

**TCP/11/16(537) – 18/00012/FLL – Erection of a dwellinghouse on land 250 metres north west of Grimmstane, Forneth**

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**TCP/11/16(537) – 18/00012/FLL – Erection of a  
dwellinghouse on land 250 metres north west of  
Grimmstane, Forneth**

**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)   | <input type="checkbox"/>            |
| 2. Application for planning permission in principle  | <input type="checkbox"/>            |
| 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) | <input checked="" type="checkbox"/> |
| 4. Application for approval of matters specified in conditions   | <input type="checkbox"/>            |

**Reasons for seeking review**

- |   |                                     |
|---|-------------------------------------|
| 1. Refusal of application by appointed officer  | <input checked="" type="checkbox"/> |
| 2. Failure by appointed officer to determine the application within the period allowed for determination of the application | <input type="checkbox"/>            |
| 3. Conditions imposed on consent by appointed officer   | <input type="checkbox"/>            |

**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                                    | <input type="checkbox"/>            |
| 2. One or more hearing sessions                                   | <input checked="" type="checkbox"/> |
| 3. Site inspection  | <input checked="" type="checkbox"/> |
| 4. Assessment of review documents only, with no further procedure | <input type="checkbox"/>            |

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:

Original application approved under existing Planning Rules and Guidelines based on achieving carbon negative building with woodland management and provision of data on carbon technology performance to P&K Council. Renewal application has original approved benefits with improved technology, building design more sympathetic to surroundings. Technology benefits and site location were understood by original Officer and would warrant explanation to Review body in reviewing refusal.

**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 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.

1) RD3: Original application approved 4th Oct 2013, with accepted conditions, as Pilot Project under Policy RD3: Housing in the Countryside: "The Council will support proposals for the erection, or creation through conversion, of single houses and groups of houses in the countryside which fall into at least one of the following categories: (c) New houses in the open countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance, Section 3.5 of which states "Pilot projects creating eco-friendly houses: Such proposals may be supported where a rural setting is required and the project is linked to the management of land or use of land for sustainable living." The limitations due to siting in Lunan Valley Catchment area were set aside due to accepted conditions on build, to achieve a carbon negative dwelling and the benefits of the land management plan to Lunan Valley ecology under ER6. We argue nothing has changed in planning rules since the original approval, although the carbon reduction technology has improved in that time.

2) ER6: "development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross." The site is in the middle of a 40 acre wood and with the land management plan satisfies each of a) to g) of ER6. In addition the woodland is already a SSPCA release centre for red squirrels, hedgehogs, owls and other native species and the proposed planting will enhance native plant species, especially oak and provide additional food for bird species. The dwelling is only near the man made lochan as water is the most carbon efficient heat exchange source for the dwelling. It will be landscaped to blend in with the form of the woods and sloping hill behind, well below the skyline to be invisible behind the encircling trees. It will be clad in Scottish larch which when weathered will be the same colour as the surrounding trees.

3)EP6 / SEPA : have recently been provided with sufficient information on waste water treatment and phosphorous removal in the new dwelling and an equivalent system in the existing property to further remove phosphorous from the 5 Lochs system. Discharge has also been discussed and will be through soak away sited in agreement with SEPA and Building Control.

All the current planning guidelines were adhered to, with the Lunan Valley exclusion set aside for the benefits to the area of the land management plan and the carbon negative project and resulting data.

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.

SEPA: details of the Phosphorous reduction and waste water treatment had been supplied and agreed with SEPA during the previous application approval. We understood the details were held by SEPA for the re-application but it appears this was not so. Details were therefore re-supplied and agreed with SEPA. Exact soakaway details will be agreed with SEPA and Building Control using soakaway pits.

## 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.

- 1) Original Application approval.
- 2) Application Renewal documentation (Application, plans, management plan)
- 3) SEPA email confirming Phosphorous mitigation acceptable and noting soakaway ground conditions to be approved by them.
- 4) Photograph showing Location of proposed dwelling and visual impact on surrounding woodland.

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



Date

01 June 2018



# PERTH AND KINROSS COUNCIL

Mr And Mrs Jeremy Scuse  
Bell Ingram Design  
FAO Bruce Stephens  
Durn  
Isla Road  
Perth  
PH2 7HF

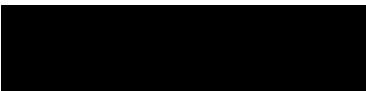
Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD


Date 4 October 2013

Town and Country Planning (Scotland) Acts.

Application Number **12/01088/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to grant your application registered on 22nd June 2012 for planning permission for Erection of a dwellinghouse subject to the undernoted conditions. One set of the relative plans, duly docquetted with reference to this approval, is returned herewith.



 Development Quality Manager

## **Conditions Referred to Above**

1. The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.
2. Prior to the commencement of any works on site precise details of all external walling, timber features and roof finishes shall be submitted for the approval in writing by the Council as Planning Authority. The approved details shall be implemented in full, to the satisfaction of the Council as Planning Authority.
3. Prior to the commencement of any works on site, precise details of the private drainage system shall be submitted for the approval by the Council as Planning Authority, in consultation with SNH. The approved details shall be implemented in full, and it is expected that the new drainage system includes the replacement of the existing private system which serves Grimmstane House, all to the satisfaction of the Council as Planning Authority.
4. Unless otherwise agreed in writing by the Council as Planning Authority or as shown on the approved plans, all trees shall be retained and adequately protected during the course of construction to a standard which is acceptable to the Council as Planning Authority.
5. Prior to the occupation of the dwelling, turning facilities shall be provided (and thereafter retained) within the site to enable all vehicles to enter and leave in a forward gear to the satisfaction of the Council as Planning Authority.
6. Prior to the occupation of the dwelling, a minimum of 2 No. car parking spaces shall be provided (and thereafter retained) within the site, to the satisfaction of the Council as Planning Authority.

