent the use of this specification, an alternative specification is given.

5.3.4 Alternative tree protection barrier design

2 metres high welded mesh panels standing in rubber or concrete feet joined using a minimum of two anti-tamper couplers installed so they can only be removed from inside the protected area. The fence couplers should be spaced at least 1m apart, but uniformly across the whole barrier. These panels must be supported within the protected area with struts attached to a base plate secured by ground pins, Appendix 3.

5.3.5 Protective barriers should be adapted to fit the site requirements and may include improvised structures around specific trees.

5.3.6 The supervising tree consultant should confirm that the tree protection barriers have been installed as agreed before any significant site work starts.

5.4 ARBORICULTURAL METHOD STATEMENT FOR WORK WITHIN RPAS

5.4.1 Where it has been agreed during the design stage, and shown on the tree protection plan, that vehicular or pedestrian access for the construction operation may take place within the RPAs, the possible effects of construction should be addressed by a combination of barriers and ground protection. The position of the barrier may be shown within the RPAs at the edge of the agreed working zone but the soil structure beyond the barrier to the edge of the RPAs should be protected with ground protection. Where intermittent work within the RPA occurs on existing hard surfaces no additional root protection is required.

5.4.2 BS 5837:2012 allows for the use of ground protection in conjunction with protective fencing. Where temporary access for small scale machinery is needed within the RPAs ground protection should be used. Ground protection should be of sufficient strength and rigidity to prevent soil disturbance and compaction. A geotextile membrane should be used to prevent contamination of soil below by toxic substances.

5.4.3 For pedestrian movements within the RPAs the installation of ground protection in the form of a single thickness of scaffold boards on top of a compressible layer laid onto a geotextile or

supported by scaffold is acceptable. For wheeled or tracked movements within the RPAs the ground protection should be designed by an engineer to accommodate the likely loading and may involve the use of proprietary systems or reinforced concrete slabs.

5.4.4 The supervising tree consultant should confirm that the ground protection has been installed as agreed before any significant site work starts.

5.4.5 Where excavation is required within RPAs non-mechanical excavation is proposed and cutting roots greater than 2.5cm diameter is to be avoided.

5.4.5.1 Any tree roots found up to 25mm diameter can be pruned back with sharp secateurs leaving a wound of the smallest diameter possible. If any roots over 25mm are found, these must be retained undamaged, and further advice sought from the supervising tree consultant. Cut exposed roots to be removed cleanly 10-20cm behind the final face of the excavation. Protect roots temporarily exposed, but to be retained, from drying out by covering with damp hessian sacks or boards. Use an inert granular material mixed with top-soil or sharp sand around retained roots greater than 25mm width before light compaction.

5.4.6 Where any surfacing encroaches into the RPAs and no excavation is required, a no-dig surface is preferentially recommended where 20% or less of the RPA will be impacted. The design of such a construction needs to be sensitive to the requirements of tree roots, substantial enough to withstand the proposed structure and practicable in terms of ease of fabrication. The no-dig method involves construction of a surface with no excavation or soil stripping. All construction takes place above ground level. Appendix 5 Example 3D Cellular Confinement System.

5.4.6.1 BS 5837 recommends that three-dimensional cellular confinement systems are an appropriate sub-base for installing surfacing in RPAs. Most products are made from heavy-duty plastic that is pulled apart to open into cells. These are then filled with washed stone, after the product is spread over the ground and pinned in place. This forms a base layer that acts as a floating raft, spreading the load across the whole construction width. The base layer can be topped with a variety of finishes.

5.4.6.2 Tay Ecology is not qualified to recommend any specific construction method in terms of durability or structural integrity and any proposed construction should be approved by a structural engineer prior to implementation, however, with regards to trees, the following comments are made:

- Severance of roots and soil compaction should be avoided.
- Air and water must be able to diffuse into the soil beneath the engineered surface. Toxic substances which could leach into the ground must be avoided, as should substances which affect the pH value of the soil, for example limestone.

5.4.6.3 Existing ground vegetation may be killed using a suitable herbicide. Care must be taken to select a herbicide which does not damage the tree roots within the treated area. Once the vegetation has died, the dead organic matter should be removed. This helps prevent the future build-up of anaerobic conditions or settlement due to decomposition.

5.4.7 For any landscaping in RPAs avoid soil compaction around existing trees. Any cultivation within RPAs should be undertaken by hand, but no heavy mechanical cultivation should occur. Decompaction measures if required include forking, spiking, soil augering and tilted radial trenching.

5.4.8 To prevent pollution in RPAs make provision for emergency spillage clean-up; mix cement and wash vehicles as far away from RPAs as possible; use bunding and impermeable membranes to prevent liquid contaminants reaching RPAs; use impermeable membranes to prevent leachates from poured concrete contaminating RPAs; keep pollution control measures in place until there is no significant risk of RPA contamination.

5.4.9 Summary of arboricultural supervision

Mark out the RPAs of retained trees.

Ensure that the tree protection barriers are installed and fixed to the ground in the correct position and as specified.

Oversee any excavation required within RPAs.

Ensure that any cellular containment system is installed as per the manufacturers

Recommendations.

Undertake regular site visits to ensure that the works are in accordance with the Tree Protection Plan and Arboricultural Method Statement.

PART 6 - COMPENSATORY PLANTING

6.1 PLANTING SCHEDULE

- a. Plant in first planting season (Oct-Mar) following completion of dwelling and infrastructure.
- b. Excavate planting pits 50cm x 50cm x 30cm.
- c. Plant trees of 1.5m-3m height.
- d. Use stakes and ties to support trees.
- e. Plant trees 1-4m apart.
- f. Plant small groups of same species with small clearings between.
- g. Any plants which become damaged or die within 5 years will be replaced.
- h. Plant hedgerow saplings 40-60cm height
- i. Plant staggered double hedgerow 30cm apart
- j. Plant 4-6 hedgerow plants per metre
- k. Wildflower seeds sown at 3g/m³ or 12kg/acre or 30kg/hectare to include woodland meadow mix; and hedgerow meadow mix.

6.2 NATIVE TREE PLANTING

Native trees planted - 6 trees - Hazel - *Corylus avellana* x 2; Wild cherry – *Prunus avium* x 2; Rowan – *Sorbus acuparia* x 2

6.3 NATIVE SHRUB PLANTING

Mixed native shrub planting Honeysuckle - *Lonicera periclymenum*; Bird cherry - *Prunus padus*; Dog rose - *Rosa canina*; Guelder rose - *Viburnum opulus* – 7m

6.4 NATIVE HEDGEROW

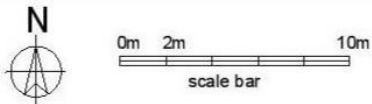
Mixed native hedgerow of Hawthorn - *Crataegus monogyna* and Bird cherry - *Prunus padus* - 14m

PART 7 – REFERENCES

BSI Standards Publication, 2012 “*British Standard 5837:2012 Trees in relation to design, demolition and construction – Recommendations*”

BSI Standards Publication, 2010 “*British Standard 3998:2010 Tree work – Recommendations*”

Rose, B., 2020 “*The Use of Cellular Confinement Systems near Trees: A Guide to Good Practice*” Arboricultural Association Guidance Note 12



- Planting Schedule**
- Plant in first planting season (Oct-Mar) following completion of conversion
 - Excavate planting pits 50 x 50 x 30cm
 - Plant trees of 1.5m-3m height
 - Use stakes and ties to support trees
 - Plant trees 1-4m apart
 - Plant small groups of same species with small clearings between
 - Any plants which become damaged or die within 5 years will be replaced.
 - Plant hedgerow saplings 40-60cm height
 - Plant staggered double hedgerow 30cm apart
 - Plant 4-6 hedgerow plants per metre
 - Wildflower seeds sown at 3g/m³ or 12kg/acre or 30kg/hectare to include woodland-meadow mix; and hedgerow meadow mix.

