

4(v)(a)

LRB-2023-42

LRB-2023-42

**23/00075/FLL - Change of use of open space and extension
to shop, 75-77 Balhousie Street, Perth, PH1 5BG**

**PAPERS SUBMITTED
BY THE
APPLICANT**



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

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

Thank you for completing this application form:

ONLINE REFERENCE 100614917-006

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Fouin + Bell Architects Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Fouin	Building Name:	
Last Name: *	Bell	Building Number:	1
Telephone Number: *	0131 478 7100	Address 1 (Street): *	John's Place
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	City of Edinburgh
		Postcode: *	EH6 7EL
Email Address: *	mail@fouin-bell.com		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="Asif"/>	Building Number: <input type="text" value="75-77"/>
Last Name: *	<input type="text" value="Hussain"/>	Address 1 (Street): * <input type="text" value="Balhousie Road"/>
Company/Organisation	<input type="text" value="Balhousie Store"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="Perth"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="Scotland"/>
Mobile Number:	<input type="text" value=""/>	Postcode: * <input type="text" value="PH1 5BG"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value=""/>	

Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="75-77 BALHOUSIE STREET"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="PERTH"/>
Post Code:	<input type="text" value="PH1 5BG"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="724567"/>	Easting	<input type="text" value="311180"/>
----------	-------------------------------------	---------	-------------------------------------

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Change of use of open space and extension to shop 75 - 77 Balhousie Street Perth PH1 5BG.

Type of Application

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

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

What does your review relate to? *

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

Statement of reasons for seeking review

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

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

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

See attached separate supporting statement.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Balhousie Street LRB Submission Statement PL 100A Site Location Plan PL01A Ex Plan PL02A Ex Elevations PL03A Proposed Plan PL04A Proposed Elevations PL05A Ex Photographs of Elevations PL06 Proposed Roof Plan PL07 Existing Proposed Site Plans Planning Refusal 2300075FLL Tree Survey 1397V1FINAL

Application Details

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

23/00075/FLL

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

23/01/2023

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

29/08/2023

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

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

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

Yes No

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

Yes No

Checklist – Application for Notice of Review

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

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

Yes No

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

Yes No

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

Yes No N/A

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

Yes No

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

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

Yes No

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

Declare – Notice of Review

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

Declaration Name: Mr Fouin Bell

Declaration Date: 23/10/2023

**CHANGE OF USE OF OPEN SPACE AND EXTENSION TO SHOP
75-77 BALHOUSIE STREET, PERTH, PH1 5BG**

**Submission to Local Review Body.
Planning references 23/00075/FLL
On behalf of Balhousie Store**

15 October 2023



**1 John's Place
Edinburgh
EH6 7EL**

Content

1.0 General introduction.

2.0 Planning application.

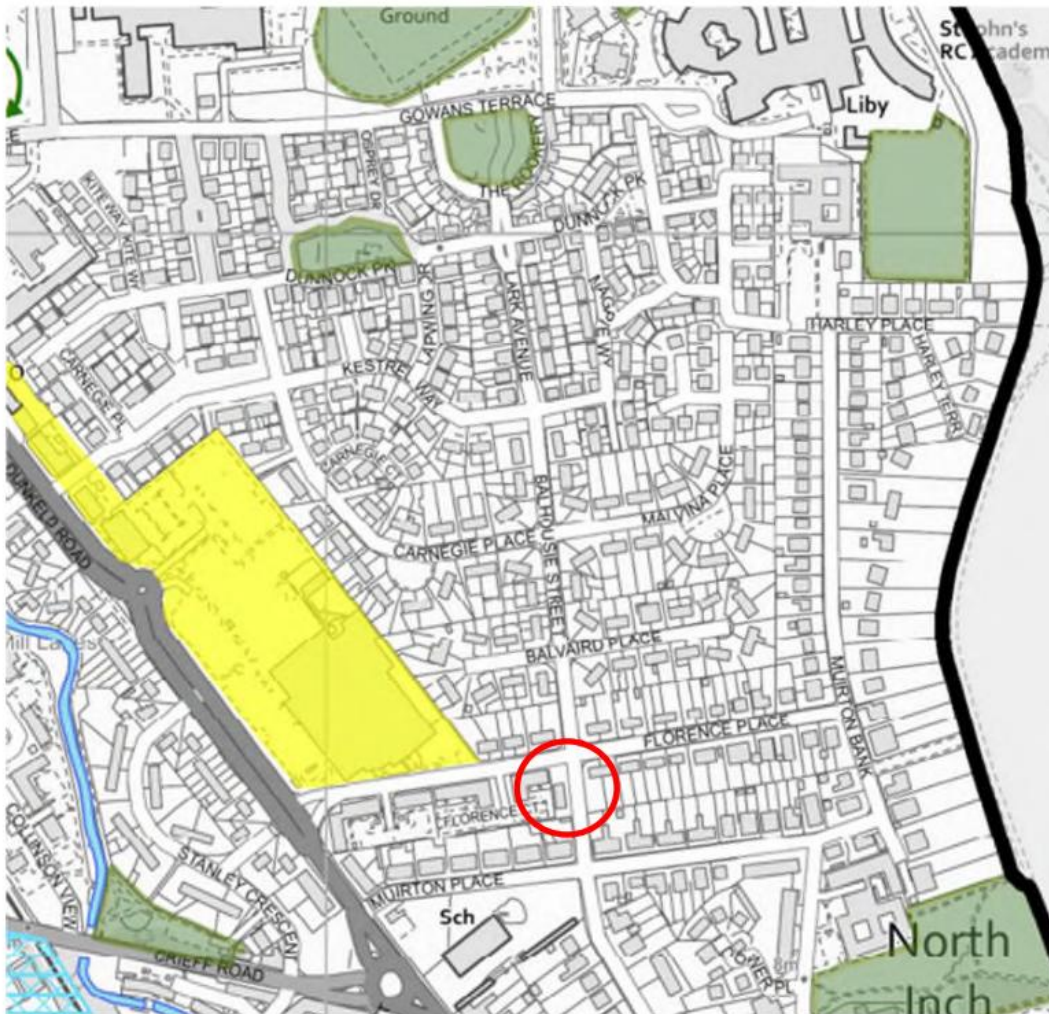
3.0 The Reason for refusal.

4.0 The reasons to overturn the current decision.

5.0 Conclusion.

1.0 General introduction.

- 1.1 The appellant is Balhousie Store, who are an existing locally based family run convenience store. They have been operating out of the site at 75-77 Balhousie Road since 2009.
- 1.2 The site is an area of white land as zoned in the local development plan and offers limited amenity to the surrounding area. It is not identified as being Open Space, unlike the landscape area on Dunnock Park and Gowans Terrace.



Extract from Perth & Kinross Local Development Plan

- 1.3 Fouin + Bell Architects were asked to review the prospect of the appellant acquiring this area of land and extending their existing shop to provide additional sales area. The shop is a very successful venture but would benefit from increased floor space to allow a larger range of product to be sold. Having carried out a search on the ownership of the land it was confirmed that it was actually owned by St Johnston Football Club, apparently as a left over area of ground

from the earlier development in the Muirton Park area. It was not owned by the Council as we had expected and as a result was poorly maintained and used primarily as a short cut across the corner of the street to Florence Place and unfortunately as a dog toilet.

- 1.4 Having clarified the ownership of the site and sought their approval to potentially purchase it, the appellant instructed Fouin + Bell to prepare and submit an application for the change of use of the site and the extension of the shop. This was submitted in February and was registered on 23 February 2023. The planning submission included details of the proposed extension, which extended to a very modest 48m². This was designed to provide additional space required whilst leaving a small, landscaped area at the corner of the street.
- 1.5 The submission confirmed that there were 4 trees on the site, but that these were in relatively poor condition. It was proposed that 1 tree, that to the north of the site would be retained and the area would be taken into the ownership of the appellant who would undertake to improve the ongoing maintenance of the space.
- 1.6 On the 17 April the planning officer requested the appellant to provide a full arboricultural tree survey citing Policy 40B of the current local plan. This was provided as requested and was submitted on 16 June.
- 1.7 There appears to have only been 1 objection to the proposed application, and this seems to relate primarily to the proposed hot food takeaway at the south end of the building. For the avoidance of any doubt this was subject to a separate 2011 planning application which was granted at appeal on 7 October 2011 under appeal reference PPA-340-2059. Work on this new building commenced back in 2013 and the consent remains extant.

2.0 The reason for refusal.

- 2.1 This application for change of use was refused on 29 August 2023. The reasons for refusal were as follows: -

“Reasons for Refusal

1. *The proposal is contrary to Policies 14(a), (b) and (c), Design, Quality and Place of National Planning Framework 4. The proposal would be a significant encroachment into an area of landscaped amenity space that would not a) improve the quality of an area; b) would conflict with the aim to create "Pleasant" places supporting attractive natural and built spaces; and c) would be detrimental to the area and inconsistent with the six qualities of successful places.*
2. *The proposal is contrary to Placemaking policies 1A and 1B(a) and (b) of the Perth and Kinross Local Development Plan 2 (2019) which seeks to ensure that development contributes positively to the quality of the surrounding built and natural environment.*

The proposal is contrary to (a) as it would dilute the existing coherent structure of streets, spaces and buildings by developing an existing area of landscaped open space integral to the character of the area and (b) the removal of trees and open space does not respect the landscape character of the area.

3. *The proposal is contrary to Policy 14, Open Space retention and Provision part A: Existing Areas, of the Perth and Kinross Local Development Plan (2019) as it would result in the loss of open space of amenity value.*
4. *The proposal is contrary to Policy 17, Residential Areas, of the Perth and Kinross Local Development Plan 2 (2019) which seeks to ensure that development is compatible with the amenity and character of the area and (c) improve the character and environment of the area or village. The proposal by virtue of its siting on an existing area of open space would not be compatible with or improve the character and environment of the area and would be contrary to Policy 17.*
5. *The proposal is contrary to policy 40B, Trees, Woodland and Development of the Perth and Kinross Local Development Plan 2 (2019) which requires the protection of existing trees. The proposal will result in the removal of 75% of trees from the site and is therefore contrary to policy 40B."*

2.2 The reason for refusal center on two primary concerns: -

The loss of landscape amenity and a "pleasant" space.

The loss of the trees

3.0 The reasons to overturn the current decision.

The reason for refusal center on two primary concerns: -

The loss of landscape amenity and a "pleasant" space.

The loss of the trees

3.1 Taking the first point, and as noted in the introduction to this submission, the area is not identified as being a green space, or amenity ground, rather it is simply a left-over space following earlier development. Notwithstanding Policy 40B, there are no tree preservation orders on the trees. In terms of its amenity value, it is a relatively small area of ground, too small to be actively used as a sitting out area and as a result it is simply a transition zone where people cut the corner of the route into Florence Place. It is poorly maintained and currently abused to the point that we do not believe it can be considered to be either an amenity space nor particularly pleasant. The use of the term "pleasant" is entirely subjective and we do not think is appropriate in the consideration of this application.

3.2 The application proposes the retention of the large tree at the north corner of the site. This is the best of the species on the site. In addition we have offered improved landscape maintenance. If it was sufficiently important the appellant would be happy to provide the council with a formal landscape proposal providing some compensatory planting and a proper landscape design for this area. In the event this was never discussed with the appellant.

- 3.3 It is particularly disappointing to note that the loss of these trees should be given as a reason for refusal. The trees were shown on the application of drawings and their partial removal was always clearly proposed. If the Council was minded to simply refuse any application where more than a certain number of trees are proposed for removal than this should have need intimated to the appellant and the application refused without the need and cost of the tree survey.
- 3.4 Having provides the tree survey report however, we are disappointing to note that this doesn't appear have been reviewed in coming to this decision. The report notes there are 4 existing trees on the site, one of which is in such a poor state it is not suitable for retention (T716)
- 3.5 It also notes that a further tree, T715 should not be considered to be a material constraint to development. That leaves 2 trees (T714 and 717) to be considered. In the submitted drawing it is clear that T717 was to be retained. In short, the proposed scheme simply proposed removal of a signal tree, T714, which could have been subject to an agreement on compensatory planting to improve the appearance of the area and the amenity use of this space.
- 3.6 In addition to the above, we feel that the officer has failed to review the application in terms of other policies of the new NPF4. For instance, the policy intent of Policy 26 is to encourage, promote and facilitate suitable businesses in local communities. The existing shop is a locally owner family business serving the immediate local community Much talk is made of the need to provide for local living and 20-minute neighborhoods and whilst it is noted that there are existing large supermarkets in the area, namely Asda and Morrison, this should not take away from the importance of such local shops as Balhousie Stores.
- 3.7 In addition Policy 28 states at 28 c) Proposals for new small scale neighborhood retail development will be supported where the proposed development:
- i. contributes to local living, including where relevant 20-minute neighborhoods and/or
 - ii. can be demonstrated to contribute to the health and wellbeing of the local community.

5.0 Conclusion.

- 5.1 This refusal notice is based upon an overstatement on the quality and importance of the proposed development site and in particular the retention of trees rather than the balanced consideration of the application on its individual merits.
- 5.2 The fundamental issue is we do not believe the tree report has been considered carefully enough, nor reviewed in detail. It has been simply a case of we cannot lose any trees.
- 5.3 It Policy 28 on NPF4 encourages and supports small scale neighborhood retail development.
- 5.4 As a result, we would respectfully request that the Local Review Body reconsider this Refusal Notice and grant both the planning consents for this application.