7. Unless otherwise agreed in writing by the Council as Planning Authority, the dwelling shall be 'carbon negative' in terms of its CO2 emissions in perpetuity, to the satisfaction of the Council as Planning Authority. Prior to the commencement of any works on site, precise details of proposed means of monitoring the CO2 emissions (which must including details of the proposed equipment to be used, the processes proposed and timescale / frequency / format of reporting this information) which will demonstrate that the dwelling is operating as a 'carbon negative' dwelling shall be submitted for the approval in writing by the Council as Planning Authority. The approved details shall be implemented in full, to the satisfaction of the Council as Planning Authority
8. Prior to any works commencing on site, details shall be submitted to and approved in writing by this Planning Authority of the monitoring equipment and processes to be used in the development to establish levels of energy use. The details agreed shall be fully operational to the satisfaction of this Council as Planning Authority prior to the occupation of the dwellinghouse and shall be maintained thereafter. All information and data collected through this monitoring shall be provided in writing to this Planning Authority on an annual basis.
9. Unless otherwise agreed in writing by the Council as Planning Authority, the submitted wildlife and habitat management for the Grimmstane Estate are hereby approved and shall be implemented in full to the satisfaction of the Council as Planning Authority
10. Permitted development rights associated with Classes 1A, 1B, 3A and 3B of The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), or any subsequent comparable classes in future legislation relating to development within the curtilage of a dwellinghouse, are hereby revoked in full.
11. All matters regarding vehicular access(es), car parking, road layout, design and specification (including disposal of surface water) shall be in accordance with the standards required by the Council as Roads Authority.

#### **Reasons for Conditions**

1. To ensure that the development is carried out in accordance with the plans approved
2. In the interest of protecting visual amenity
3. In the interest of proper site management and in the interests of providing an environmental benefit to the local are
4. In the interest of proper site management.
- 5-5. In the interests of pedestrian and traffic safety and in the interests of free traffic flow.
7. In order to promote sustainability and to comply with aims and requirements of the Councils Housing in the Countryside Guide 2012
8. In order to promote sustainability; monitor the performance of the dwelling and to comply with aims and requirements of the Councils Housing in the Countryside Guide 2012
9. In the interest of ensuring positive environmental management
10. In the interest of protecting existing residential amenity
11. In the interests of pedestrian and traffic safety and in the interests of free traffic flow.



## Notes

- 1 This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
- 2 Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 3 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
- 4 No work shall be commenced until an application for building warrant has been submitted and approved.





Application No: 18/00012/FLL - Location of proposed dwelling from South.

Positioning of house behind island in the foreground, requiring removal of two foreground birch trees. Clad in Scots Larch, the dwelling will quickly blend into the background of the surrounding woodland.