Native Tree Planting
 a. *Corylus avellana* x 1
 b. *Sorbus aucuparia* x 2

Native Tree Planting
 a. *Corylus avellana* x 1
 b. *Prunus avium* x 2

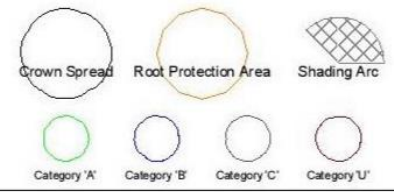
Native Shrub Planting 7m
Lonicera periclymenum
Prunus padus
Rosa canina
Viburnum opulus

Native Hedgerow Planting 14m
Crataegus monogyna
Prunus padus

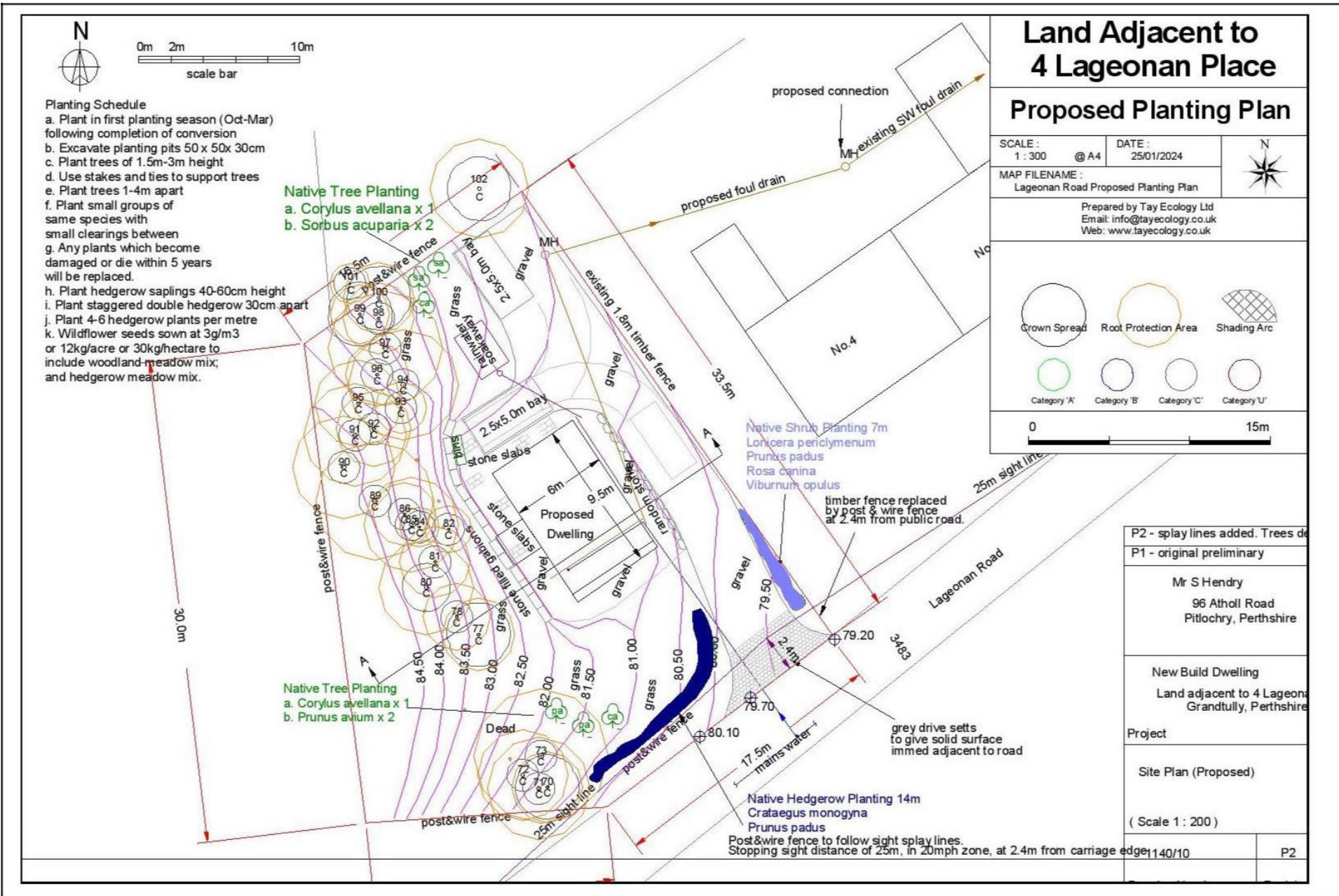
Land Adjacent to 4 Lageonan Place

Proposed Planting Plan

SCALE: 1:300 @ A4 DATE: 25/01/2024
 MAP FILENAME: Lageonan Road Proposed Planting Plan
 Prepared by Tay Ecology Ltd
 Email: info@tayecology.co.uk
 Web: www.tayecology.co.uk



P2 - splay lines added. Trees del	
P1 - original preliminary	
Mr S Hendry 96 Atholl Road Pitlochry, Perthshire	
New Build Dwelling Land adjacent to 4 Lageonan Grandtully, Perthshire	
Project	
Site Plan (Proposed)	
(Scale 1:200)	
14/0/10	P2



PART 8 – APPENDICES

- Appendix 1 – Terms and Definitions p.21
- Appendix 2 – Tree Category Codes p.22
- Appendix 3 – Protective Fencing Specifications p.23-24
- Appendix 4 – Installing Services in RPAs p.25-32
- Appendix 5 – Example of No Dig Surface Method p.33-38
- Appendix 6 – Tree Protection Notice p.39
- Appendix 7 – Planting Schedule p.40-42

APPENDIX 1 TERMS AND DEFINITIONS

1.0 Arboricultural Method Statement

Guidelines for specified working operations near trees to avoid any harmful impact as defined within BS 5837:2012, may cover works from tree work to operating cranes, installing foundations or services and guidelines for engineering performance to function as a tree protection measure.

1.1 Ground Protection

In this context the term refers to a method for preventing the ground from being disturbed, usually within the Root Protection Areas of retained trees. Other uses include protection areas to be planted. The way ground protection should be designed to perform is typically described within an Arboricultural Method Statement.

1.2 Root Protection Area (RPA)

A minimum recommended area for tree protection in 'BS 5837:2012 Trees in Relation to Construction'. In these areas works should be avoided where possible. Where work in these areas cannot be avoided, it should be carried out in accordance with a Tree Protection Plan and / or Arboricultural Method Statement.

1.3 Tree Constraints Plan

As defined within BS 5837:2012. This plan shows above and below ground constraints that may impact on a planning proposal such as the tree branch spread and Root Protection Area.

1.4 Tree Preservation Order (TPO)

A type of land charge which specifies certain trees for protection under the Town and Country Planning Act (1990) that makes it necessary to make an application to the LPA to work on them (with notable exceptions) and a criminal offence to otherwise damage or destroy them.

1.5 Conservation Area

Normal TPO procedures apply, if a tree is not covered by a TPO, written notice to the LPA detailing any proposed work must be given at least 6 weeks before work starts. Notice of work is not required where the tree has a diameter of less than 75mm, measured 1.5m above the ground, or 100mm diameter if thinning to enable the growth of other trees.