Balhousesie Store
c/o Fouin And Bell Architects Ltd
1 John's Place
Edinburgh
City of Edinburgh
EH6 7EL

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

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

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Reference: **23/00075/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 23rd February 2023 for Planning Permission for **Change of use of open space and extension to shop 75 - 77 Balhousesie Street Perth PH1 5BG**

David Littlejohn
Head of Planning and Development

Reasons for Refusal

1. The proposal is contrary to Policies 14(a), (b) and (c), Design, Quality and Place of National Planning Framework 4. The proposal would be a significant encroachment into an area of landscaped amenity space that would not a) improve the quality of an area; b) would conflict with the aim to create "Pleasant" places supporting attractive natural and built spaces; and c) would be detrimental to the area and inconsistent with the six qualities of successful places.
2. The proposal is contrary to Placemaking policies 1A and 1B(a) and (b) of the Perth and Kinross Local Development Plan 2 (2019) which seeks to ensure that development contributes positively to the quality of the surrounding built and natural environment. The proposal is contrary to (a) as it would dilute the existing coherent structure of streets, spaces and buildings by developing an existing area of landscaped open space integral to the character of the area and (b) the removal of trees and open space does not respect the landscape character of the area.
3. The proposal is contrary to Policy 14, Open Space retention and Provision part A: Existing Areas, of the Perth and Kinross Local Development Plan (2019) as it would result in the loss of open space of amenity value.

4. The proposal is contrary to Policy 17, Residential Areas, of the Perth and Kinross Local Development Plan 2 (2019) which seeks to ensure that development is compatible with the amenity and character of the area and (c) improve the character and environment of the area or village. The proposal by virtue of its siting on an existing area of open space would not be compatible with or improve the character and environment of the area and would be contrary to Policy 17.
5. The proposal is contrary to policy 40B, Trees, Woodland and Development of the Perth and Kinross Local Development Plan 2 (2019) which requires the protection of existing trees. The proposal will result in the removal of 75% of trees from the site and is therefore contrary to policy 40B.

Justification

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

Notes


- 1 This application was varied prior to determination, in accordance with the terms of section 32A of the Town and Country Planning (Scotland) Act 1997, as amended. The variations incorporate the addition of a Tree Survey Report (09).

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

Plan Reference

- 01
- 02
- 03
- 04
- 05
- 06
- 07
- 08
- 09

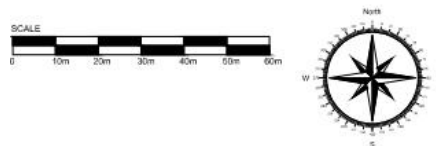
NOTE:
 All proprietary goods and materials are to be fitted in accordance with manufacturer's instructions, Codes of Practice and British Standards. All dimensions to be verified by the Contractor on site. Only scale for Planning purposes, work to figured dimensions only.

 This drawing remains the Copyright of Fouin+Bell Architects Ltd, and may not be reproduced in whole or in any part without prior written permission.

REVISION / DESCRIPTION / DATE:



1:1250 LOCATION PLAN





fouin + bell
architects

1 John's Place Edinburgh EH6 7SL
 T: 0131 478 7100 E: 0131 478 7111
 mail@fouin-bell.com www.fouin-bell.com

CLIENT

Balhousie Store

PROJECT

**PROPOSED DEVELOPMENT
 75-77 BALHOUSIE STREET
 PERTH**

SCALE 1:1250 @ A3	DATE DEC 22
DRAWN BY fb	DATE/DRAWN BY db
STAGE Planning	

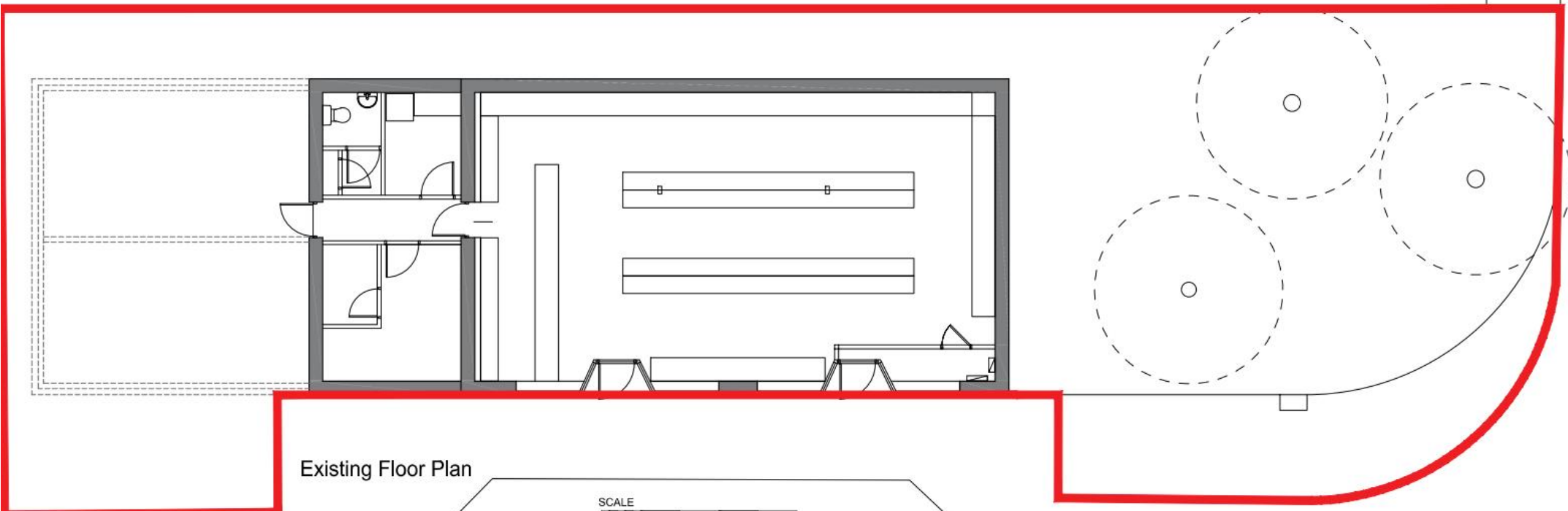
Site Location

PROJECT NUMBER 22-222	DRAWING NUMBER PL 100	REVISION A
---------------------------------	---------------------------------	----------------------

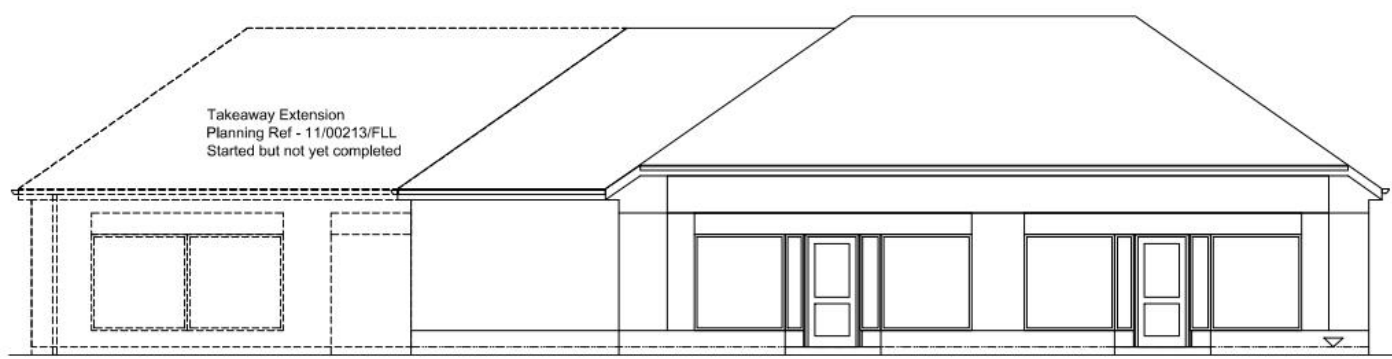
NOTE:
 All proprietary goods and materials are to be fitted in accordance with manufacturer's instructions, Codes of Practice and British Standards. All dimensions to be verified by the Contractor on site.
 Only scale for Planning purposes, work to figured dimensions only.

This drawing remains the Copyright of Fouin-Bell Architects Ltd, and may not be reproduced in whole or in part without prior written permission.

REVISION / DESCRIPTION / DATE



Existing Floor Plan



Takeaway Extension
 Planning Ref - 11/00213/FLL
 Started but not yet completed

Existing East Elevation

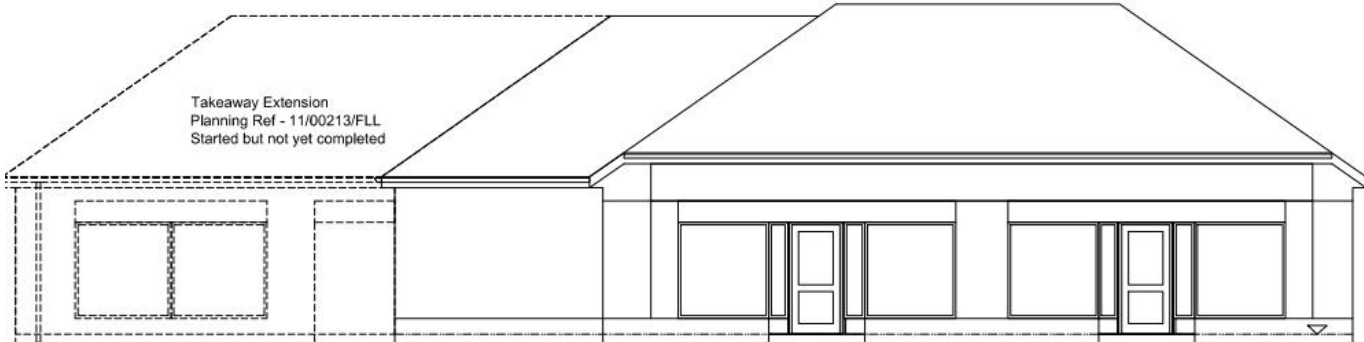


 fouin-bell architects <small>1 Jubilee Place Edinburgh EH6 7EL T: 0171 426 7100 F: 0171 426 7111 info@fouin-bell.com www.fouin-bell.com</small>		
CLIENT		
Balhousie Store		
PROJECT		
PROPOSED DEVELOPMENT 75-77 BALHOUSIE STREET PERTH		
SCALE/DATE	1:50 @ A1 - 1:100 @ A3	DATE DEC 22
DRAWN BY	rb	CHECKED BY db
ISSUED FOR	Planning	
DRAWING EXISTING PLAN		
PROJECT NUMBER	DRAWING NUMBER	REVISION
22-222	PL 01	A

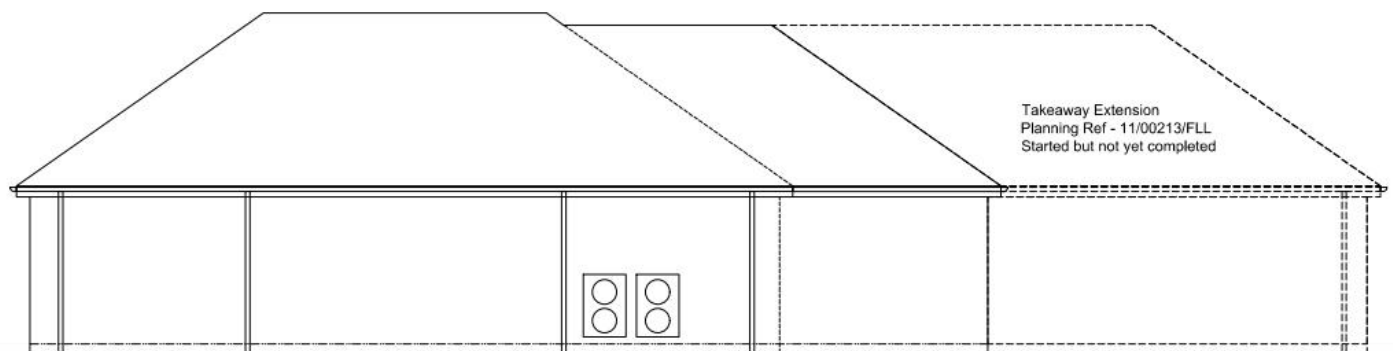
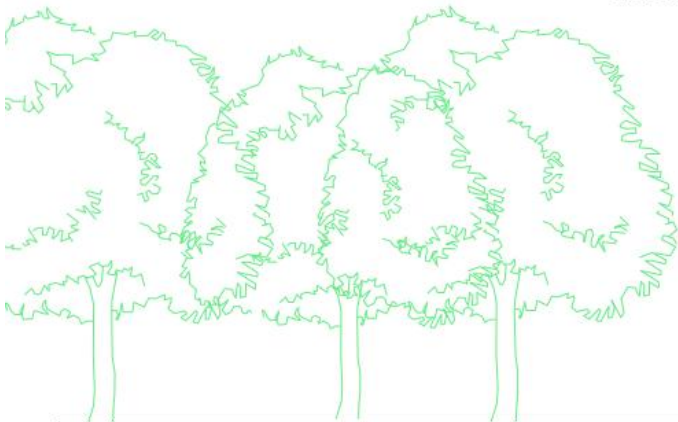
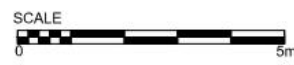
NOTE:
 All proprietary goods and materials are to be fixed in accordance with manufacturers' instructions, Codes of Practice and British Standards. All dimensions to be verified by the Contractor on site.
 Only applicable for Planning purposes, work to typical dimensions only.

© This drawing remains the Copyright of Founin Bell Architects, Ltd. and may not be reproduced in whole or in any part without prior written permission.