Scale 1:100



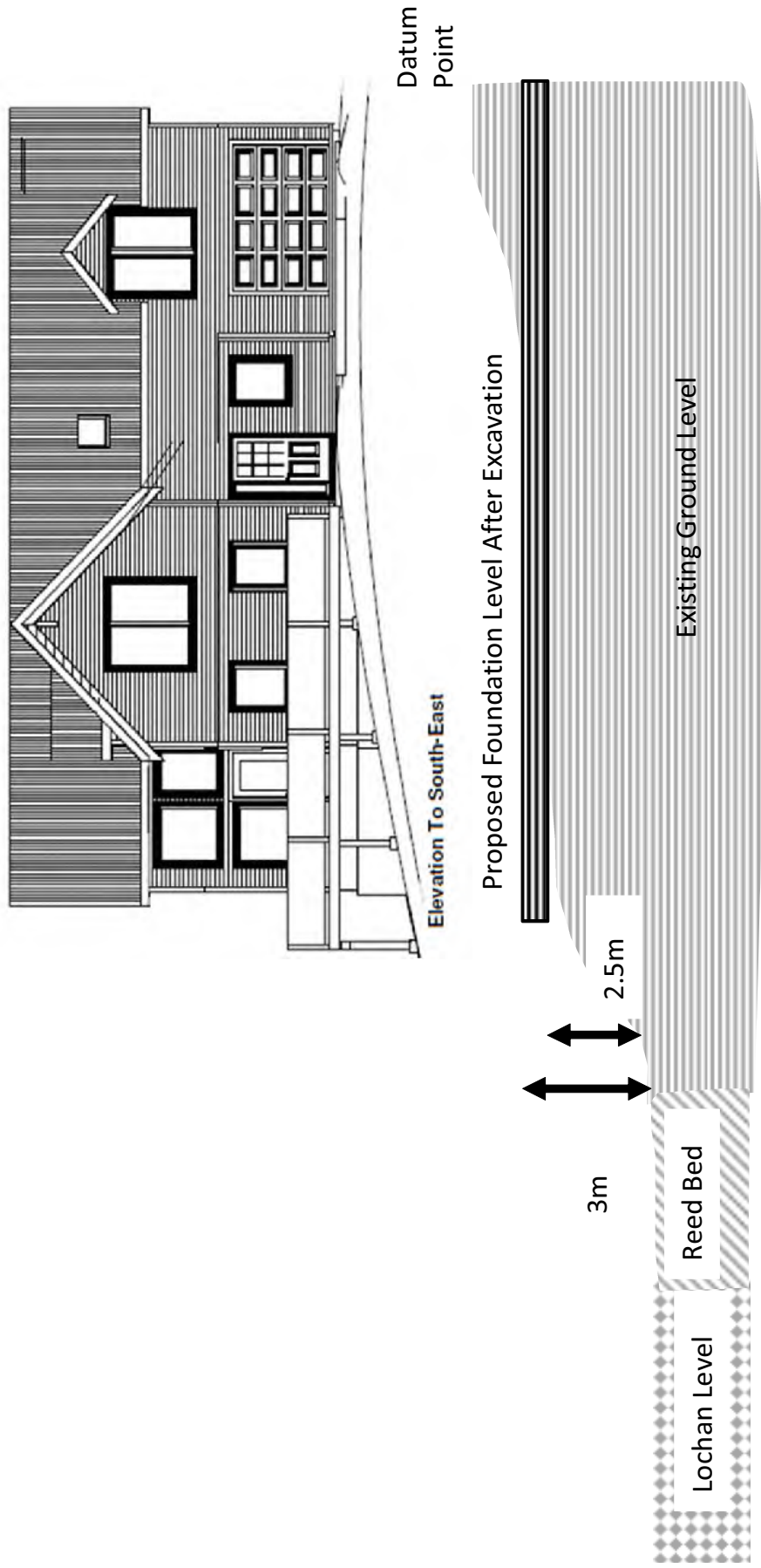
Scale 1:100 Unless Otherwise Stated

Elevations

HOUSE MODEL: Custom Type

Issue - PlangV1r0\_2017

Approved: See Scale/Issue



Grimmstane Estates  
Registered In Scotland SC 442912

**Wildlife and Habitat Management Plan in support of a Renewal  
Application for Ref. No 12/01088/FLL Erection of a Dwelling House at  
Forneth, Blairgowrie, PH10 6SW**

Wildlife and Habitat Management Plan, demonstrating Carbon Offset achieved  
through a planting program with benefits including achieving the objective of  
Carbon Negativity in Perpetuity.

## 1 Introduction

The purpose of this management plan is to develop prescriptions that improve the biodiversity and habitat at Grimmstane and brings the site into favourable condition. By so doing it will also create a carbon capture strategy by a mix of facilitating natural regeneration and planting a wider range of native species.

Although the site is not designated as a Site of Special Scientific Interest or under Natura 2000, locally it is an important and historic example of ancient native broad leaved woodland as much of the surrounding areas are predominantly pine plantations. The type of biodiversity this site supports and the wildlife it has the potential to attract is equally very important.

Therefore all work will follow current best practice guidelines and aim to meet the objectives of Scottish Natural Heritage (SNH). Overall it aims to bring together all of the various management techniques for the wildlife and habitat so they complement each other and achieves the target of improving the overall biodiversity.

## 2 The Land

### 2.1 Site Description

The site at Grimmstane is centred on grid reference NO 09234.46409, approximately 190m above sea level and 9km west of Blairgowrie, Perthshire (see Map A for Boundary Plan).

The site is positioned on a south facing gentle slope which continues to fall toward the Lunan Burn in the south, a small watercourse linking the Loch of Butterstone in the west and Loch of Clunie in the east. The landscape rises in the north to a peak at Benachally, 487m above sea level.

The habitat is birch dominated semi-natural woodland with an area of ash and alder dominated woodland. The wood is the most eastern of a group of extensive but fragmented areas of broadleaf woodland within the Lunan Valley. The site is of a similar size to other broadleaf woods within this area. Apart from a strip of woodland adjacent to the burn, the west section of the wood is not shown as wooded on old maps (1867). The existing birch stand is presumably secondary woodland.

### 2.2 Geology and Soil

This table corresponds to Map B, and identifies the geology, soil, landform and vegetation of the land on Grimmstane. All data has been taken from the Soil Survey of Scotland (Sheet 5 - Eastern Scotland).

Code	Soil Association	Parent Material	Component Soil	Landforms	Vegetation
243	Foudland	Drifts derived from slates, phylites and other weakly metamorphosed argillaceous rock	Humus-iron podzols; some brown forest soils, gleys and peaty podzols	Hills and valley sides with gentle to steep slopes; non rocky	Arable and permanent pastures, dry boreal heather moor, acid bent-fescue grassland
274	Gourdie /Callender/ Strathfinella	Drifts derived from acid metamorphic rocks and Lower Old Red Sandstone sediments with igneous rocks	Brown forest soils, brown forest soils with gleying; some humus - iron podzols and gleys	Undulating lowlands and foothills with gentle and strong slopes	Arable and permanent pastures, acid bent fescue grassland and oak and birchwood
497	Strichen	Drifts derived from arenaceous schists and strongly metamorphosed argillaceous schists of the Dalradian Series	Noncalcerous gleys, humic gleys, some peaty gleys and humus-iron podzols	Undulating lowlands and valley sides with gentle and strong slopes, non rocky	Rush pastures and sedge mires, arable and permanent pastures and acid bent-fescue grassland



### 3 Habitat Condition Assessment

#### 3.1 Existing Habitat

The open canopy is dominated by birch with a sparse understorey and a grass dominated field layer. Throughout the wood there are areas of rush dominated marshy grassland with no canopy cover. The woodland towards the east adjacent to the burn is composed of an ash/ alder canopy with a rowan and hazel understorey. The field layer by the burn is species rich with sanicle, early purple orchid and both melick grasses all notable species. Several fern species also feature with beech fern occasionally dominant on the shaded bank sides.