APPENDIX 2 TREE CATEGORY CODES

Cascade chart for tree quality assessment from BS 5837:2012

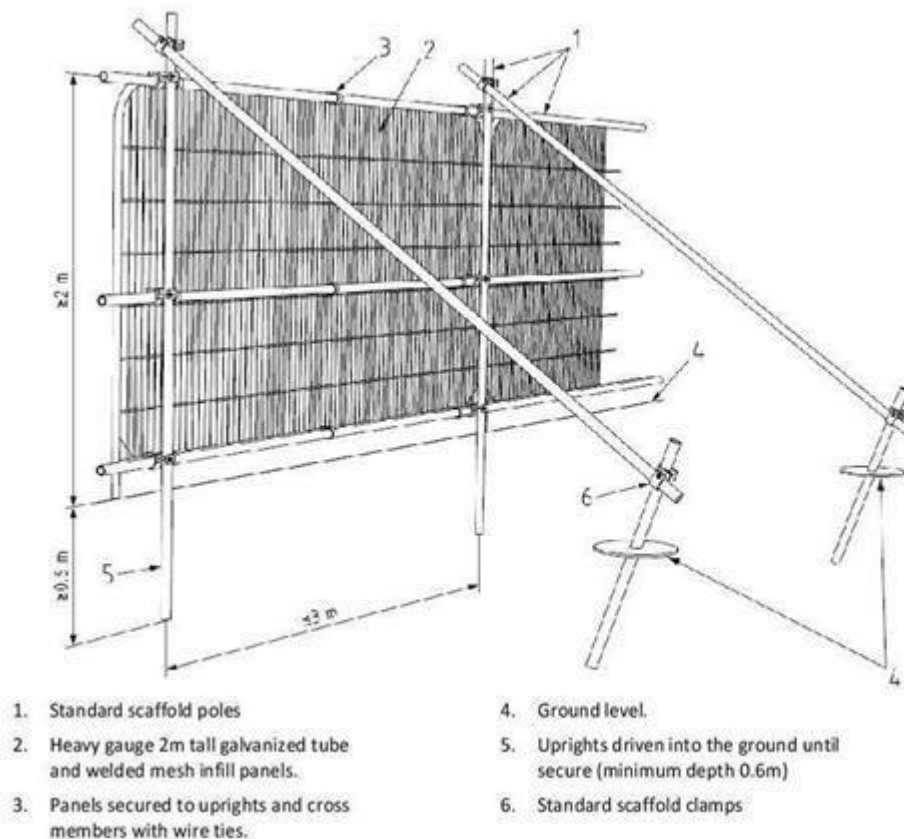
Category and definition	Criteria (including subcategories where appropriate)			Identification on plan
Trees unsuitable for retention				
Category U Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years.	<p>Trees 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 (eg. Where, for whatever reason, including the loss of companion shelter cannot be mitigated by pruning)</p> <p>Trees that are dead or are showing signs of significant, immediate and irreversible overall decline.</p> <p>Trees infected with pathogens of significance to tree 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></p>			Dark red
Trees to be considered for retention				
	1 Mainly arboricultural qualities	2 Mainly landscape qualities	3 Mainly cultural values, including conservation	
Category A Trees of high quality with an estimated remaining life expectancy of at least 40 years.	Trees that are particularly good examples of their species, especially if rare or unusual; or those that are essential components of groups or formal or semi-formal arboricultural features (eg. The dominant and/or principal trees within in an avenue).	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 (eg. Veteran trees or wood-pasture).	Light green
Category B Trees of moderate quality with an estimated remaining life expectancy of at least 20 years.	Trees that might be included in category A but are downgraded because of impaired condition (eg. Presence of significant though remediable defects, including unsympathetic past management and storm damage), such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to merit the category A designation.	Trees present in numbers, usually growing as groups or woodlands, such that they 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.	Mid blue
Category C Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter of below 150mm.	Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories.	Trees present in groups or woodlands, but without this conferring on them significantly greater collective landscape value; and/or trees offering low or only temporary/transient landscape benefits.	Trees with no material conservation or other cultural value.	Grey
<i>NOTE: Whilst 'C' category trees will usually not be retained where they would impose a significant constraint on development, young trees with a stem diameter of less than 150 mm should be considered for relocation.</i>				

APPENDIX 3 PROTECTIVE FENCING SPECIFICATION

5.2.3 The default specification is a vertical and horizontal scaffold framework, braced to resist impacts, as per figure 1 below. The vertical tubes are spaced at a maximum interval of 3m and these are driven securely into the ground. Welded mesh panels are securely attached to the frame. During installation it is important to consider the position of below ground services and structural roots, which must not be damaged. Where these constraints prevent the use of this specification, an alternative specification is given below.

Figure 1 is taken from BS5837:2012 ‘Trees in Relation to Design, Demolition & Construction – Recommendations’ and illustrates the systems to be employed for ensuring an adequate Construction Exclusion Zone about retained trees. Refer to BS5837:2012 for further details.

Figure 1 – default tree protection barrier specification



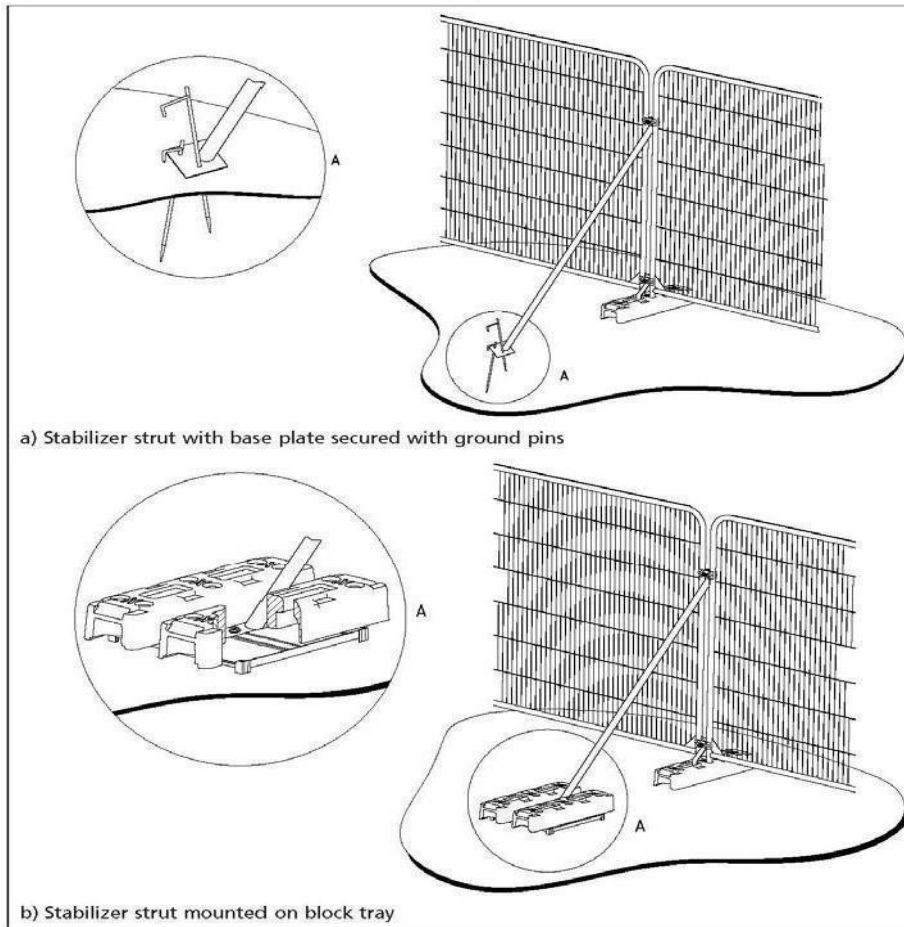
5.2.4 Alternative tree protection barrier design

2 metres high welded mesh panels standing in rubber or concrete feet joined using a minimum of two anti-tamper couplers installed so they can only be removed from inside the protected area. The fence couplers should be spaced at least 1m apart, but uniformly across the whole barrier. These panels must be supported within the protected area with struts attached to a base plate secured by ground pins as per figure 2a.