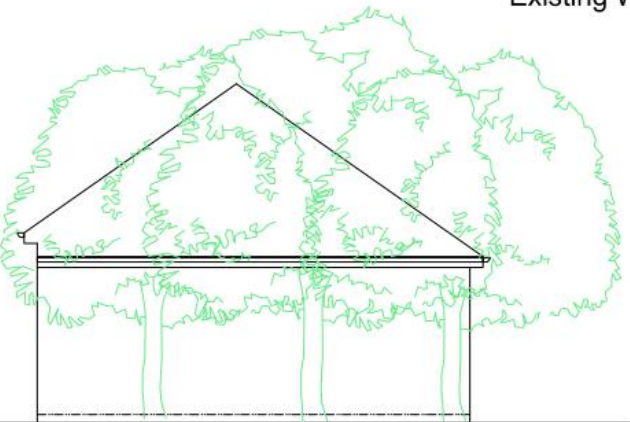
REVISION / DESCRIPTION / DATE:



Existing East Elevation



Existing West Elevation



Existing North Elevation

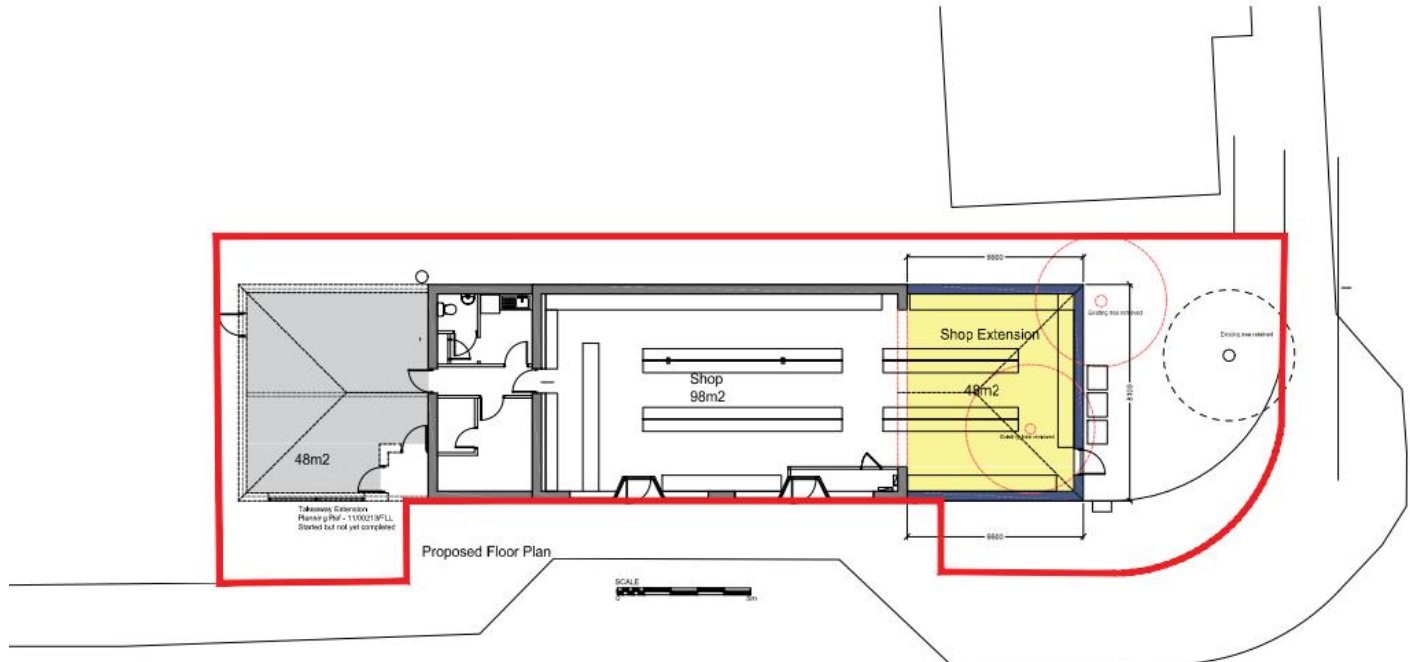


CLIENT		
Balhousie Store		
PROJECT		
PROPOSED DEVELOPMENT 75-77 BALHOUSIE STREET PERTH		
SCALE(S)	DATE	
1:50 @ A1 - 1:100 @ A3	DEC 22	
DRAWN BY	DESIGNED BY	CHECKED BY
rb	db	Planning
REVISIONS		
EXISTING ELEVATIONS		
PROJECT NUMBER	DRAWING NUMBER	REVISION
22-222	PL 02	A

NOTE:
 All proprietary goods and materials are to be fitted in accordance with manufacturer's instructions, Codes of Practice and British Standards. All dimensions to be verified by the Contractor on site.
 Only scale for Planning purposes, work to typical dimensions only.

© This drawing remains the Copyright of Fouin+Bell Architects Ltd, and may not be reproduced in whole or in any part without prior written permission.

REVISION / DESCRIPTION / DATE



fouin + bell
 architects
 1 John's Place Edinburgh EH6 7EL
 T: 0113 248 7100 F: 0113 248 7113
 info@fouin-bell.co.uk www.fouin-bell.co.uk

Client: **Balhousie Store**

Project: **PROPOSED DEVELOPMENT
 75-77 BALHOUSIE STREET
 PERTH**

Scale: 1:100 @ A1 - 1:200 @ A3 Date: DEC 22
 Drawn by: rb Checked by: db Stage: Planning

Project Name: **PROPOSED PLAN
 & STREET ELEVATION**

Project Number: **22-222** Drawing Number: **PL 03** Revision: **A**

NOTE:
 All proprietary goods and materials are to be fixed in accordance with manufacturer's instructions, Codes of Practice and British Standards. All dimensions to be verified by the Contractor on site.
 Only scale for Planning purposes, work to agreed dimensions only.
 © The drawing is the Copyright of Fouin-Bell Architects. All sections are reproduced by title or in any part without prior written permission.
 REVISION | DESCRIPTION | DATE

Takeaway Extension
 Planning Ref - 11/00213/FLL
 Started but not yet completed

Interlocking concrete tiles to match existing roof

Proposed shop Extension

2900

Painted render with facing brick base course to match existing shop walls

Proposed East Elevation



Takeaway Extension
 Planning Ref - 11/00213/FLL
 Started but not yet completed

Proposed West Elevation



Proposed North Elevation



Balhousesie Store

PROJECT
 PROPOSED DEVELOPMENT
 75-77 BALHOUSIE STREET
 PERTH

SCALE: 1:50 @ A1 - 1:100 @ A3 DATE: DEC 22
 DRAWN BY: rb CHECKED BY: db EAGE: Planning

ISSUES
 PROPOSED ELEVATIONS

PROJECT NUMBER	DRAWING NUMBER	REVISION
22-222	PL 04	A




NOTE:
 All proprietary goods and materials are to be fixed in accordance with manufacturer's instructions, Codes of Practice and British Standards. All dimensions to be verified by the Contractor on site.
 Only made for Planning purposes, work to agreed dimensions only.

This drawing remains the Copyright of Fouin+Bell Architects Ltd. and may not be reproduced in whole or in any part without prior written permission.

REVISION / DESCRIPTION / DATE





fouin + bell
architects

1 John's Place Edinburgh EH4 7EL
 T: 0131 428 1100 F: 0131 428 1111
 info@fouinbell.com www.fouinbell.com

CLIENT:

Balhousie Store

PROJECT:

**PROPOSED DEVELOPMENT
 75-77 BALHOUSIE STREET
 PERTH**

SCALE: 1:50 @ A1 - 1:100 @ A3	DATE: DEC 22
DRAWN BY: fb	DATE: 11/12/22
DRAWN BY: db	DATE: 11/12/22
DATE: 11/12/22	DATE: 11/12/22

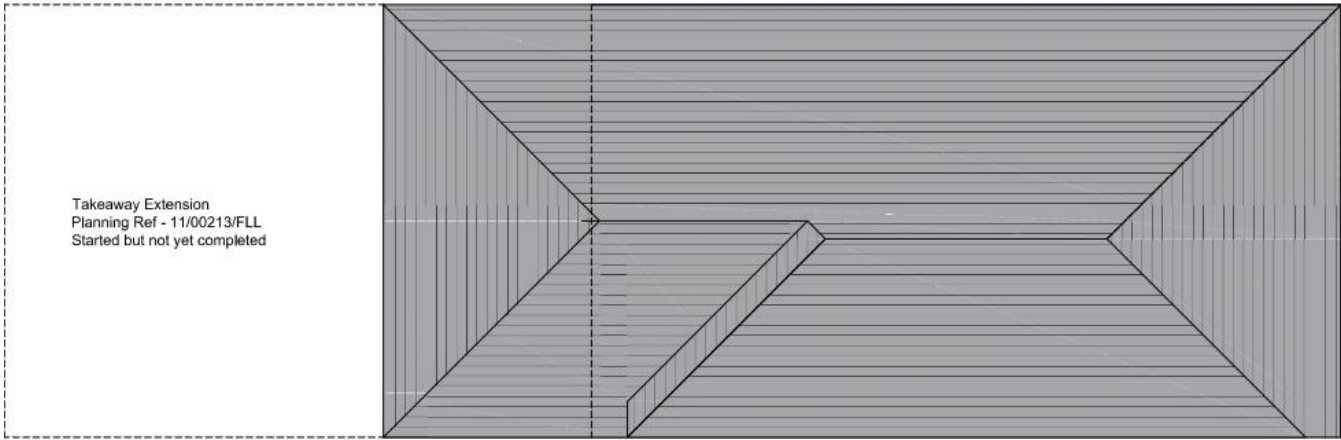
REVISION / DESCRIPTION / DATE

PROJECT NUMBER: 22-222	DEVELOPMENT NUMBER: PL 05	REVISION: A
------------------------	---------------------------	-------------

NOTE:
 All proprietary goods and materials are to be fixed in accordance with manufacturer's instructions, Codes of Practice and British Standards. All dimensions to be verified by the Contractor on site.
 Only scale for Planning purposes, work to fixed dimensions only.

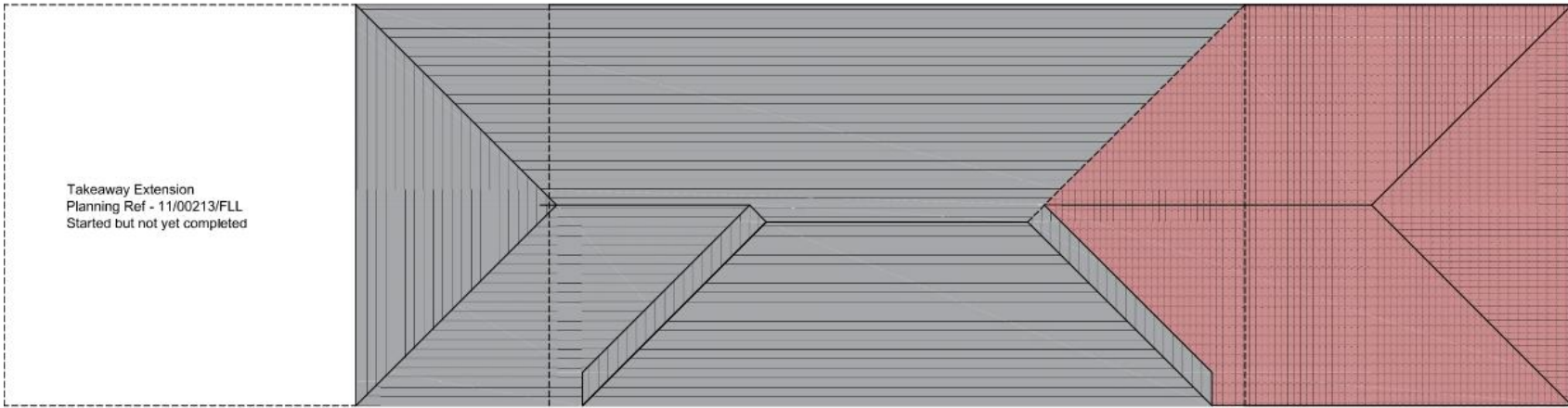
© This drawing remains the Copyright of Fouin-Bell Architects, Ltd, and may not be reproduced in whole or in any part without prior written permission.