An area of alder dominated woodland towards the south east of the site has two distinct field layer types, with a grass and fern dominated field layer adjacent to the ash woodland and a larger rush dominated area to the east. There are several areas of planted broadleaves in tubing. Ground flora under the planted areas is species poor with some bare ground. Towards the north east there is an area of acid grassland with scattered gorse. At the foot of the steep gradient below this grassland lies an artificial pond with marginal vegetation and a small vegetated island. On the northwest side of the pond there are areas of flushed grassland with *Carex* species and bryophytes. Towards the east of the pond there is a small burn. Towards the southeast, adjacent to Grimmstane, the field layer is dominated by dryopteris ferns with foxglove occasional.

Regeneration of birch is limited, oak seedlings are infrequent with ash regeneration frequent under the ash canopy. Natural regeneration is mainly inhibited by the dominant grass layer. Grazing and browsing pressure is limited as a deer fence surrounding the woodland limits access to fallow deer, rabbits and roe deer.

The wood is of note due to the limited number of non-native species in the canopy. The strip of ash woodland is of note due to the species richness of the ground flora and the naturalness of the woodland. The dominant species of birch has tentatively been identified as *Betula pubescens*, this species is recognized within Perthshire as supporting a larger number of associated invertebrates than *Betula pendula*.

#### 3.2 Compartment Descriptions

The compartment descriptions are illustrated on Map C in the appendix.

##### 3.2.1 Compartment 1 - 15.4 hectares

Birch dominated semi - natural woodland with grass dominated field layer. The woodland has a open canopy of even aged birch with hawthorn, bird cherry and grey willow rare in a sparse understorey. Field layer with the grasses *Festuca rubra*, *F. ovina*, *Holcus lanatus* and *Anthoxanthum odoratum* dominant. Flowering herbs in dry grassland mostly common acid woodland types. *Trientalis europaea* occasional. Unwooded areas of *Juncus* dominated marshy grassland are floristically the most diverse areas within this compartment.

Un-wooded areas facilitate clearance for power line. Acid grassland with scattered scrub dominates. Small area of grassland with some base indicators. Acid grassland with *Deschampsia flex*, *Nardus stricta*, *Anthoxanthum odoratum* all abundant. Areas of scattered scrub with abundant *Ulex europaeus*, *Crataegus monogyna* and *Prunus spinosa* rare.

Broad strip of ash dominated semi-natural woodland adjacent to watercourse. The woodland towards the north features a more mixed canopy with *Betula pubescens*, *Fraxinus excelsior* and *Sorbus aucuparia*, with *Fraxinus excelsior* saplings and *Crataegus monogyna* in the Understorey. This area of mixed woodland extends approximately 25 feet towards the south where *Fraxinus excelsior* becomes dominant in the canopy with occasional *Alnus glutinosa*. Understorey in the ash dominated area with *Sorbus aucuparia*, *Prunus spinosa*, *Crataegus monogyna* and *Ilex aquifolium*.

Species rich field layer with sanicle and early purple orchid. Both melick grasses occasional towards the north of compartment. Fern species dominate the steeper sides of the bank with mountain fern and beech fern locally dominant. Moss and liverwort species occasional. Ash seedlings frequent.

Alder dominated woodland with birch and ash occasional on a south facing moderate slope. Towards the west the field layer is composed of *Deschampsia cespitosa* and *Holcus lanatus* with ferns abundant. Understorey with *Sorbus aucuparia* and *Salix* sp. rare. Understorey also features a blackthorn thicket and occasional dog rose. Limited number of flowering herbs in field layer. Towards the east the field layer is rush dominated marsh with associated flowering herbs. Some sphagnum present. Ash regeneration rare.

Man made pond, created 25 years ago. Raised bank on south side of the pond with low growing grasses and herbs. Vegetation on south side includes number of flowering herbs and rush species. Individual plants covered seem unaffected by grazing. Willow trees on raised south bank. Bulrush fringes the pond on the north side with a small vegetated island with willow species and flowering plants towards the northwest. Steep ground above the north side flushed with moving water with rushes, sedge and marsh species.

### 3.2.2 Compartment 2 - 0.6 hectares

Substantial area of planted woodland. Ash and birch most commonly planted with oak, Scots pine, larch and sweet chestnut rare. All planted trees with protective tubing. The field layer is composed of bare ground with a sparse cover of grasses and ferns with flowering herbs rare. Oak fern rare. Ash, birch and oak seedlings rare.

Un-wooded areas facilitate clearance for power line. Acid grassland with scattered scrub dominates. Small area of grassland with some base indicators. Acid grassland with *Deschampsia flex*, *Nardus stricta*, *Anthoxanthum odoratum* all abundant. Areas of scattered scrub with abundant *Ulex europaeus*, *Crataegus monogyna* and *Prunus spinosa* rare.