Where the fencing is installed above retained hard surfacing and/or it is otherwise not feasible to use ground pins (e.g., due to underlying services or structural roots), the struts can be mounted on a block tray as per figure 2b.

Figure 2 is taken from BS5837:2012 Trees in Relation to Design, Demolition & Construction – Recommendations and illustrates the systems to be employed for ensuring an adequate Construction Exclusion Zone about retained trees. Refer to BS5837:2012 for further details.

Figure 2 – above ground stabilising systems



APPENDIX 4A INSTALLING SERVICES IN RPAs

Site guidance note 11:
Installing services in root protection areas

barrell
TREE CONSULTANCY



Site Guidance Note 11: Installing services in root protection areas

This document is only a summary of its subject matter. You should not rely on this general guidance in isolation, and you should always seek detailed advice from an appropriate expert in relation to specific circumstances before any action is taken or refrained from. The content of these pages is protected by copyright © Barrell Treecare Ltd 2018. You may download and republish (in its full format) and print copies of the guidance – but you must not adapt any guidance.

SGN 11: Summary guidance for site operatives

Administration

1. **Unauthorised damage to protected trees is a criminal offence and could lead to enforcement action.**
2. **Work under the normal site risk assessment procedures and comply with the wider site safety rules.**
3. **Brief operatives entering root protection areas (RPAs) by the supervising arboriculturist before work starts.**

Other relevant SGNs

4. **Monitor works in RPAs by the supervising arboriculturist (See SGN 1 Monitoring tree protection).**
5. **Design access to avoid soil compaction (See SGN 3 Ground protection).**
6. **Minimise excavation into original undisturbed soil (See SGN 7 Excavation in root protection areas).**

Important reminders

7. **Trenchless installation will be preferred. The fall-back approaches of hand-dug broken trench and then hand-dug continuous trench, will be acceptable if agreed by the supervising arboriculturist.**
8. **For trenchless installation, the starting and finishing pits will be outside RPAs.**

SGN 11: Explanatory notes and examples

Purpose

SGN 11 describes the practical requirements for installing new services within RPAs, based on the recommendations in BS 5837 (7) and the guidance in NJUG (4.1).



General principles and clarifications

Excavation to upgrade existing services or install new services in RPAs may damage retained trees. Where possible, all services will be outside RPAs and installation in RPAs will only be chosen as a last resort. If installation within RPAs is being considered, as advised in 4.1.3 of the NJUG guidance, the decision will be made in consultation with the supervising arboriculturist before any work is carried out. If service installation is agreed within RPAs, the NJUG protocol as set out in 4.1.3 of its guidance will be used to decide the most appropriate method. In summary, this sets out that “Acceptable techniques in

order of preference are; a) trenchless, ... b) Broken trench – hand-dug ... c) Continuous trench – hand-dug”. If trenchless methods are to be used, the starting and finishing pits dug at each end of the service run will be outside RPAs. Where a hand-digging option is agreed, any roots discovered during the excavations will be dealt with as described in SGN 7 (Excavation in root protection areas). Backfilled material around excavated services will not be heavily compacted, observing the specific advice provided in 4.1.5 of the NJUG guidance.

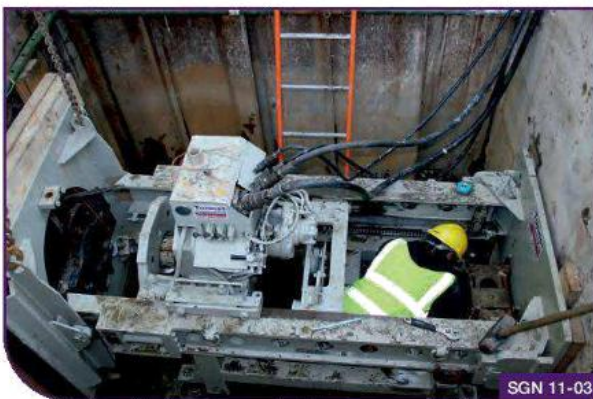
SGN 11: Explanatory notes and examples



Conventional installation of services digging a trench with a machine is **not permitted** in RPAS.



Trenching with machines to install services close to trees can make them unsafe and cause their premature death.



Thrust boring is the preferred option for installing service routes through the RPAs of retained trees.

SGN 11: Explanatory notes and examples

The start and finish pits for thrust boring are substantial and must be outside of RPAs.



Alternatives to thrust boring are to hand-dig broken or continuous trenches, so that roots can be retained (with the service ducting threaded beneath). Note the ground protection boards with soil piled on top on the left.



Ducting services that have to be threaded through existing roots is good practice because it reduces the need to excavate in the future. Note the hessian protection over roots while they are temporarily exposed to prevent sunscorch and drying.



SGN 11: Explanatory notes and examples

Technical reference

Due to copyright restrictions, the relevant British Standard clauses are summarised, not quoted, as follows:

1. **BS 5837 (2012) Trees in relation to design, demolition and construction – Recommendations:**

Clause 7 (Demolition and construction in proximity to existing trees) recommends:

- 7.1.3 *The installation of underground utility apparatus using trenchless technology will be acceptable where entry and retrieval pits can be formed outside the RPA. Even if the utility installation does not require planning permission, the work should still be undertaken in accordance with the guidance in NJUG Volume 4, issue 2.*
- 7.7.1 *Care should be taken when routing underground apparatus because the mechanical trenching can sever roots and change the local soil hydrology, both of which can adversely affect tree health. Wherever possible, underground services should be routed outside RPAs. If services are installed within RPAs, it is preferable to use common ducts, with inspection chambers sited outside the RPA.*
- 7.7.2 *Underground services within the RPAs should be shown on a plan prepared in conjunction with the project arboriculturist. Trenchless insertion methods should be the preferred option, with entry and retrieval pits outside RPAs, but if roots can be retained and protected, excavation using hand-held tools might be acceptable for shallow service runs.*

2. **National Joint Utilities Group (“NJUG”) Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees – Issue 2** (www.njug.org.uk/wp-content/uploads/2016/09/V4-Trees-Issue-2-16-11-2007.pdf): Section 4.1 (How to avoid damage to trees – Below ground) advises:

“4.1.3 Realignment: Whenever possible apparatus should always be diverted or re-aligned outside the Prohibited or Precautionary Zones. Under no circumstances can machinery be used to excavate open trenches within the Prohibited Zone.

Where works are required for the laying or maintenance of any apparatus within the Prohibited or Precautionary Zones there are various techniques available to minimise damage. Acceptable techniques in order of preference are:

- a) *Trenchless: Wherever possible trenchless techniques should be used. The launch and reception pits should be located outside the Prohibited or Precautionary Zones. In order to avoid damage to roots by percussive boring techniques it is recommended that the depth of run should be below 600mm. Techniques involving external lubrication of the equipment with materials other than water (e.g. oil, bentonite, etc.) must not be used when working within the Prohibited Zone. Lubricating materials other than water may be used within the Precautionary Zone following consultation and by agreement.*

SGN 11: Explanatory notes and examples

b) Broken Trench – Hand-dug: This technique combines hand dug trench sections with trenchless techniques if excavation is unavoidable. Excavation should be limited to where there is clear access around and below the roots. The trench is excavated by hand with precautions taken as for continuous trenching as in (c) below. Open sections of the trench should only be long enough to allow access for linking to the next section. The length of sections will be determined by local conditions, especially soil texture and cohesiveness, as well as the practical needs for access. In all cases the open sections should be kept as short as possible and outside of the Prohibited Zone.

c) Continuous Trench – Hand-dug: The use of this method must be considered only as a last resort if works are to be undertaken by agreement within the Prohibited Zone. The objective being to retain as many undamaged roots as possible.”

APPENDIX 4B AIR SPADE

The use of a compressed air-powered tool, or AirSpade, facilitates excavation, soil management, and tree healthcare within RPAs. Air-spading is a form of non-mechanical excavation which efficiently removes or loosens soil without damaging a tree's root system.