REVISION / DESCRIPTION / DATE



Takeaway Extension
 Planning Ref - 11/00213/FLL
 Started but not yet completed

Existing Roof Plan



Takeaway Extension
 Planning Ref - 11/00213/FLL
 Started but not yet completed

Proposed Roof Plan



fouin · bell



architects

1 John's Place Edinburgh EH6 7EL
 T: 011 428 7100 F: 011 428 7111
 info@fouinbell.com www.fouinbell.com

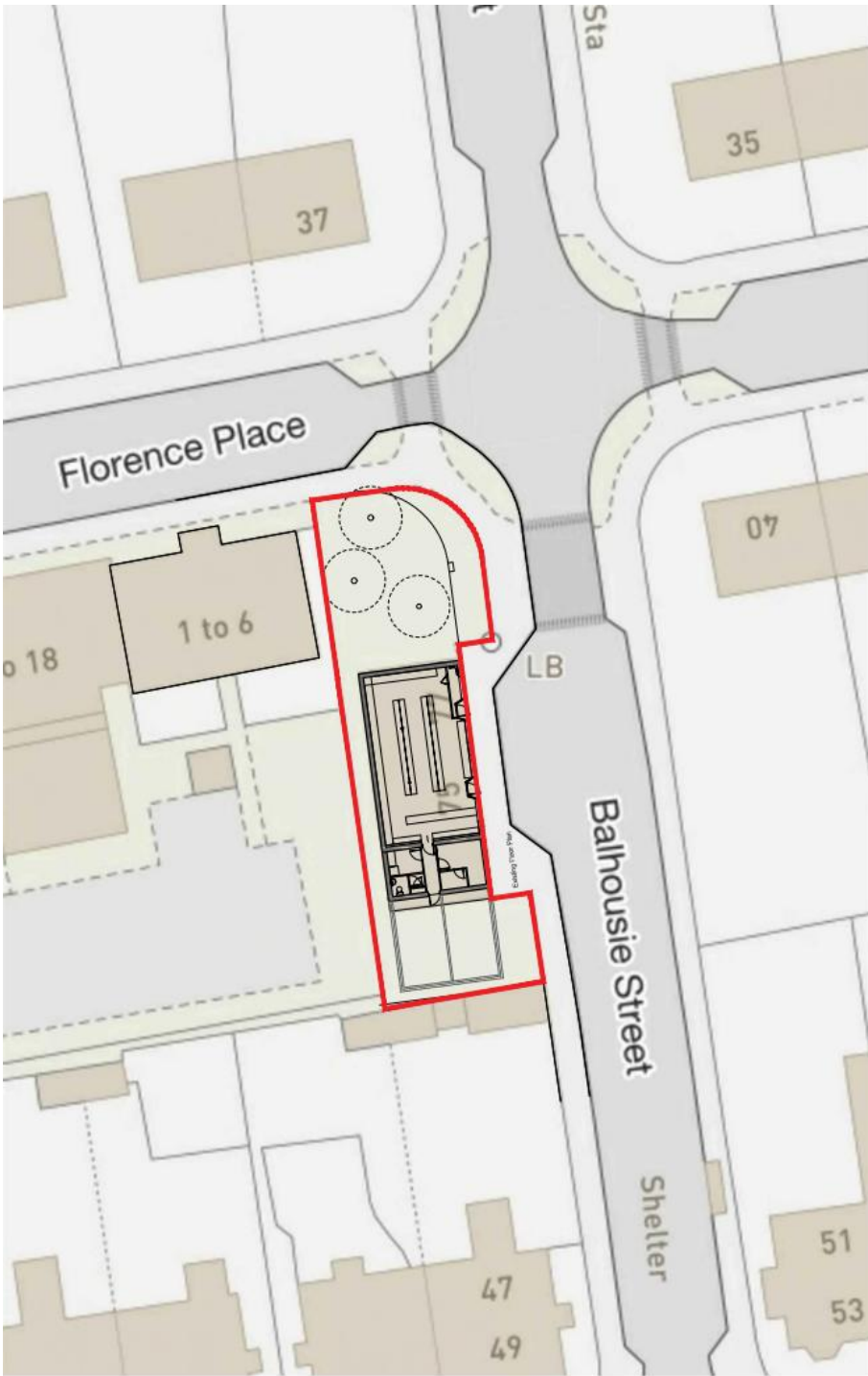
Balhousie Store

**PROPOSED DEVELOPMENT
 75-77 BALHOUSIE STREET
 PERTH**

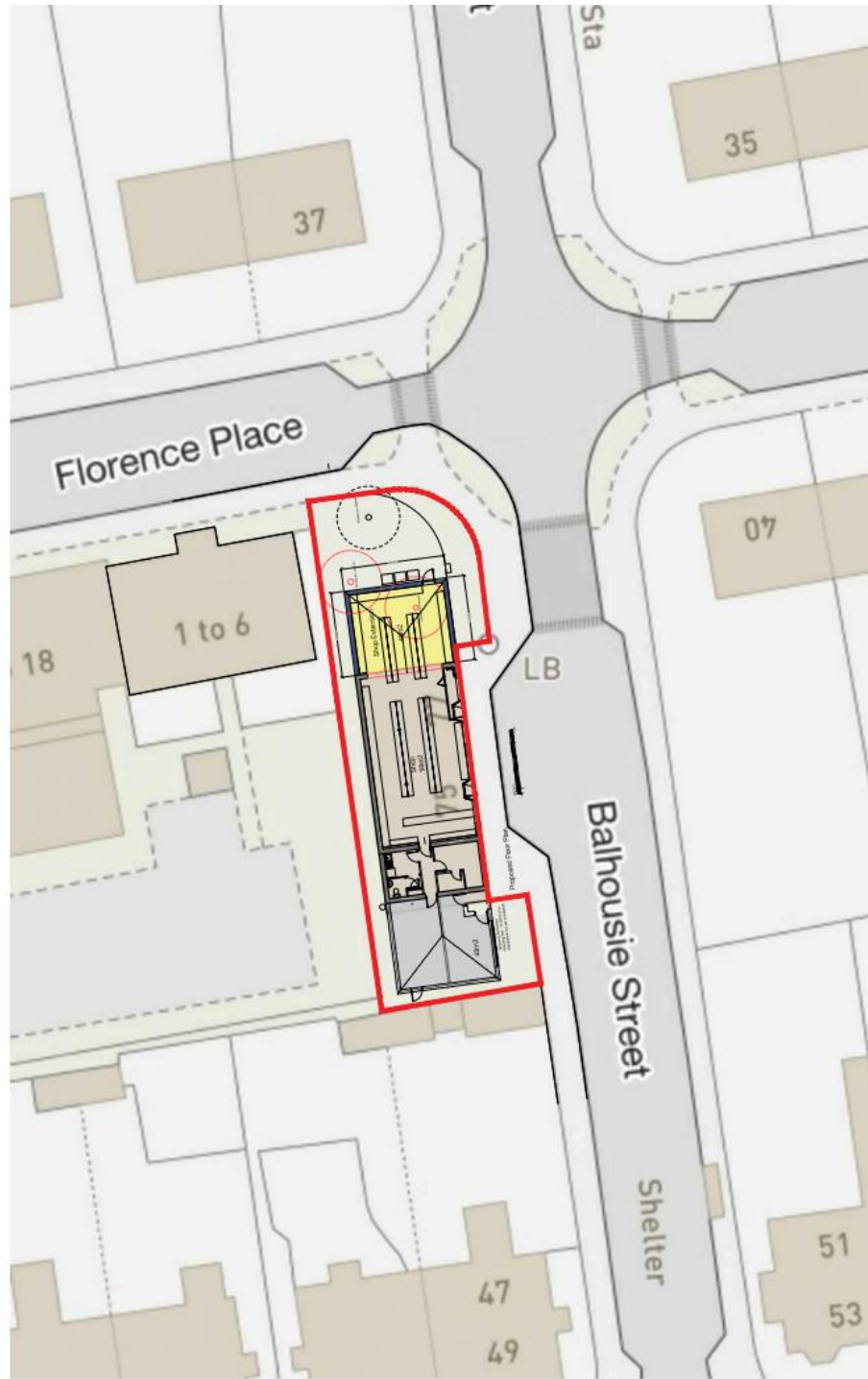
SCALE: 1:50 @ A1 - 1:100 @ A3	DATE: DEC 22	
DRAWN BY: rb	CHECKED BY: db	STAGE: Planning

EXISTING & PROPOSED ROOF PLAN

PROJECT NUMBER: 22-222	DRAWING NUMBER: PL 06	REVISION:
------------------------	-----------------------	-----------



EXISTING SITE BLOCK PLAN



PROPOSED SITE BLOCK PLAN

NOTE:
 All proprietary goods and materials are to be fixed in accordance with manufacturer's instructions, Codes of Practice and British Standards. All dimensions to be verified by the Contractor on site. Only scale for Planning purposes, work to figured dimensions only.
 © This drawing remains the Copyright of Fouin-Bell Architects, Ltd, and may not be reproduced in whole or in any part without prior written permission.
 REVISION / DESCRIPTION / DATE



fouin-bell
 architects
 1 Adria Place Edinburgh EH6 7EL
 T: 0113 498 7100 F: 0113 498 7111
 info@fouin-bell.co.uk www.fouin-bell.co.uk

CLIENT	
Balhousie Store	
PROJECT	
PROPOSED DEVELOPMENT 75-77 BALHOUSIE STREET PERTH	
SCALE	DATE
1:200 @ A1	DEC 22
DRAWN BY	CHECKED BY
rb	db
REVISION	
EXISTING & PROPOSED SITE PLAN	
PROJECT NUMBER	DOCKING NUMBER
22-222	PL 07
REVISION	



Hinshelwood Arboricultural Consultants

Urban Tree Specialists



Survey of Trees
75-77 Balhousie Street
Perth
16 June 2023

Hinshelwood Arboricultural Consultants
7 Forth Reach, Dalgety Bay, Dunfermline.
Fife. KY11 9FF

CONTROL SHEET

Project Title:	75-77 Balhousie Street
Agent for Client:	Fouin and Bell Architects
Council:	Perth and Kinross
Survey Date:	June 2023
Prepared by:	Graham Hinshelwood
Date of Issue:	16 June 2023
Status:	FINAL
Version No:	1

DISCLAIMER

Survey Limitations: Unless otherwise stated all trees are surveyed from ground level using non-invasive techniques, in sufficient detail to gather data for and inform the design of the current project only. The disclosure of hidden crown and stem defects, where they may be above a reachable height or where trees are ivy clad or located in areas of restrictive ground vegetation, cannot therefore be expected. Detailed tree safety appraisals are only conducted under specific written instructions. Comments upon evident tree safety relate to the condition of said tree at the time of the survey only. Unless otherwise stated all trees should be re-inspected annually to appraise their on-going mechanical integrity and physiological condition. It should, however, be recognised that tree condition is subject to change, for example because of disease, decay, high winds, development works, etc. Changes in land use or site conditions (e.g., development that increases access frequency) and the occurrence of severe weather incidents are also significant considerations about tree structural integrity, and trees should therefore be re-assessed in the context of such changes and/or incidents and inspected at intervals relative to identified and varying site conditions and associated risks.

Where trees are located wholly or partially on neighbouring private third-party land then said land is not accessed and our inspection is therefore restricted to what can be seen from within the site. Stem diameters and other measurements of trees located on such land are estimated. Any subsequent comments and judgments made in respect of such trees are based on these restrictions and are our preliminary opinion only. Recommendations for works to neighbouring third-party trees are only made where a potential risk to persons and/or property has been identified during our survey or, if applicable, where permissible works are required to implement a proposed development. Where significant structural defects of third-party trees are identified and associated management works are considered essential to negate any risk of harm and/or damage then we will inform the relevant Council of the matter. Where a more detailed assessment is considered necessary then appropriate recommendations are set out in the Tree Survey Schedule. Where tree stem locations are not included on the plan(s) provided then they are plotted by the arboriculturist at the time of the survey using, where appropriate and/or practicable, a combination of measurement triangulation and GPS co-ordination. Where this is not possible then locations are estimated. Restrictions in these respects are detailed in the report.

This document is intended as a guide to identify key tree related constraints to site development only, and the potential influence of trees upon existing or proposed buildings or other structures resulting from the effects of their roots abstracting water from shrinkable load-bearing soils is not considered herein. The tree survey information in its current form should not therefore be considered sufficient to determine appropriate foundation depths for new buildings. Accordingly, an updated survey, with reference to the current NHBC Standards Chapter 4.2 - Building Near Trees, must therefore be prepared for the specific purpose of informing suitable foundation depths after planning approval being granted. The advice of a structural engineer must also be sought regarding appropriate foundation depths for new buildings.

Copyright & Non-Disclosure Notice: The content and layout of this report are subject to copyright owned by Hinshelwood Arboricultural Consultants, save to the extent that copyright has been legally assigned to us by another party or is used by Hinshelwood Arboricultural Consultants under license. This report may not be copied or used without our prior written agreement for any purpose other than those indicated.

Third Parties: Any disclosure of this document to a third party is subject to this disclaimer. The report was prepared by Hinshelwood Arboricultural Consultants at the instruction of and for use by our client. This report does not in any way constitute advice to any third party who is able to access it by any means. Hinshelwood Arboricultural Consultants excludes to the fullest extent lawfully permitted all liability whatsoever for any loss or damage arising from reliance on the contents of this report.

TABLE OF CONTENTS

Disclaimer	3
Contents	4
Introduction	5
Statutory Protection in Respect of Trees and Associated Wildlife	6
The Site and The Surroundings	7
Tree Population	7
Projected Arboricultural Impacts	11
Recommendations For Successful Tree Retention in The Context of Development	12
Other Recommendations	16
Summary And Conclusions	17
Nominative References	18
Appendices	19
Tree Survey Sheets and Summary	20
Cascade of Tree Quality Assessment	22
Position of Trees Extent of Canopy	24
Location of Site	29
Photographs	30

1.0 INTRODUCTION

Terms of Reference

Hinshelwood Arboricultural Consultants were instructed to:

- a) Survey, either as individuals or by group, all trees having reasonable potential to be adversely affected by or to affect the development of the site under consideration.
- b) Prepare a tabulated Tree Survey Schedule based on guidance specified BS5837:2012 - Trees in Relation to Design, Demolition and Construction – Recommendations.
- c) Evaluate the potential tree related impacts and design conflicts of the proposals.
- d) Advise on removal, retention and management options for the trees in the current context and in the context of the proposed development.
- e) Advise on suitable tree protection measures required during development.
- f) Annotate the existing site proposal plan to produce a Tree Constraints Plan and a Tree Impact Plan identifying tree retention category, crown spreads, Root Protection Areas, projected tree related impacts, approximate temporary protective fencing locations, new tree planting suggestions, and other pertinent details; and
- g) Produce an Arboricultural Impact Assessment report outlining the main tree related issues and potential tree related impacts in relation to the proposed development and indicating suitable mitigation provisions and retained tree protection measures.