Broad strip of ash dominated semi-natural woodland adjacent to watercourse. The woodland towards the north features a more mixed canopy with *Betula pubescens*, *Fraxinus excelsior* and *Sorbus aucuparia*, with *Fraxinus excelsior* saplings and *Crataegus monogyna* in the Understorey. This area of mixed woodland extends approximately 25 feet towards the south where *Fraxinus excelsior* becomes dominant in the canopy with occasional *Alnus glutinosa*. Understorey in the ash dominated area with *Sorbus aucuparia*, *Prunus spinosa*, *Crataegus monogyna* and *Ilex aquifolium*.

## 3.3 Phase 1 Habitat Descriptions

This section describes the habitats identified at Grimmstane and relate to Map D.

### *A3.1 Broad-leaved Scattered Trees*

Scattered broad-leaved trees either planted or naturalised were found where open glades and man-made areas such as garden or boundary features were present. Species included birch, oak and alder.

### *A3.2 Coniferous Scattered Trees*

Scattered, mature coniferous trees were recorded and included individual examples of larch and Scots pine located adjacent to the pond, within dense scrub and along boundary features.

#### *Al.1.1 Semi-natural Broad-leaved Trees*

The landscape character of the site comprises broad-leaved deciduous woodland and as such a number of semi-natural broad-leaved trees are present. The largest concentrations of these were found in the north-eastern aspect of the site. Semi-natural tree species comprise mainly oak, ash and birch.

#### *Al.1.2 Broad-leaved Plantation*

The site has been afforded a large element of supplementary planting of broad-leaved deciduous trees which serves to define the dominant habitat type at Grimmstane. The plantings vary in age and form

providing diversity in woodland structure as well as species richness. It is likely that the site has been historically managed as a timber resource, perhaps through the silvicultural practice of coppice. This is suggested by the number of even aged mature trees positioned at relatively even spacing's. Planted tree species commonly include oak, willow and field maple.

#### *A2.1 Dense Scrub*

The site comprises three areas of dense scrub including the non-native invasive species *Rhododendron ponticum*. Elsewhere, dense scrub comprises gorse and bracken which serves to add structural diversity to the ground and field layer of the woodland.

#### *A2.2 Scattered Scrub*

Two areas of scattered scrub were identified at Grimmstane comprising irregular patches of gorse and bracken which add structural diversity to the ground and field layer of the woodland.

#### *B2.2 Semi-improved Neutral Grassland*

Tussock forming grasses (e.g. tufted hair grass) are prevalent in the understorey throughout. Four distinct areas dominated by semi-improved neutral grassland were identified. Grassland species were dominated by cocksfoot, wavy-hair grass and common bent. These areas constitute open glades which are an important feature of woodland habitats, providing edge effects, encouraging natural regeneration and variations of incident light penetrating the woodland canopy.

#### *B5 Marshy Grassland*

Two areas of marshy grassland were identified in an area located north-west of the main waterbody. Drainage here is minimised and as a result the soil has likely formed a semipermeable layer, allowing species such as soft rush and tufted-hair grass to thrive and dominate.

#### *Cl.1 Continuous Bracken*

Two areas of continuous bracken are present at Grimmstane. These serve to increase structural diversity of the ground layer of the over-arching woodland habitat.

#### *G1 Standing Water*

Forming the main waterbody within the site boundary, the pond extends to 2.1 ha including a small island. The pond is fed by a burn entering in the northwest corner and it is drained by a burn exiting in the south-east. The banksides are dominated by woodland and grassland habitats. The depth and nutrient status of the burn are unknown. Aquatic and marginal plant species were observed and comprise bulrush and broadleaved pondweed.

#### *J1.2 Amenity Grassland*

A small area of amenity grassland, forming a private garden, extends south from the existing dwelling at Grimmstane.

#### *J3.6 Building*

The site currently includes an occupied dwelling with a nearby outbuilding. These buildings are accessed via an existing road entering and exiting the site from the south-east.

### **3.4 Linear Features**

The majority of the site is encapsulated by a post and wire deer and stock fence. Although generally in a functioning condition along most of its length, the occasional grazing deer enter the woodland before being culled.

Stone walls were identified within the east aspect of the site running laterally from north to south. These likely delineate traditional farming boundaries of the agricultural improvement era and can provide a valuable habitat for invertebrates, reptiles, mosses and lichens.

The site is dissected by fast flowing, narrow minor issues with shallow depth and occasional slight meander. The issues flow north to south, and discharge into the Drouthy Burn, which delineates the west site boundary.

The Drouthy Burn varies in width between 2m to 4m wide. It has fast to torrential flow as it follows a steep course down to its confluence with the Lunan Burn. The Drouthy Burn substrate is characterised by bedrock, boulders and cobbles with gravels and coarse sand deposits in small pockets where the flow lessens. Both banks are lined with mature deciduous trees including oak, birch and alder. The bank sides are steep in places and the burn flows through short gorge sections with small waterfalls.