AirSpade is a purpose-built excavation tool which penetrates soil with compressed air that expands rapidly to fracture the soil. Air-spading can cause some temporary loss of beneficial mycorrhizal fungi; in order to help repopulate these important organisms, adding a broad-spectrum mix of mycorrhizal fungi spores to exposed tree roots after any Air Spade work is recommended.

Example AirSpade from AVArboriculture



Tree Root Protection Using Cellweb TRP®

Fact Sheet 2: Water and Oxygen Transfer Through the Cellweb TRP® System



Water and Oxygen Transfer Through the System

Water and oxygen are the lifeblood of trees without which they will wither and die. It is important to design developments in and around the root protection area (RPA) of existing trees to maximise the availability of water and oxygen to the roots. This can be achieved in a number of ways using the Cellweb TRP® tree root protection system.

The main causes of reduced water and oxygen availability for tree roots are:

- Compaction of the soil around the roots
- Covering the ground surface with impermeable cover which prevents water infiltration.

Both of these effects can be reduced or prevented by using Cellweb TRP® tree root protection within an appropriately designed road or car park surface.

Compaction of Soil

The use of Cellweb TRP® tree root protection system for building roads, car parks and other vehicular pathways includes a sub-base infill material of 20mm to 40mm or 4mm to 20mm clean angular stone which does not need to be compacted. This immediately provides a layer of material that will absorb compaction energy applied to the top of materials placed over it. Cellweb TRP® also spreads the wheel loads from traffic which reduces compaction, thus maintaining the soil bulk density at levels that are suitable for tree root growth.

The effectiveness of the Cellweb TRP® no-dig construction in reducing soil compaction has been demonstrated in trials carried out by the Environmental Protection Group Limited (See Fact Sheet 1).

Water and Oxygen Availability

The Cellweb TRP® tree root protection system is constructed using 20mm to 40mm or 4mm to 20mm gravel infill and has perforated cell walls. The pore spaces between the aggregate particles are greater than 0.1mm in diameter and are therefore defined as macropores (Roberts 2006). This open structure is far more permeable than typical soils and allows the free movement of water and oxygen within it so that supplies to trees are maintained as shown in Figure 1. The use of continuous permeable surfacing and intermittent gaps in impermeable surfacing are recognised ways of providing water and air infiltration pathways through a pavement surface into the tree root zone (Ferguson 2005).

The Cellweb TRP® system incorporates the Treetex® geotextile at the base. This is a very robust geotextile that is resistant to puncturing. Crucially for tree root protection it does not have a water breakthrough head that other geotextiles may have. Therefore it will always be free draining and will not limit oxygen availability to the roots.

Breakthrough Head

All geotextiles are by their nature permeable, however in order to develop optimum water-flow performance, some types of geotextiles (eg. thermally bonded types) require a minimum depth of water to develop over them.

Therefore a layer of up to 50mm of water can build-up over some geotextiles after rainfall. Treetex® needle punched geotextiles however remains free draining at all times as it has "zero breakthrough head" which means it does not require a build up of water to permeate.

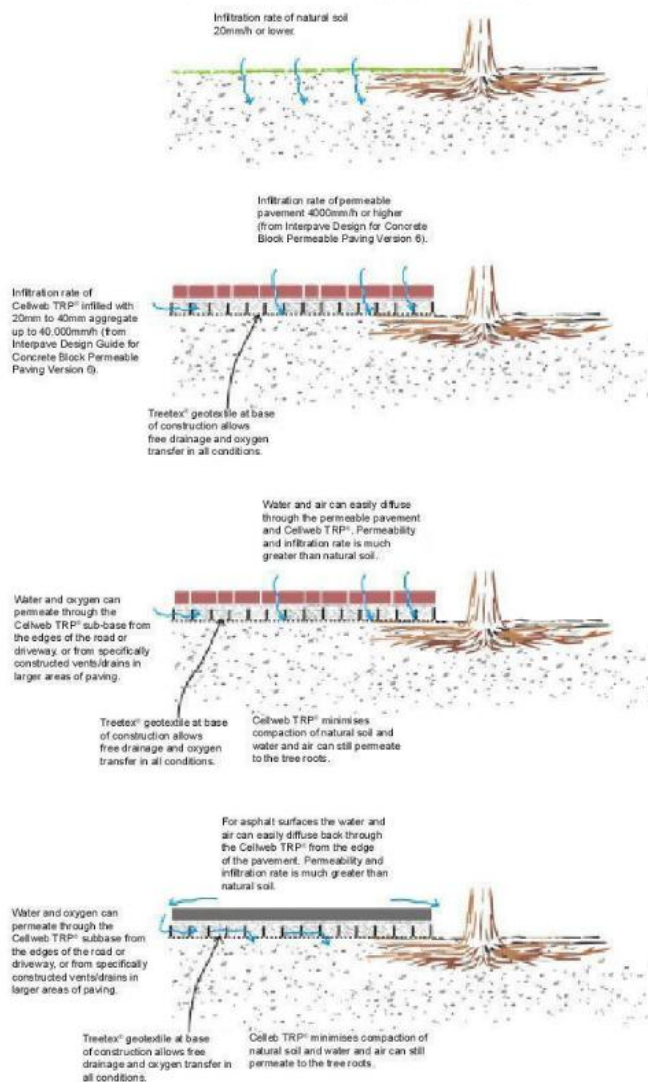


Figure 1 Water and oxygen availability in Cellweb TRP® tree root protection pavements



Tree Root Protection Using Cellweb TRP®

Fact Sheet 2: Water and Oxygen Transfer Through the Cellweb TRP® System



If the Cellweb TRP® sub-base layer is covered by a layer of permeable block paving the rate of oxygen transfer through the system is estimated to be around 1×10^{-4} g/s/m² using simple diffusion theory. For a natural sandy soil the rate of transfer to the same depth is around 7×10^{-5} g/s/m². Therefore even on the most aerated of natural soils the Cellweb TRP® tree root protection system does not restrict oxygen supply to tree roots.

Water ingress will also be maintained at the levels similar to a natural sites as water simply passes through the pavement. Permeable block paving and porous asphalt have infiltration rates that are very large (typically > 2500mm/h) in comparison with most rainfall events. The infiltration rate is also far higher than natural soils (infiltration rate for sand is quoted as >20mm/h by Hillel 1998). Thus the pavement allows rainfall to soak into the soil as it would naturally (there will be some reduction as some water soaks into the blocks and gravel as the rainfall passes through).

TABLE 1 - CHARACTERISTICS OF ROOT SYSTEMS OF MATURE EUROPEAN BROADLEAVED AND CONIFEROUS TREE SPECIES GROWING ON WELL AERATED, SANDY SOILS

Species	Tolerance to Oxygen Deficiency	Species	Tolerance to Oxygen Deficiency
Ash	Medium-high	Japanese Larch	Medium
Aspen	High	Lime	Low
Birch	Low	Norway Maple	Medium
Beech	Low	Norway Spruce	Very low
Common Alder	High	Red Oak	Medium-high
Corsican Pine	--	Scots Pine	Medium
Douglas Fir	Medium-low	Sessile Oak	High
English Oak	High	Silver Fir	High
European Larch	Medium	Sycamore	Low
Hornbeam	Medium	White pine	Very low

From Roberts et al (2006)

If the Cellweb TRP® is covered by impermeable asphalt or similar materials the aeration of the sub-base can be promoted from the side of a paved area. This is achieved using gravel filled conduits to connect the sub-base to the surface, allowing oxygen into the layer from where it can freely travel to the root area. Open areas that are normally provided immediately around the tree will also be beneficial in allowing oxygen into the Cellweb TRP® layer. Oxygen can flow horizontally through the Cellweb TRP® because of the perforated walls.