Scope and Purpose of Report

- 1.1 By detailing foreseeable tree related issues this report is intended to assist the Local Planning Authority (LPA) in their review of the proposed development and, as such, should be supplied to them in support of the planning application to which it pertains.
- 1.2 The report provides an initial analysis of the impacts that the proposed development is projected to potentially have on trees located both within the site and immediately adjacent to its boundaries. It also offers guidance on suitable retained tree management and mitigation for projected losses, along with appropriate tree protection measures in the context of the proposed development in accordance with current guidance.

Site Visit, Data Collection and Tree Plans

- 1.3 Further to instruction I confirm that I visited the site on 13 June 2023 and conducted a survey of trees. My survey was conducted in accordance with the preceding disclaimer, and all tree data collected on site is set out in the attached tabulated Tree Survey Schedule (TSS) at Appendix One which, for ease of interpretation, should be read alongside the associated BS5837:2012 Table 1 (as appended).
- 1.4 During my survey review I identified four individual trees (prefixed 'T'. These have been numbered accordingly on the Tree Constraints Plan (TCP) and Tree Impact Plan (TIP), as appended. The plans are based on a topographical survey based on existing site plans that were provided in electronic format by the client's agent Fouin and Bell and for the purpose of this report, the plans' details are presumed to be accurate.

- 1.5 The TCP details the existing site with the readily definable tree constraints, whilst the TIP also has an overlay of the development proposals along with associated tree related impacts and suggestions for mitigation tree planting.

2.0 STATUTORY PROTECTION IN RESPECT OF TREES AND ASSOCIATED WILDLIFE

Tree Preservation Orders and Conservation Area Designations

- 2.1 Town and Country Planning (Scotland) Act (the Act) and associated Regulations empower Local Planning Authorities (LPAs) to protect trees in the interests of amenity by making Tree Preservation Orders (TPOs). The Act also affords protection for trees of over 75mm diameter that stand within the curtilage of a Conservation Area (CA).
- 2.2 Subject to certain exemptions, an application must be made to the LPA in question to conduct works upon or to remove trees that are subject to a TPO, whilst six weeks' notice of intention must be given to conduct works upon or to remove trees within a CA that are not protected by a TPO.
- 2.3 I have been informed that the site is not within a Conservation Area and the trees are not afforded the statutory protection of a TPO.

Protected Species

- 2.4 Nesting birds are afforded statutory protection under the Wildlife & Countryside Act (1981) (as amended) and their potential presence should therefore be considered when clipping hedges, removing climbing plants and pruning and removing trees. The breeding period for woodlands runs from March to August inclusive. Hedges provide valuable nesting sites for many birds and clipping should therefore be avoided during March to July. Trees, hedges and ivy should be inspected for nests prior to pruning or removal and any work likely to destroy or disturb active nests should be avoided until the young have fledged.
- 2.5 All bat species are protected under Schedule 5 of the Wildlife & Countryside Act (1981) (as amended) and under Schedule 2 of the Conservation of Habitats and Species Regulations 2010 (as amended). In this respect it should be noted that it is possible that unidentified bat habitat features may be located high up in tree crowns and all personnel subsequently conducting tree works at the site should therefore be vigilant and mindful of the possibility that roosting bats may be present in trees with such features. If any bat roosts are identified, then it is essential that works are halted immediately and that a suitably qualified and experienced ecologist investigates and advises on appropriate action(s) prior to works continuing.

3.0 THE SITE AND THE SURROUNDINGS

- 3.1 The premises are a detached retail unit found at 75-77 Balhousie Street, Perth. It is bound by Balhousie Street to the east, Florence Place to the north and the gardens of the properties found on Muirton Place to the south. The primary access is Balhousie Street.
- 3.2 The proposed site boundary has an assemblage of four early mature trees forming an isolated landscaped corner that has been left over as part of the recent development of the flats at Florence Place. This is further supplemented by a secure wooden fence that bounds the western boundary of the site. Beyond the boundaries are large areas of residential property.
- 3.3 There are one small tree group found within the site. This is a group of four trees consisting of two cherry, one rowan and one willow that will be discussed as part of this current project.
- 3.4 The landform of the site and the immediate contextual surrounding landform appears relatively flat.



4.0 THE TREE POPULATION

- 4.1 As noted previously, four individual trees were surveyed for the purpose of this appraisal. The surveyed trees are a mix of Cherry, Rowan and Willow. All the trees included in this appraisal are located within the site redline boundary. A full description and assessment are provided at the Tree Survey Schedule.
- 4.2 The surveyed trees range are early mature in age. No trees are found being of a size and age whereby they can be classed as 'veteran.' Tree sizes range from small to medium, with heights of up to 10 metres, maximum diametrical crown spreads of up to 11 metres and stem diameters of up to 410 millimetres. Detailed tree dimensions and other pertinent, information such as structural defects and physiological deficiencies, are included in the Tree Survey Schedule (TSS) at Appendix One.

4.3 In respect of the TSS it should be noted that tree quality is categorised within the existing context without taking any site development proposals into account. However, recommendations for works included in the TSS take both current site usage into consideration and the proposed site development where there are definable development related issues with regard to specific trees.

4.4 The TSS includes a column ('Cat. Grade') listing the trees' respective retention values, where they are rated either 'A,' 'B,' 'C' or 'U,' as per BS5837:2012 Table 1 (Appendix One). 'A' category trees are those considered to be of 'high quality' and, accordingly, the most suitable for retention, whilst 'B' category trees are those considered to be of 'moderate quality.' 'C' category is those of a low quality that should not be considered a 'material constraint' to development and 'U' category are those that should be removed for sound management reasons regardless of site proposals.

4.5 As detailed in Table A (below), no trees were categorised as high quality ('A'), two trees were categorised as moderate quality ('B'), one tree was categorised as low quality ('C') with one tree being categorised as ('U'), trees that should be removed for sound management reasons regardless of site proposals.

Table A: BS5837-2012 Retention Categories of the Surveyed Trees

	Ret. Cats	Tree Numbers	Totals
Those of a moderate or high quality that should be afforded appropriate consideration in the context of development	A	-	-
	B	T714, T717	2 trees
Those of a low quality that should not be considered a material constraint to development	C	T715	2 tree
Those that should be removed for sound management reasons regardless of site proposals	U	T716	1 tree
			= 4 trees

4.6 There is one tree (T716) that is identified as being not suitable for retention. This tree does not contribute any amenity value or landscape character for the area. When viewed individually it can be seen as poor and declining. Multi stemmed with a congested, poorly configured crown, acute and poorly formed unions between main stems. It is suppressed on the east and west face. The west face having been heavily managed to reduce from adjacent flatted development. These defects, in time, can lead to sudden, failure of part, or a whole tree.



- 4.7** Tree T715 is a small rowan that is located to the rear of the plot. This tree has been heavily suppressed by the adjacent cherry and willow leaving a poor and biased crown that overhangs the store.



- 4.8** The remaining two individual trees (T714 and T717) are generally in satisfactory condition. The trees are early mature in age, medium in stature and of limited quality and landscape value. The trees require extensive works to reduce T714 from overhanging the store and for both to crown lift and reduce from the footpath and highway to avoid obstruction. T714 to left, T717 to right.



4.9 In respect of the TSS it should be noted that tree quality is categorised within the existing context without taking any site development proposals into account. However, recommendations for works included in the TSS take both current site usage into consideration and the proposed site development where there are definable development related issues regarding specific trees.

5.0 DEVELOPMENT PROPOSALS AND POTENTIAL ARBORICULTURAL IMPACTS

5.1 Proposals

5.2 This assessment focuses on the trees (trees 714 to 717 in the survey). As part of the redevelopment of the site it is proposed to extend the current store facility by 7m north through the trees to form the development envelope. A proposed layout has been prepared by the client and this forms the basis of the following assessment and recommendations.

5.3 The proposals and tree recommendations are indicated on the accompanying Tree Proposals Plan.

5.4 The existing tree cover can not be seen to present a constraint to any development. The interface of the retained tree T717 is critical in this respect and it will be essential not only to protect the tree from physical damage during construction works, but to create a suitable and sustainable relationship between the trees and future site use. To this end, and as a tool to inform the master planning process and detailed layouts, constraints are presented as part of this assessment. This covers a key area, namely:

- **Root protection area (RPA)**

This is described and assessed in the following sections. The recommendations are 'broad brush' only at this stage and will require further detailed study and refinement as the project progresses. This will further appraise the projected impacts that the development would potentially have on the trees the tree constraints details were compared to the site proposal plan, as detailed on the TIP.

Root Protection Area

5.5 Clear recommendations are provided on this aspect in British Standard 5837:2012. This takes cognisance of the root spread of trees and is based on the premise that the larger the tree, the more extensive the root system. The root protection area for individual trees is calculated as an area equivalent to a circle with a radius of 12 times the stem diameter and this represents the minimum area which should be left undisturbed around each retained tree. The RPA of the individually surveyed trees, based on the above formula, is represented on the tree survey plans as a magenta circle around the trunk. The recommended maximum RPA is stated in the group survey schedule. In some instances this may be reduced locally dependant on the tree cover. The ground within the RPA should be retained as existing. All construction works or ground levelling operations must be excluded from the RPA if damage to trees is to be avoided.

5.6 Tree Removal

A total of 3 trees will need to be removed to form the break-through points for the proposed development. These fall within the footprint of the development envelope or are located so close as to be adversely affected by the associated engineering works that their safe retention would not be feasible. The removal of these features will not be detrimental to the overall landscape setting of the site and could readily be compensated for by replacement planting as part of a new landscaping scheme.

5.7 Trees to be removed for development envelope: T714, T715 and T716

5.8 These trees are outlined in on the Tree Proposals Plan.

5.9 Tree Retention

It is proposed to retain the remainder of the tree cover T717 and to incorporate this into the proposed development. Trees proposed for retention are outlined on the Tree Proposals Plan.

5.10 Tree Protection

Based on the proposed layout, the nature of the trees and their RPA, the recommended line of protective fencing is illustrated as a broken black line on the Tree Proposals Plan. This defines a tree protection zone which must remain undisturbed. The location of the protective tree fencing allows for a realistic working area within the development envelope. The tree protection zone as specified provides a substantial protected area for the tree groups to be retained. The area of ground defined by the protective fence must remain undisturbed and it is essential that the ground levels are not altered within the tree protection zone, and that no development works take place within it.

6.0 RECOMMENDATIONS FOR SUCCESSFUL TREE RETENTION IN THE CONTEXT OF DEVELOPMENT

Root Protection Areas and Construction Exclusion Zones

- 6.1 Adequate protection of the Root Protection Areas (RPAs) of retained trees during construction is essential if their long-term viability is to be assured. RPAs, which are calculated through a method provided in BS5837:2012, are ground areas that should be protected by protective fencing as Construction Exclusion Zones (CEZs) throughout the development process, thereby keeping the trees' root zones free from disturbance. Consequently, the RPA distances, as detailed in the TSS (see 6.2, below), and on the TCP and TIP give an idea of the on-site below-ground constraints in respect of tree roots and assist in planning for appropriate tree retention in relation to feasible development. In certain situations, such as at the site under consideration, there is a degree of flexibility in the CEZ positioning, as discussed in paragraph 6.2.
- 6.2 The TSS includes two columns listing the RPAs of the individually surveyed trees and, where applicable, the largest of the trees in any surveyed groups as overall areas in square metres and as radial distances. The radial RPAs are indicated as magenta-coloured circles on the TCP and TIP, which indicate the locations and extents of the applicable CEZs.
- 6.3 Regarding CEZs the design, materials and construction of the fencing should be appropriate for the intensity and type of site construction works and should conform to at least section 6.2 of BS5837:2012 by being secured by the imposition of a suitably worded planning condition. For example surfacing will be designed and constructed within this section using a no-dig, porous system, to have a minimal impact on the trees. It is recommended that **a detailed arboricultural method statement is produced in response to a planning condition following planning consent.** This will describe in detail how retained trees will be protected from the development and methods of work close to trees. This report contains general details such as tree barriers and ground protection which are common to most developments. If the recommendations made within this report are followed.

Tree protection barriers & ground protection

- Design of welded mesh, Heras type tree protection barrier
- Barriers should be fit for the purpose of excluding construction activity and appropriate to the degree and proximity of work taking place. The default specification should be in accordance with 6.2.2.2 of BS 5837, as set out below.
- Specifications: Barrier shall be a minimum 2 m high. It shall consist of a vertical and horizontal scaffold framework, well braced to resist impacts, as illustrated below. The vertical tubes should be spaced at a minimum interval of 3 m and driven securely into the ground. Onto this framework, welded mesh panels should be securely fixed.
- Where site circumstances and associated risk of damaging incursions into the RPA do not necessitate the default level of protection, an alternative specification may be used if agreed with the local authority. An example would be 'Heras' type welded mesh panels on rubber or concrete feet. The panels should be joined together using a minimum of two anti-tamper couplers, installed so that they can only be removed from inside the fence. The panels should be supported on the inner side by stabiliser struts. All-weather notices should be attached to the barrier with words such as 'TREE PROTECTION ZONE - NO ACCESS.
- Location: Barriers shall be positioned on the perimeter of the Root Protection Area to define the Tree Protection Zone or as specified in the Tree Protection Plan.
- Shown on the Tree Protection Plan by a broken black line.