## 4 Special Interests

Grimmstane is designated as a Site of Nature Conservation Interest. The prescriptions and targets within this management plan focus on bringing the area into favourable condition at the end of the initial five year agreement. There are a number of key habitats and species that have been identified on the site which are subject to UK and Local Biodiversity Plans. These include:

### Habitats

#### Rivers and Streams

The site is also situated in the Lunan Valley Catchment Area (LVCA) which is an environmentally sensitive area. Lochs Clunie and Marlee and other lochs in the Lunan Burn catchment have been the subject of an SNH management scheme to reduce nutrient run off to improve water quality. They are also limiting large scale soil erosion which could be a major setback to that work. Therefore all prescriptions will ensure that the aims of SNH are adhered to.

#### Standing Open Water

Standing open water is of great importance to wildlife. Around 3,500 of the UK's invertebrate species live in freshwater and up to half of these occur in ponds. Over two thirds of Red Data Book invertebrates occur in ponds, as do 300 species of vascular plants, including half the UK's wetland plants. Larger water bodies are of particular importance for bird life. Water bodies are commonly fringed by other important wetland habitats such as reedbed, fen, marshy grassland and wet woodland or carr, which are covered in other action plans.

#### Ancient Broadleaved Woodland

Ancient woodland is usually defined as land that has been continually wooded since at least 1600AD. They should be sites rich in wildlife and they support a huge range (including more threatened species than any other UK habitat. Nearly 50 per cent of the ancient woodland that survived until the 1930s has since been lost or damaged by agriculture, development or planting by non-native conifers.

According to the UK's Biodiversity Action Plan in the last 100 years, 46 broadleaf woodland species have become extinct in the UK. In addition, most of the ancient woodland that remains is fragmented, eight out of 10 ancient woods are less than 20 hectares (50 acres) in size and nearly 50 per cent of ancient woods are less than 5 hectares (13 acres). In addition, 85 per cent of the ancient woodland that remains has no legal designation.

### Species

#### Red Squirrel

The red squirrel is highly valued by the people of Scotland and by visitors, and is seen by some as one of Scotland's 'iconic' species. It is also one of the most threatened mammals in the UK. The population in Scotland is thought to be around 120,000 animals. Because of marked losses from the rest of the UK, this represents an ever-increasing proportion of the UK population of red squirrels - at least 75% at the last estimate.

The red squirrel is listed on Appendix III of the Bern Convention and is protected by Schedules 5 and 6 of the Wildlife and Countryside Act. It is a Species Action Plan species under the UK Biodiversity Action Plan and has been identified as a species of conservation concern in the Scottish Government's Species Action Framework.

## 5 Management Agreements

Grimmstane is very proactive in trying to conserve and enhance its woodland and is keen to implement sympathetic management to ensure that there is limited damage through daily operations. This plan aims to identify additional areas that can be targeted to further limit any damage and also reduce the ongoing threat to biodiversity. The estate is currently involved in a number of schemes.

### 5.1 Scottish Forestry Grant Scheme

Roughstones Wood which is the north section of the ancient Croft Wood is part of the site within Grimmstane. It was awarded funding on 28th August 2003 for a SFGS contract. The contract operations included reducing deer numbers, conserving native woodland and restoring areas of native woodland through planting.

As a result of this funding, the deer fence was erected around the periphery of the site to eliminate the resident fallow deer population. There was also native planting carried out to try and achieve an overall stocking density of 1100 stems/hectare. This was split by 45% Oak, 45% Ash and 10% shrubs consisting of hazel and hawthorn to provide structural diversity to improve woodland biodiversity.

### 5.2 Rural Development Contract

On 1st January 2012, Grimmstane was awarded a Rural Development Contract through the Scottish Rural Development Programme for the control of grey squirrels. There has been a significant increase in the number of greys on the site and they are threatening the native red squirrel population. As part of the contract live capture traps are being deployed across the site under a formal trapping regime.

The trapping regime operates on a rotational basis ensuring that all areas having high grey density will be regularly targeted using 10 traps over 5 sessions (10 days each) thus denying grey squirrels the opportunity to re-establish ground. The contract period extends for five years.

## 6 Existing Management of the Land

The current owners have made initial investments in the management of the woodland since purchasing the site. It was under their ownership that the deer fence was erected and the extensive planting was carried out to try and improve the structure of the woodland.

One of their main aims is to increase the biodiversity of the site and their previous management strategies include a feeding programme for red squirrels, re-homing hedgehogs and red squirrels through the SSPCA and planting the periphery of the manmade pond with wildlife friendly vegetation. With additional resources and time they now wish to engage with a significant number of new prescriptions to increase the level of biodiversity further.

## 7 Prescriptions

### 7.1 Woodland Planting

#### Objectives

The woodlands are a significant part of the native forest network in the area. Due to the drainage issues in some areas and the predominant grass layer, the natural woodland structure does not fully represent native broad leaved woodland.

In order to enhance the woodland, a strategy has been devised to facilitate natural regeneration by managing competition from grass species together with a planting program of native broad leaf species. This will not only improve species and structural diversity, but also improve the overall biodiversity of the woodland.

### Strategy

The woodland planting will be split into two specific groups depending on the level of drainage available to ensure their success. The wetter areas are at the heart of the site and predominantly situated along drain courses. The dry areas are predominantly on the fringes of the site and to the east. These areas consist of the following species:

- Wet Areas - Alder, Willow & Downy Birch
- Dry Areas-Oak & Ash

It is estimated that approximately 1200 trees will be required across the site and will be planted predominantly by the owner, but with some additional help from an external contractor. This should result in approximately 900 stems/hectare.