Notwithstanding the above, some trees are more tolerant than others to a deficit of oxygen (Table 1). The use of permeable surfaces over the Cellweb TRP® is advisable where pavements are to be constructed over trees with a low tolerance to oxygen deficit.

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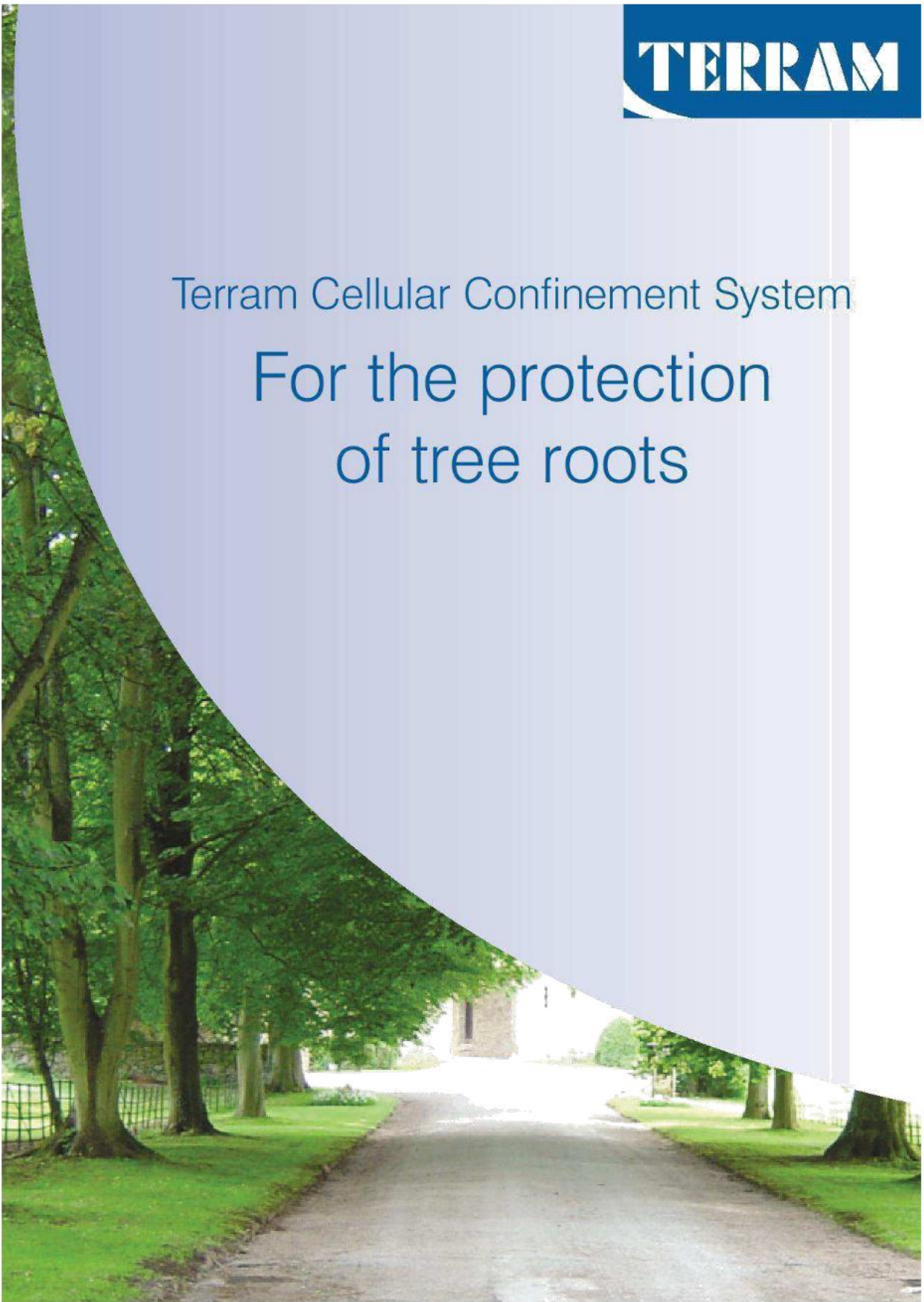
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DR: 58/V3/24.03.15 (Page 2 of 2)



The logo for TERRAM, featuring the word "TERRAM" in white, bold, uppercase letters on a dark blue rectangular background.

Terram Cellular Confinement System
For the protection
of tree roots

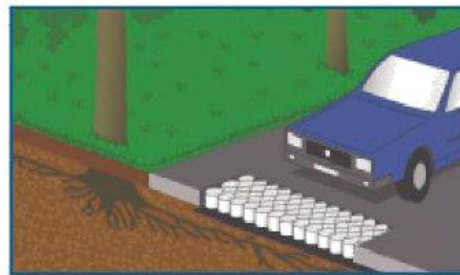


Cellular Confinement Systems

The perfect no-dig ground reinforcement system.
 Provides above-ground load bearing for paths and driveways
 whilst preventing soil compaction and protecting tree roots.

Damage to tree roots during driveway construction

The conventional method for constructing paths, drives and roads involves excavating soil to enable the installation of a sub-base that will adequately support traffic loads. Unfortunately this method of construction can badly damage trees since a by-product of the excavation is root severance. Most people don't realise that trees are very sensitive to disturbances in the soil around them. The reason for this is that, contrary to popular belief, trees do not have massive roots that go down deep into the soil but rather have lots of relatively small roots (frequently only a few centimetres in diameter) which spread out from the tree very close to the soil surface for quite large distances (often equal to the height of the tree).



If you imagine a tree system as a wine glass standing on a dinner plate you will have a roughly accurate idea of the above and below ground proportions of a tree (Figure 1). It may come as a surprise to learn that about 80-90% of all tree's roots are in the upper metre of soil (Figure 2). These roots serve two purposes: anchorage and absorption of moisture. If even relatively small roots are severed, for example by digging a trench, the tree can begin to suffer symptoms of drought stress as it is no longer able to obtain all its water needs. In addition the tree may become unstable as cutting the roots is a bit like cutting the guy ropes on a tent.

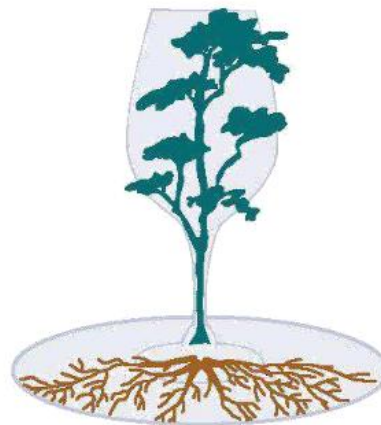


Figure 1

It is not only root severance that may harm trees but also compaction of the soil. If the root zone of a tree is not protected during development then the soil may become compacted by vehicles or heavy machinery moving repeatedly over the ground (Figure 3). The effect of compaction is to close up pores in the soil which contain air and water. The tree's roots then begin to suffer from both a lack of oxygen and a lack of moisture, and, as the soil becomes denser, roots find it hard to penetrate the soil. All this can lead to a dieback of the root system and frequently dieback of the tree. Raising of soil levels has a similar damaging effect as it deprives roots of oxygen and creates a build up of harmful carbon dioxide around the roots.

So, How Do Tree Roots Grow?

People often wrongly assume that tree roots are thick and grow down into the soil for many metres (Figure A). In reality tree roots:

- Are usually only large near to the trunk and get thinner the deeper and further from the tree they go. At a distance of just 3-4 metres from the trunk most roots are no bigger than a few centimetres in diameter.
- Spread outwards from the trunk, more or less parallel with the soil surface, rather than growing downwards (Figure B).
- Can spread horizontally in any direction for a distance equivalent to at least the tree's height.
- Are usually relatively shallow; 80-90% of a tree's roots are in the upper metre of soil. Few roots reach depths of more than about 2-3 metres and at this depth they are only a few millimetres in diameter.