Figure 2 Default specification for protective barrier

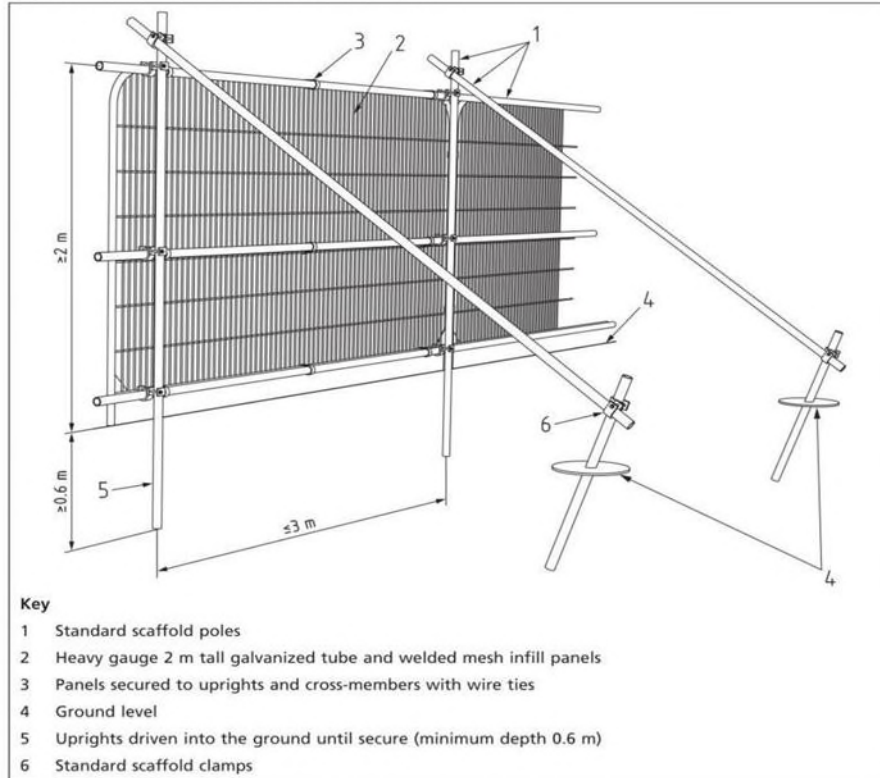
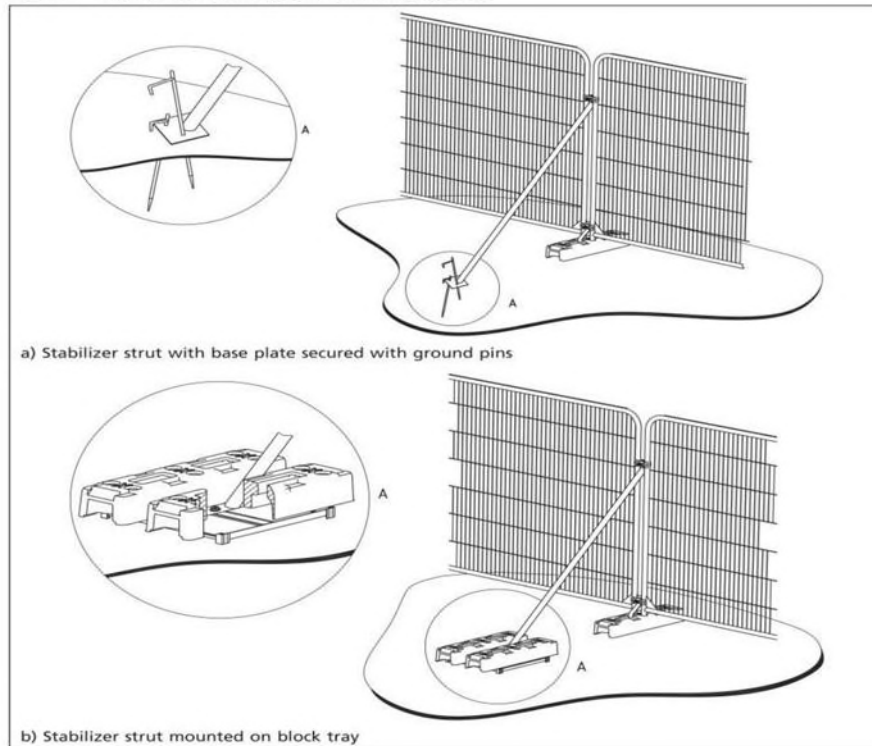


Figure 3 Examples of above-ground stabilizing systems





6.4 Where excavations are necessary and approved within the CEZ (e.g. for service runs), all works must comply with BS5837:2012, Section 7.2. Excavations should be dug by hand, and all tree roots encountered that are greater than 25mm diameter should be retained intact. cables, pipes and ducts should be fed below roots, and trenches should be backfilled as soon as possible to prevent desiccation of roots. Where new surfacing is approved within the CEZ and RPA of existing trees, particular precautions shall be taken to minimize disturbance to tree root systems, in accordance with BS5837:2012, Section 7.4. Excavations for the installation of new kerbs, drains, and surfacing within the RPA will be carried out by hand, and any small roots (<25mm diameter) damaged will be pruned back (ideally to a lateral root branch) using bypass secateurs or handsaw. Roots larger than 25mm should not be removed without prior consultation with the appointed Arboricultural Consultant. New surfacing should be formed using a cellular confinement system (e.g. Cellweb by Geosynthetics Ltd) of at least 75mm depth infilled with an inert type of material such as whinstone chips. The final surface material must be porous block, porous bitmac, or decorative gravel. Edges should be graded back to match surrounding ground levels using clean imported topsoil.

6.5 The installation of underground utilities near trees can cause considerable damage to their roots. As such, it is essential that utilities be routed outside RPAs unless there is no other available option, and specifics regarding these routes should be included as part of a detailed planning application. Where RPAs cannot be avoided then guidelines set out in the National Joint Utilities Group publication 'Volume 4: NJUG Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees (Issue 2) – Operatives Handbook' should be followed (e.g., trenches of a limited width to be hand dug or the use of directional drilling).

Arboricultural Method Statement

- 6.6 Government guidance recommends that, where considered expedient by the LPA, an Arboricultural Method Statement (AMS) be prepared detailing special mitigation construction. The AMS should describe and detail the procedures, working methods and protective measures to be used in relation to retain trees to ensure that they are protected during the construction process. Production of and adherence to an AMS can be conditioned as part of a planning approval.

7.0 OTHER RECOMMENDATIONS

Non-Development Related Tree Works and Recommendations

Tree Work Related Consents

- 7.1 No tree pruning or removal works should commence on site until necessary consents have been obtained from the LPA as part of a planning approval or in respect of any statutory tree protection (e.g., TPOs) that exist.

Arboricultural Contractors

- 7.2 All tree works should be conducted by suitably qualified and experienced arboricultural contractors carrying appropriate public liability insurance cover and be implemented to the minimum current CE and UK industry standards and in accordance with industry codes of practice. Only certificated personnel should, in accordance with The Control of Pesticides Regulations, apply any pesticides.

Contractors and Subsequently Identified Tree Defects

Tree contractors should be made aware that, should any significant tree defects become apparent during operations that would not have been immediately obvious to the surveyor, then such defects should be notified immediately to the client and subsequently confirmed to the consultant within five working days.

New Tree Planting

- 7.3 All tree planting and associated new tree management at the site should be conducted in accordance with BS8545:2014 Trees: from nursery to independence in the landscape – Recommendations.

Retained Tree Management

- 7.4 Any tree risk management appraisals and subsequent recommendations made in this report were based on observations and site circumstances at the time of my survey. Trees are dynamic living organisms whose structure is constantly changing and even those in good condition can succumb to damage and/or stress.

- 7.5 In this respect I would note that, under the Occupiers' Liability Act (1957 & 1984), site occupants have a duty of care to take reasonable steps to prevent or minimise the risk of personal injury and/or damage to property from any tree located within the curtilage of the land they occupy. It is accepted that these steps should normally include commissioning a qualified and experienced arboriculturist to survey their trees to identify any risk of harm to persons or

damage to property that they may present and, where unacceptable risks are identified, taking suitable remedial action to negate those risks.

8.0 SUMMARY AND CONCLUSIONS

8.1 The premises are a detached retail unit found at 75-77 Balhousie Street, Perth. It is bound by Balhousie Street to the east, Florence Place to the north and the gardens of the properties found on Muirton Place to the south. The primary access is Balhousie Street. four individual were surveyed for the purpose of this appraisal.

8.2 An arboricultural survey has been conducted and this report prepared to support the design process. This report provides information in compliance with British Standard BS 5837:2012, Trees in relation to design, demolition and construction and considers the effect the proposed development has on the local character from a tree perspective. The report's purpose is to allow the local planning authority to assess the tree information as part of the planning submission.

8.3 A root protection area (RPA) is a layout design tool indicating the minimum area surrounding the tree that contains sufficient rooting volume to maintain the tree's viability, and where the protection of the roots and soil structure is treated as a priority. Clause 4.6.2 of BS 5837 states that the RPA may be changed in shape, considering local site factors, species tolerance, condition and root morphology.

8.4 With proximity of structures to trees, the default position should be that the structures are located out with the RPAs of trees. However, where there is an overriding justification for construction in the RPA, technical solutions might be available that prevent damage to the trees (see Clause 7). If operations within the RPA are proposed, the project arboriculturist should:

- a) demonstrate that the trees can remain viable, and that the area lost to encroachment can be compensated for elsewhere, contiguous with its RPA.
- b) propose a series of mitigation measures to improve the soil environment that is used by the tree for growth.

The cumulative effects of incursions into the RPA, e.g., from excavation for utility apparatus are damaging and should be avoided. Where there is evidence that a tree has been previously subjected to damage by construction activity, this should be considered when considering the acceptability of further activity within the RPA. As such.

8.5All the trees are located within the site's redline boundary.

8.6To ensure successful existing tree preservation, it is essential that the retained trees are protected in strict accordance with current Government guidance and the recommendations included herein.

8.7The correct execution of the proposed works will be critical in achieving the aim of having minimal impact on the retained trees. A detailed arboricultural method statement produced post planning consent, along with a thorough understanding of the issues by the main contractor and monitoring by the project arboriculturist, will enable the development to be achieved and the trees to continue contributing into the future.

Nominative References

The following documents are indispensable in the application of the recommendations in this report:

- R.G. Strouts, T.G. Winter (1994). Diagnosis of Ill-Health in Trees. DoE
- D. Lonsdale (1999). Principles of Tree Hazard Assessment and Management. ODPM
- C. Mattheck, K. Bethge, K. Weber (1994). The Body Language of Trees. DoE
- C. Mattheck (2007). Updated Field Guide for Visual Tree Assessment. Forschungszentrum Karlsruhe GmbH
- F.W.M.R. Schwarze, J. Engels, C. Mattheck (1999). Fungal Strategies of Wood Decay in Trees. Springer
- Common Sense Risk Management of Trees (2011). National Tree Safety Group / Forestry Commission
- Tree Surveys: A Guide to Good Practice – Guidance Note 7 (2015). The Arboricultural Association
- British Standard BS3998: 2010 Tree Work – Recommendations. BSI