### Timescale

The initial planting will be carried out in 2018/9. As it is anticipated that some saplings may fail to plan for this, time has been allocated in the subsequent four years to replace these and possibly to identify areas where more planting could be carried out.

#### 7.1.1 Carbon Offset

One of the biggest advantages of planting these additional trees is the carbon offset that can be anticipated. Based on the assumption that 1600 NBL trees will be planted over 2 years and each tree starts by absorbing on average 7kg per annum of CO<sub>2</sub> as a sapling, which stabilises at 20 kg per annum after 10 years. Allowing for a 40% loss of original plantings, the following calculation of CO<sub>2</sub> offset in the first decade can be made:

Age of Trees (Years)	1	2	3	4	5	6	7	8	9	10
Kg CO <sub>2</sub> Absorbed /Tree p.a.	6	7	8	9	10	12	13	15	18	20
<b>No Trees Planted in Yr 1</b>	<b>800</b>									
% Dieback p.a.	10%	10%	10%	5%	5%	3%	3%	3%	3%	3%
Remaining Trees Planted In Year 1	<b>720</b>	<b>648</b>	<b>583</b>	<b>554</b>	<b>526</b>	<b>511</b>	<b>495</b>	<b>480</b>	<b>466</b>	<b>452</b>
KGs CO <sub>2</sub> Absorbed by Trees p.a.	4,320	4,277	4,426	4,836	5,283	5,893	6,574	7,333	8,181	9,125
<b>New Trees Planted Year 2</b>		<b>800</b>								
% Dieback p.a.		10%	10%	10%	5%	5%	3%	3%	3%	3%
Remaining Trees Planted In Year 2		<b>720</b>	<b>648</b>	<b>583</b>	<b>554</b>	<b>526</b>	<b>511</b>	<b>495</b>	<b>480</b>	<b>466</b>
KGs CO <sub>2</sub> Absorbed by New Trees p.a.		4,320	4,277	4,426	4,836	5,283	5,893	6,574	7,333	8,181
<b>Total Tonnes CO<sub>2</sub> Absorbed P.A.</b>	<b>4</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>14</b>	<b>16</b>	<b>17</b>
<b>Cum Tonnes</b>		13	22	31	41	52	65	79	94	111

Average carbon footprint per person in Scotland = 10 Tonnes / year

## 7.2 Deer Management

### Objectives

To minimise incursions of fallow and roe deer from the neighbouring ground.

### Strategy

Regular maintenance of damage to the fence due to falling branches and deer activity continues to be a priority. It is likely that even though the fence is maintained, from time to time there will be a number of deer on the site. A specialist contractor is used to cull the deer whenever they are noticed.

### Timescale

Fence maintenance and deer management is ongoing.

## 7.3 Drainage

### Objectives

The site has become waterlogged in some areas due to poor drainage which has resulted in the failure of some trees. In order to plant the required number of trees as outlined in the planting prescription, then some areas in the site will be drained.

### Strategy

There are a number of major drains that run through the site and feed into the Droughty Burn. These have become blocked with vegetation and silt and need to be cleared. In order to do this a small digger will be required on areas of the site that are accessible to dig out the sediment and allow the water to drain freely. In the areas where there is limited access, drains will need to be dug out by hand which will be a necessary but labour intensive process. In total there is estimated to be 600m of drains that require clearance.

### Timescale

The majority of the clearance of the drains will take place in the first two years. However, a continual programme of maintenance will need to be employed in subsequent years as a preventative measure to stop the drains from blocking again. The manual work will be carried out by the owner, with some assistance from a contractor for the more major work.

## 7.4 Control of Non-Natives

### Objectives

The site is designated as a Site for Conservation Interest due to its native and in some places ancient woodland. There has been a significant incursion of invasive non-native species on the site that are battling with native species for resources. Targeted eradication and control of the non-native species will help protect designated sites, Biodiversity Action Plan priority species and habitats. The species include grey squirrels, rhododendron and Himalayan balsam.

### Strategy

The following methods of control will be employed for each species:

**Grey Squirrels** The chief threat to red squirrels is the introduced grey squirrel. In most habitats, ecological competition from the larger, more adaptable grey squirrel means that when the two species come into contact, grey squirrels normally displace red squirrels within 10-12 years. Grey squirrels can also carry the squirrelpox virus, which is lethal to red squirrels. Local red squirrel populations can be lost within a year in the presence of squirrelpox. Through the SRDP, funding has been awarded to execute a formal trapping regime using ten live capture traps across the site for a minimum of five sessions of 10 days per annum. This will eradicate grey squirrels within five years.