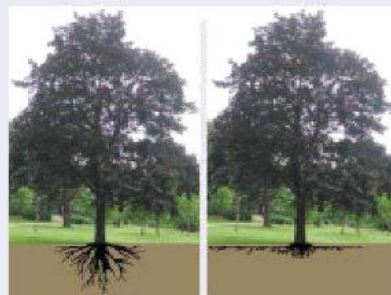


Figure A: Incorrect

Figure B: Correct

Figure 2

British standard for trees in relation to construction and APN1

In recognition of the fact that trees are sensitive to disturbance the British Standards Institution has published recommendations on how to protect trees during development. In line with the earlier British Standard (BS 5837: 1991) the most recent guide, published in September 2005 (see further reading), recommends that there should be a 'root protection area' in which development should not be permitted.

In most cases this area has a radius equal to twelve times the trunk diameter and forms an exclusion zone around the tree protected by means of robust fencing. This guidance had the effect of prohibiting the installation of roads, driveways and parking areas near to trees. But in 1996 the Arboricultural Advisory and Information Service published Arboricultural Practice Note 1 Driveways Close to Trees (APN1) which suggested that driveways could be installed within the root protection area provided roots and the soil were not damaged.

The conditions set out for a suitable system were as follows:

- Roots must not be severed
- Soil should not be compacted
- Free movement of oxygen and carbon dioxide into and out of the soil should be maintained
- Water infiltration into the soil should not be impeded

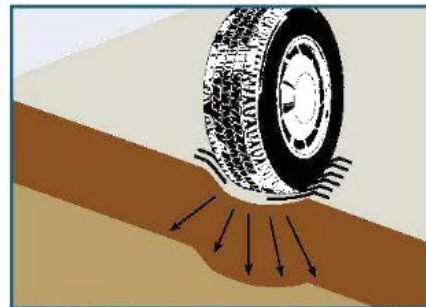
Thus, APN1 advised that driveways could be installed within the root protection zone provided that an above-ground, no-dig construction was used. This advice was incorporated into the recent British Standard which recommended that the most effective means of achieving this was through the use of a three-dimensional cellular confinement system.

Terram Geocell ground protection

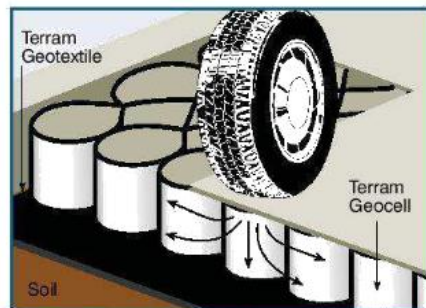
Terram Geocell is an ideal solution for providing ground reinforcement within tree protection areas. It confines fill material within its strong yet flexible cell structure in order to provide a stable base for traffic and an even load distribution (Figures 3 and 4). A big advantage of Terram Geocell over other products is that the geotextile material is permeable and allows lateral movement of air and water.

Terram Geocell is suitable for permanent woodland trails, paths, driveways, roads and parking areas.

It may also be used as temporary ground reinforcement where access to a site is limited by the presence of trees. Once operations on site are completed the temporary surface can easily be removed and the ground left undamaged.



No ground reinforcement: Unreinforced soil becomes compacted and rutted by vehicle loads



Geocell ground reinforcement: Forces are spread laterally reducing loads on the underlying soil

Figure 3. The Geocell distributes loads evenly in order to prevent rutting

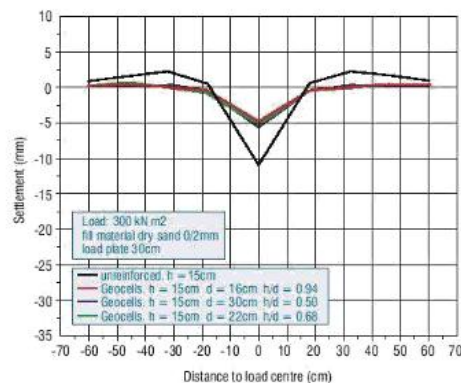


Figure 4. Static loading tests of up to 300kN/m² revealed only minimal deflection (<5mm) of the surface of filled Geocell



Figure 5

Getting the design right

Every application will be slightly different so it is important to have the input of an engineer and arboriculturist together in order to design the right solution for an installation near to trees. The arboriculturist will be able to advise on tree protection issues and the engineer will be able to specify details such as cell depth, fill type (Figure 5) and load bearing capacity.

For example, the design of a pedestrian footpath may be less rigorous than that of an access road that may have to withstand the load of a heavy crane or a lorry.

But there are some principles that should be considered in every application (see Figure 6):

- The ground must be protected at all stages during installation - there is no point in installing a ground protection system when soil or roots have already been damaged by other site activities
- Terram Geotextile should be used underneath the Geocell to prevent fill materials penetrating the soil
- The fill material should be granular and should permit water and air flow
- Any edgings should be carefully designed to avoid excavation and root severance
- A permeable and gas-porous wearing course should be installed above the Geocell
- In most cases the driveway or parking area should not exceed 20% of the root protection area.

If correctly designed and installed the Geocell cellular confinement system should allow paths, drives and parking areas to be located within a tree's protection zone, thus enabling development that might not otherwise be permitted by local authorities.

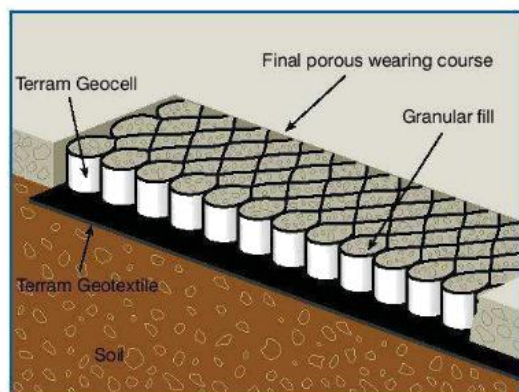


Figure 6. Components of an above-ground load-bearing platform suitable for vehicles

Example installation

Driveway construction

- 1 Remove grass and other vegetation and the upper organic layer of soil by hand digging. Arisings should be wheel-barrowed out of the tree protection area. Machinery (even low ground pressure tracked vehicles) should not be used due to the danger of soil compaction
- 2 Small depressions may be filled with sharp sand
- 3 Lay out Terram Geotextile over the driveway area
- 4 Lay out Terram GeoCell and carefully peg in place
- 5 Fill the cells working from the area furthest from the tree first. Further filling should be carried out using the filled Geocell as a platform
- 6 Install a permeable wearing course, e.g. porous tarmac, block pavements on a sharp sand base (a further layer of Terram above the filled Geocell will be needed in this case to prevent the sand mixing with the granular fill below).

Conclusion

BS5837 Trees in Relation to Construction and APN 1 allow the careful development of paths, drives and roads within the root protection area of trees provided an above-ground, no-dig construction is used.

The use of Terram Geocell as a ground reinforcement platform is therefore an ideal solution that can facilitate such development near to trees which might not otherwise be permitted due to fears of damage to soil structure and tree roots.

Further reading

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Products Available	Panel size	Depth	Cell Diameter
Erocell 22/20	5.0m x 10.1m	200mm	220mm
Erocell 25/15	7.0m x 10.0m	150mm	250mm
Erocell 25/10	7.0m x 10.0m	100mm	250mm

The cell depth and diameter is dependent upon specific site conditions

Cellular Confinement Systems | June 2006

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TREE PROTECTION BARRIER – ACCESS PROHIBITED

DO NOT TAMPER WITH THIS BARRIER OR REMOVE IT



This area contains trees which must be retained as part of the planning permission. Additional legal protection may also apply e.g. a Tree Preservation Order. Removing or damaging trees in this area may be a breach of planning permission. Damage to protected trees may lead to a criminal conviction and / or a fine.