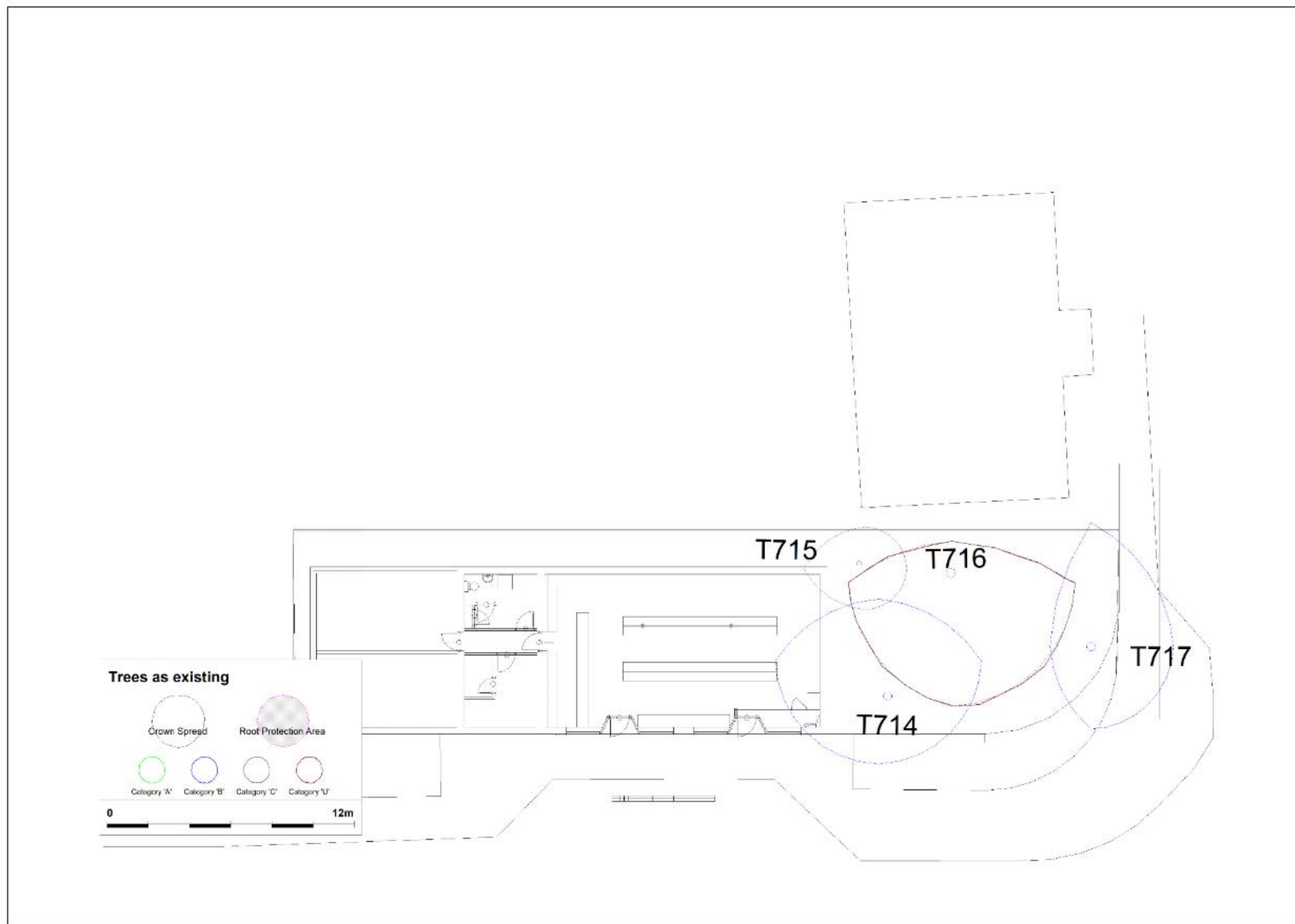
Ref.	Common Name	Full Structure	Measurements	Comments	Survey Notes	Retention Category	Spread	Crown Clearance (m)	Lowest Branch	RPA	Easting	Northing	Clickable link for Excel and PDF	Inspected	Physiological Cond	Structural Cond	Recommendations
T714	Wild Cherry	Tree	Height (m): 10 Stem Diam(mm): 400 Spread (m): 5N, 5E, 5S, 3W Crown Clearance (m): 2 Lowest Branch (m): 2.5(N) Life Stage: Early Mature Rem. Contrib.: 20+ Years	This tree will have to be removed to facilitate a proposed future development.	Fair overall Physiological and Structural condition. Low branches (3m) obstruct pedestrian access. Crown touching and damaging adjacent property fabric	B2	N:5 E:5 S:5 W:3	2.0	2.5(N)	Radius: 4.8m. Area: 72 sq m.	311179	724581	T714	13-Jun-2023	Good	Good	Preconstruction: Remove tree. During construction: No action required. Post construction: No action required.
T715	Rowan	Tree	Height (m): 6 Stem Diam(mm): 230 Spread (m): 2N, 2E, 3S, 2W Crown Clearance (m): 2 Lowest Branch (m): 1.5(S) Life Stage: Early Mature Rem. Contrib.: 20+ Years	This tree will have to be removed to facilitate a proposed future development.	Fair overall Physiological and Structural condition. Minor dieback. Crown suppressed and biased towards south from impact of willow	C2	N:2 E:2 S:3 W:2	2.0	1.5(S)	Radius: 2.8m. Area: 25 sq m.	311175	724580	T715	13-Jun-2023	Fair	Fair	Preconstruction: Remove tree. During construction: No action required. Post construction: No action required.
T716	Willow	Tree 3 stems	Height (m): 12 3 stems, avg.(mm): 260 Spread (m): 6N, 6E, 5S, 2W Crown Clearance (m): 5 Lowest Branch (m): 3(E) Life Stage: Early Mature Rem. Contrib.: <10 years	This tree does not merit retention due to declining physiological and structural condition	Poor overall Physiological and Structural condition. Inadequate stem. Dieback - poor foliage. Failing stem junctions	U	N:6 E:6 S:5 W:2	5.0	3(E)	No RPA due to Retention Category of U.	311176	724585	T716	13-Jun-2023	Poor	Physical Defect	Preconstruction: Remove tree. During construction: No action required. Post construction: No action required.

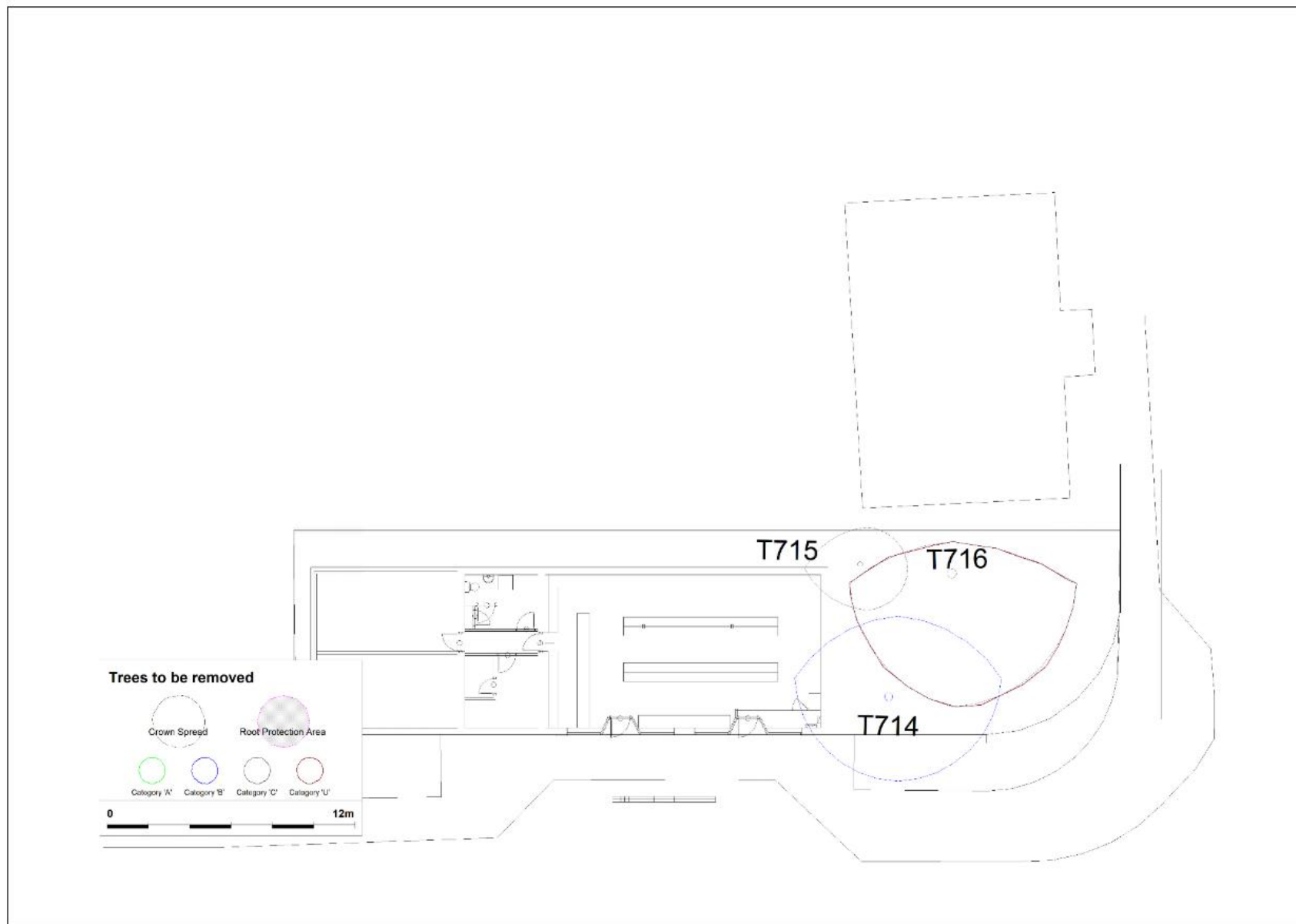
T717	Wild Cherry	Tree	Height (m): 8 Stem Diam(mm): 410 Spread (m): 4N, 4E, 2S, 6W Crown Clearance (m): 2 Lowest Branch (m): 3(W) Life Stage: Early Mature Rem. Contrib.: 20+ Years	This tree will not have to be removed to facilitate a proposed future development. The surfacing and levels in the RPA should not be altered as long as the tree is being retained.	Fair overall Physiological and Structural condition.	B2	N:4 E:4 S:2 W:6	2.0	3(W)	Radius: 4.9m. Area: 75 sq m.	311176	724589	T717	13-Jun-2023	Good	Good	Preconstruction: Crown lift to 3 metres for pedestrian access. During construction: Protect trees with protective barriers - as shown on plans. Post construction: No action required.
------	-------------	------	--	--	--	----	--------------------------	-----	------	---------------------------------	--------	--------	----------------------	-------------	------	------	---

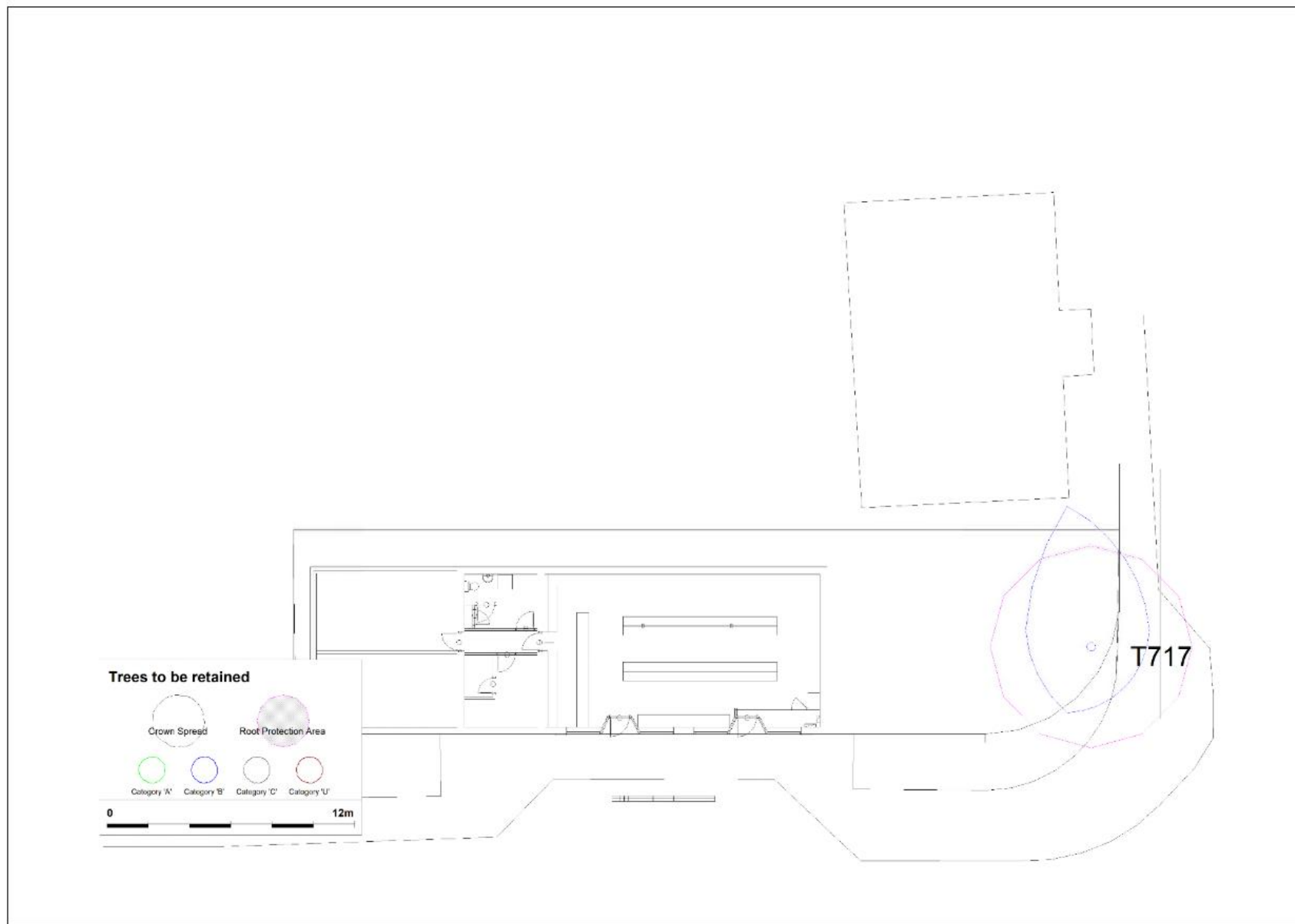
BS5837:2012 Table 1 – Cascade Chart for Tree Quality Assessment