Only the site manager may permit for the removal or moving of tree protection measures. This should always be in accordance with the planning permission.

APPENDIX 7 PLANTING SCHEDULE

Tree planting will commence in the first planting season (October to March) following completion of the extension.

In the event any planted tree is observed to be dying, being severely damaged or becoming seriously diseased within 5 years of being planted, it will be replaced by a tree of similar species and size to the original planted.

TREE MANAGEMENT SCHEME

a) When to plant trees

Plant bare root trees during the dormant season which usually runs from October to March, planting before the spring growth commences (Woodland Trust, 2024). Root ball trees can be planted all year round (Woodland Trust, 2024).

b) What to do when the trees arrive

Store trees upright in an unheated garage or shed protected from frost and wind.

Trees should be planted as soon as practical after delivery, however, delay planting if the ground is frozen or waterlogged.

If trees are to be stored for a longer period heel-in the trees. Dig a trench, ideally in well-drained soil in a shaded location, place tree roots into the trench keeping trees tied up as a bundle as packed. Cover the roots with soil, cut any ties holding the trees together, loosen and shake the roots to ensure the soil covers them. Use straw or garden compost mulching over the trees to prevent frost damage.

If frozen ground delays planting, unpack the trees and check that the roots are moist. If the roots appear dry, dip them in a bucket of cold water for a few minutes and then return to the polythene bag and tie the top of the bag. Store trees in a cold but frost-free place.

Do not stand the trees in water for any extended length of time (Woodland Trust, 2024).

c) Prepare the site prior to planting

Mark out where each tree will be placed using stones or canes.

Create wavy lines with varied spacing to balance more densely planted areas with open spaces for a natural look and feel. Plant small groups of the same species together to reduce competition between species. Recommended average planting distance is 2 metres with spacing of between 1-4m to create a natural habitat (Woodland Trust, 2024).

d) Planting trees

To prevent the holes becoming filled with rainwater and becoming waterlogged dig shortly before planting.

The hole must accommodate the roots comfortably with additional space. The soil at the base of the hole should be loosened with a spade or fork. Excessively long root can be pruned. If the roots are very dry cut the tips off and place the roots in water for up to two hours before planting. Use the loose soil to fill the hole, compost can be added to very heavy or sandy soils. Plant trees at the same depth as they had been before being lifted, this depth is indicated by a soil mark and is typically not more than 5 cm above the highest roots. When filling in the hole make sure that the soil gets around the roots and tread in well after planting.

e) Pit Planting Method

Pit planting ensures trees have better contact with the soil. It is suitable for all ground types, though can be difficult if the soil is stony.

1. Use a spade to dig a turf out of the ground, turn it over and chop into smaller pieces.

2. Hold a small piece of turf above a hole in the ground. Hold a sapling in the hole to check the hole is large enough for the roots.
3. Dig a hole slightly wider and deeper than the roots of the tree. Loosen the soil around the edges. Place the cut turf at the base of the pit to provide the tree with extra nutrients.
4. Put the tree in the hole and check the depth. Look for the collar – the mark on the tree where it originally started to grow above the ground. This should be level with the top of the soil. If your tree is planted too deep, the stem may rot; too shallow and the roots above the ground will die.
5. Hold the tree upright and gently push back the soil, pressing it down onto the roots. Do not compact the soil as this will stop water and air circulation, but make sure your tree is secure.
6. Push the cane into the ground next to the tree, making sure it's stable.
7. If using tree guards or spirals to protect your saplings, this is the stage to add these. Press the protection firmly into the soil.

f) Staking trees

All newly planted trees should be tied to canes or stakes.

Ensure that the stake is far enough from the tree to avoid damaging the roots and use good quality tree ties to prevent the tree from rubbing against the stake.

g) Tree guards

Protect trees from browsing mammals such as rabbits, voles, and deer by using tree guards or spirals. Wire mesh rabbit fencing can be tied in a loose cylinder around the tree.

CARING FOR NEWLY PLANTED TREES

HOW TO CARE FOR NEWLY PLANTED TREES YEARS 0 - 3

Ensure everyone involved in maintenance of the space knows where the trees have been planted to avoid accidental damage.

a) Weeding

Maintaining an approximate 1 metre diameter around the tree clear of weeds and grass for the first 2-3 years will reduce competition for moisture and nutrients.

Weeds can be suppressed with mulch, such as leaf mould, straw, or bark chips. Apply to a depth of approximately 10cm to prevent it being dispersed and top up annually (Woodland Trust, 2024).

b) Watering

Trees will adapt to local conditions and regular watering is not necessary as this encourages roots to grow up towards the soil surface rather than down towards groundwater. However, in the event of a particularly long dry spell where watering would be beneficial, saturate the ground to ensure water soaks deep into the soil (Woodland Trust, 2024).

c) Grass cutting

Regular grass cutting is not recommended as it enhances grass growth increasing competition for moisture. If undertaking occasional mowing or strimming care must be taken to avoid damaging the trees and guards (Woodland Trust, 2024).

d) Check tree stakes

Strong winds can blow trees over so make sure guards, canes or stakes are upright and pushed firmly into the soil. Pull up any grass growing inside the guard and carefully replace it (Woodland Trust, 2024).

e) Pests

Pests can cause damage inside the tube so check tree stems and guards. Keeping tree guards firmly pressed into the soil and a weed-free area around trees will help (Woodland Trust, 2024).

HOW TO CARE FOR NEWLY PLANTED TREES YEARS 3 -

10 f) Remove tree guards

Remove and/or upgrade guards (subject to browsing pressures). (Woodland Trust, 2024).

g) Pruning

Pruning is not essential, but it encourages trees to grow upwards rather than outwards once established creating a diverse canopy structure.

Use a pruning saw to cut close to the tree trunk. The cut should be square to the branch and preserve the bulge at its base, which is the branch collar. Avoid damaging any tree bark and do not cut the branch in line with the main stem.

Most native trees are best pruned when dormant in winter (Woodland Trust, 2024).

h) Disease

Trees may be affected by common diseases or experience frost damage however, most young trees will survive (Woodland Trust, 2024).

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Woodland Trust, 2024, "*Tree planting advice*" [Online]. Available at <https://www.woodlandtrust.org.uk/plant-trees/advice/> (accessed 25th January 2024)



Doc 6

No.2

No.3

No.4

Native tree planting:
Corylus Avellana (1no.)
Sorbus acuparia (2no.)

proposed connection

MH

proposed foul drain

existing SW foul drain

16.5m

33.5m

30.0m

2.5m sight line

Native Shrub Planting 7m:
Lonicera periclymenum
Rosa canina
Prunus padus
Viburnum opulus

timber fence replaced
by post & wire fence
at 2.4m from public road.

Proposed Dwelling

grey drive sets
to give solid surface
immed adjacent to road

Post&wire fence to follow sight splay lines.
Stopping sight distance of 25m, in 20mph zone,
at 2.4m from carriage edge.

Native Hedgerow Planting 14m:
Cretaeagus monogyna
Prunus padus

Native tree planting:
Corylus Avellana (1no.)
Prunus Avium (2no.)

15.0m

17.5m

main water

Lageonan Road

P2 - splay lines added. Tree survey report information added.

P1 - original preliminary

Mr S Hendry

96 Atholl Road
Pitlochry, Perthshire

New Build Dwelling

Land adjacent to 4 Lageonan Rd
Grandtully, Perthshire

Project

Site Plan (Proposed)

(Scale 1 : 200)

1140/10

P2

Drawing Number

Revision

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section A-A on drawing 1140/24