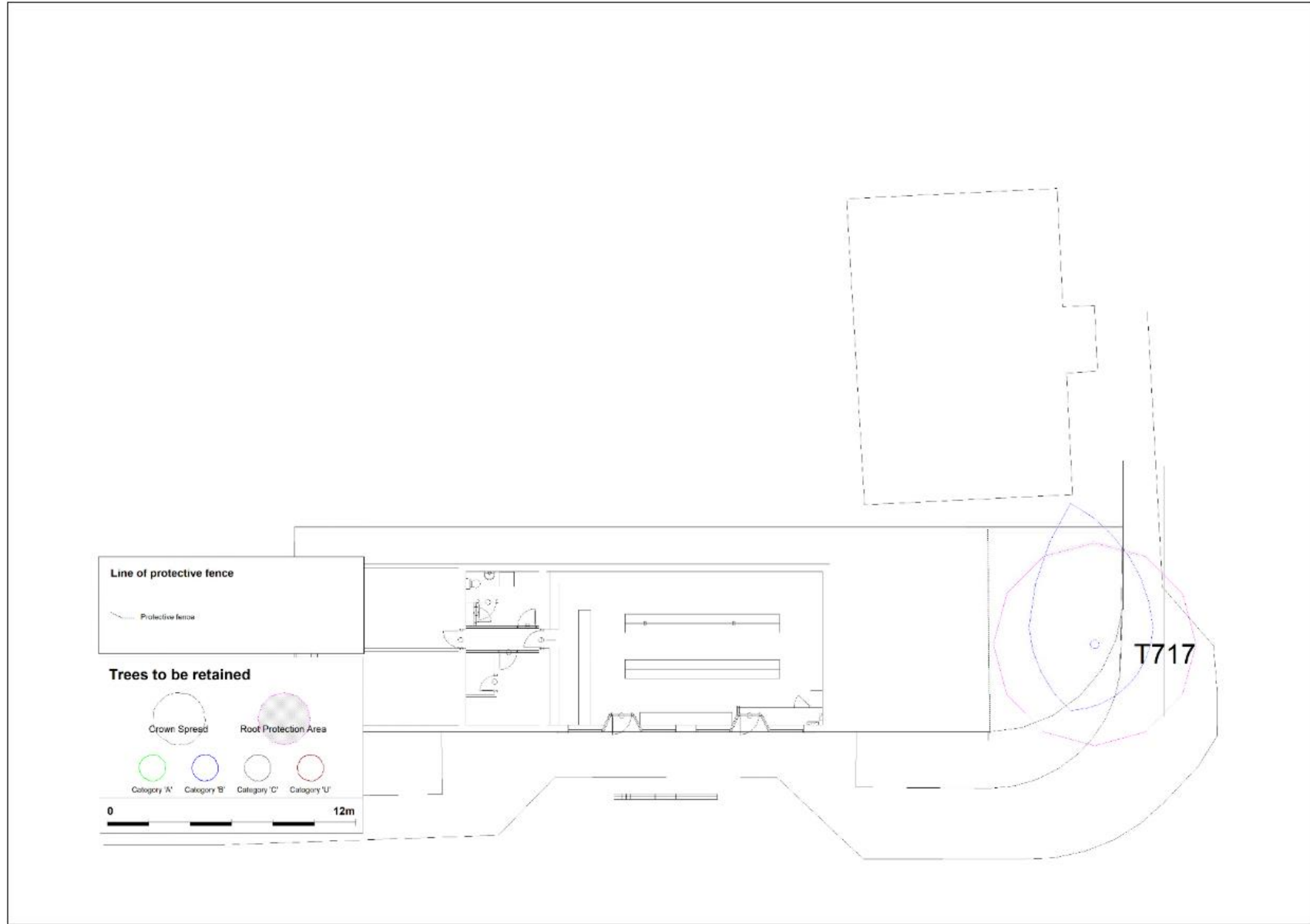
TREES UNSUITABLE FOR RETENTION				
Category and definition	Criteria			Identification on plan
<p>Category U</p> <p>Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years</p>	<p>Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other U Category trees (e.g., where, for whatever reason, 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 the health and/or safety of other trees nearby, or very low-quality trees suppressing adjacent trees of better quality.</p> <p>NOTE: Category U trees can have existing or potential conservation value which it might be desirable to preserve.</p>			Red
TREES TO BE CONSIDERED FOR RETENTION				
Category and definition	Criteria – Subcategories			Identification on plan
	1 Mainly arboricultural values	2 Mainly landscape values	3 Mainly cultural values, including conservation	
<p>Category A</p> <p>Trees of high quality with an estimated remaining life expectancy of 40 years</p>	<p>Trees that are particularly good examples of their species, especially if rare or unusual, or essential components of groups, or of formal or semi-formal arboricultural features (e.g., the dominant and/or principal trees within an avenue).</p>	<p>Trees, groups, or woodlands of particular visual importance as arboricultural features and/or landscape features.</p>	<p>Trees, groups, or woodlands of significant conservation, historical, commemorative, or other value (e.g., veteran trees or wood-pasture).</p>	Green

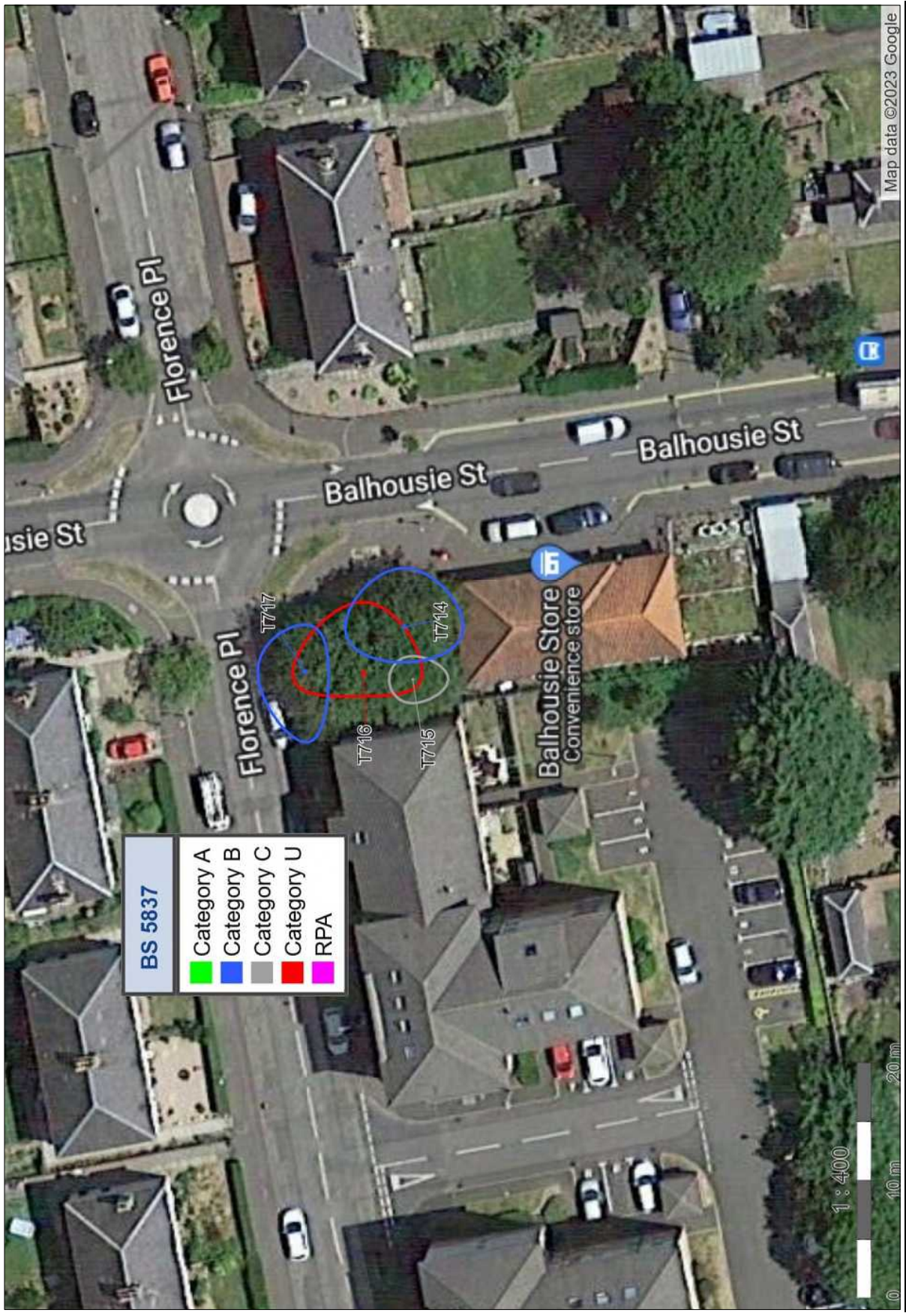
<p>Category B</p> <p>Trees of moderate quality with an estimated remaining life expectancy of at least 20 years</p>	<p>Trees that might be included in Category A, but are downgraded because of impaired condition (e.g., presence of significant though remediable defects including unsympathetic past management and storm damage), such that they are unlikely to be suitable for retention beyond 40 years; or trees lacking the special quality necessary to merit the Category A designation.</p>	<p>Trees present in numbers, usually 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.</p>	<p>Trees with material conservation or other cultural value.</p>	<p>Blue</p>
<p>Category C</p> <p>Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm</p>	<p>Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories</p>	<p>Trees present in groups or woodlands, but without this conferring on them a greater collective landscape value; and/or trees offering low or only temporary/transient landscape benefits.</p>	<p>Trees with no material conservation or other cultural value.</p>	<p>Grey</p>





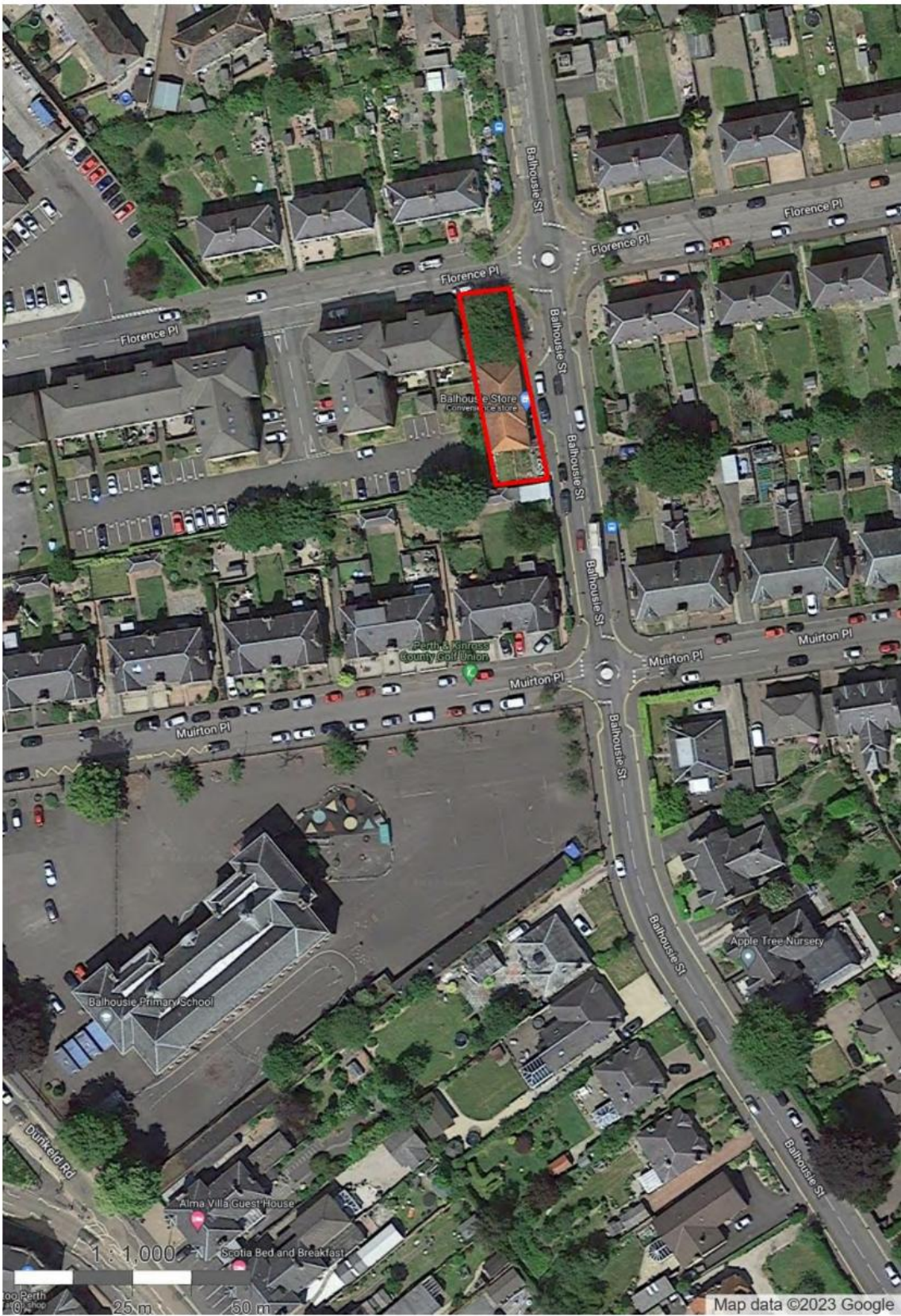






BS 5837
Category A
Category B
Category C
Category U
RPA

Location of Site



Photographs

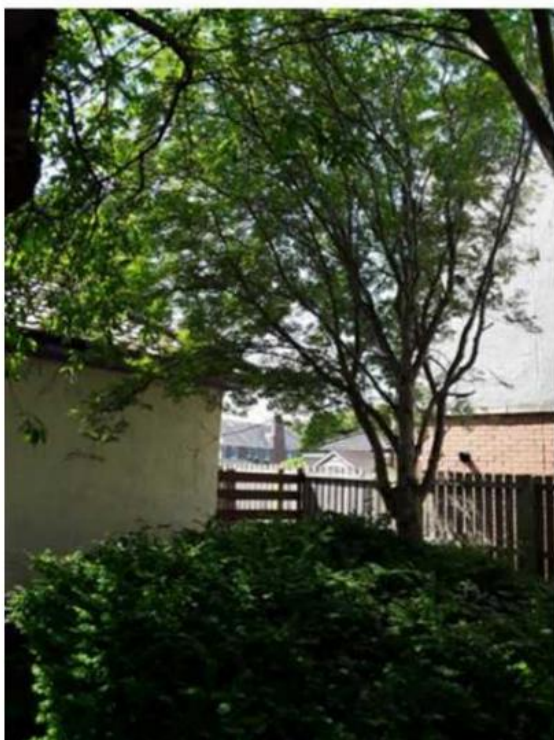
T714



T714



T715



T715



T716



T716



T717



T717