Rhododendron Ponticum	Due to the site being situated in the Lunan Catchment eradication through spraying is not an option. Manual control will therefore be used. This involves the manual cutting and burning of Rhododendron. All Rhododendron plants will be cut as low as possible to the ground to ensure that minimum re-growth occurs. Subsequent operations will ensure that no re-growth results from flailed stools, this includes manual clearance.
Himalayan Balsam	<p>SNH has started a 3 year project to control Himalayan balsam in the catchment of the Lunan Burn, a tributary of the River Tay in Perthshire and this has included work done by specialist contractors within the site.</p> <p>The plant is attractive but highly invasive along river banks, loch shores and in wetlands. It can swamp native vegetation but then when it dies back in winter it leaves bare soil which is susceptible to erosion during flooding. It has been found in small quantities along the Lunan Burn upstream of Lochs Marlee and Clunie, both part of internationally important wildlife sites. Cutting and monitoring will be repeated annually by the owners and SNH contractors throughout the period of the plan until no more growth occurs. Any germinating seedlings will be pulled up. The roots will be pulled up with the plant where appropriate to avoid erosion.</p>



### Timescale

The initial cutting of the Rhododendron Ponticum will occur in the first year with annual control in each subsequent year. The Himalayan Balsam has been controlled for the past 3 years, with the most intensive management between February and April when the plant is growing but has not yet flowered. The grey squirrel control effort is consistent throughout the duration of the Rural Development Contract. The work will all be carried out by the owner.

## 7.5 Increase in Biodiversity

### Objectives

Woodlands with native plants, well developed vertical layers and links with plant and animal breeding populations support the highest numbers of plants and animal species. Unfortunately, remaining woodland is often not natural. Modern agricultural practices and land development make the replacement and continued existence of natural woodlands possible only with careful management. With biodiversity as a management goal, therefore, the site will be managed to stimulate the lost woodland habitat as closely as possible.

### Strategy

There are a number of strategies that will be employed to achieve this, in conjunction with all of the other prescriptions:

- Planting of food sources for birds (blackthorn, hawthorn, common dogwood, alder)
- Thinning of existing woodland
- Leaving dead wood for Invertebrates
- Putting up boxes for owls
- Putting up boxes for bats
- Feeding resident red squirrel population
- Re-home hedgehogs

### Timescale

All of these strategies will be consistently employed over the course of the plan but the majority of the planting of food sources for birds will occur in the first year. The work will all be carried out by the owner.

## 7.6 Vermin Control

### Objectives

Control of some mammal and bird species is already undertaken on the estate under the Open General License. Following erection of the deer fence, the number of ground nesting birds and other key species has increased so predator control will be carried out across the estate.

### Strategy

All mammal and bird control will be carried out in a legal and humane manner and will comply with the British Association of Shooting and Conservation (BASC) Codes of Practice on Shooting, Trapping of Pest Mammals and Trapping of Pest Birds.

### Timescale

The vermin control will be carried out by the owner and will correspond to the timings in the table below.

**7.6.1 Proposed Control Effort**

Species	Control Method	Period of Activity	Average no of Days/ month control undertaken
Fox	Shooting	Jan –Dec	5
Crow	Trapping	March – May	5
	Shooting	Jan –Dec	5
Stoat	Trapping	Jan – Dec	5
	Shooting	Jan – Dec	5
Weasel	Trapping	Jan – Dec	5
	Shooting	Jan – Dec	5

**7.7 Environmental Education****Objectives**

During the course of the plan the site will undergo significant development and it is hoped by the end of the five years that there will be a quantifiable increase in biodiversity. Due to the nature of this project it appears to be an excellent source for environmental education, allowing children the opportunity to study plants, animals and habitats in a safe and unique habitat.

**Strategy**

With the help of SNH and Perth and Kinross Council, a number of schools and youth groups will be identified that would benefit from environmental education. It is envisaged that these children will not be from a rural background, but from towns and cities. Initial contact with the New School at Butterstone has already been made.

A programme will be developed between the owner and the school/group that best suits the age group of the children. This could include the following:

- Red squirrel survey - visual sightings, food evidence, drey counts
- Pond dipping for invertebrates
- Tree identification
- Bird survey & identification

There will be provisions required for health and safety but these again will be determined between the owner and school/group prior to a visit.

**Timescale**

There is already plenty of opportunity on the site to begin visits, but the first year will concentrate on identifying and building relationships with schools/group and finalising the H&S before conducting visits in subsequent years.

## 8 Summary Work Programme

The below table illustrates the required man hours on site each year for each of the prescriptions in the previous section. These include the hours required by contractors to complete the larger jobs.

Prescription	Year of Work									
	2017		2018		2019		2020		2021	
	Estate	Contractor	Estate	Contractor	Estate	Contractor	Estate	Contractor	Estate	Contractor
Woodland Planting	160	50	24	0	24	0	24	0	24	0
Deer Management	125		40	0	40	0	40	0	40	0
Drainage	210	20	48	8	48	8	48	8	48	8
Control of Non-Natives	325	0	180	0	180	0	180	0	180	0
Increase Biodiversity	175	0	60	0	60	0	60	0	60	0
Vermin Control	120	0	60	0	60	0	60	0	60	0
Environmental Education	25	0	25	0	25	0	25	0	25	0
Total Hours	<b>1140</b>	<b>70</b>	<b>437</b>	<b>8</b>	<b>437</b>	<b>8</b>	<b>437</b>	<b>8</b>	<b>437</b>	<b>8</b>
Total Days*	<b>142.5</b>	<b>8.5</b>	<b>54.6</b>	<b>1</b>	<b>54.6</b>	<b>1</b>	<b>54.6</b>	<b>1</b>	<b>54.6</b>	<b>1</b>

\* No of days are calculated using the assumption that an 8 hour day is worked by one person

## 9 Constraints

There are a number of constraints on the site that may affect the prescriptions in the management plan. Unfortunately most of these constraints are outwith the control of the current owner:

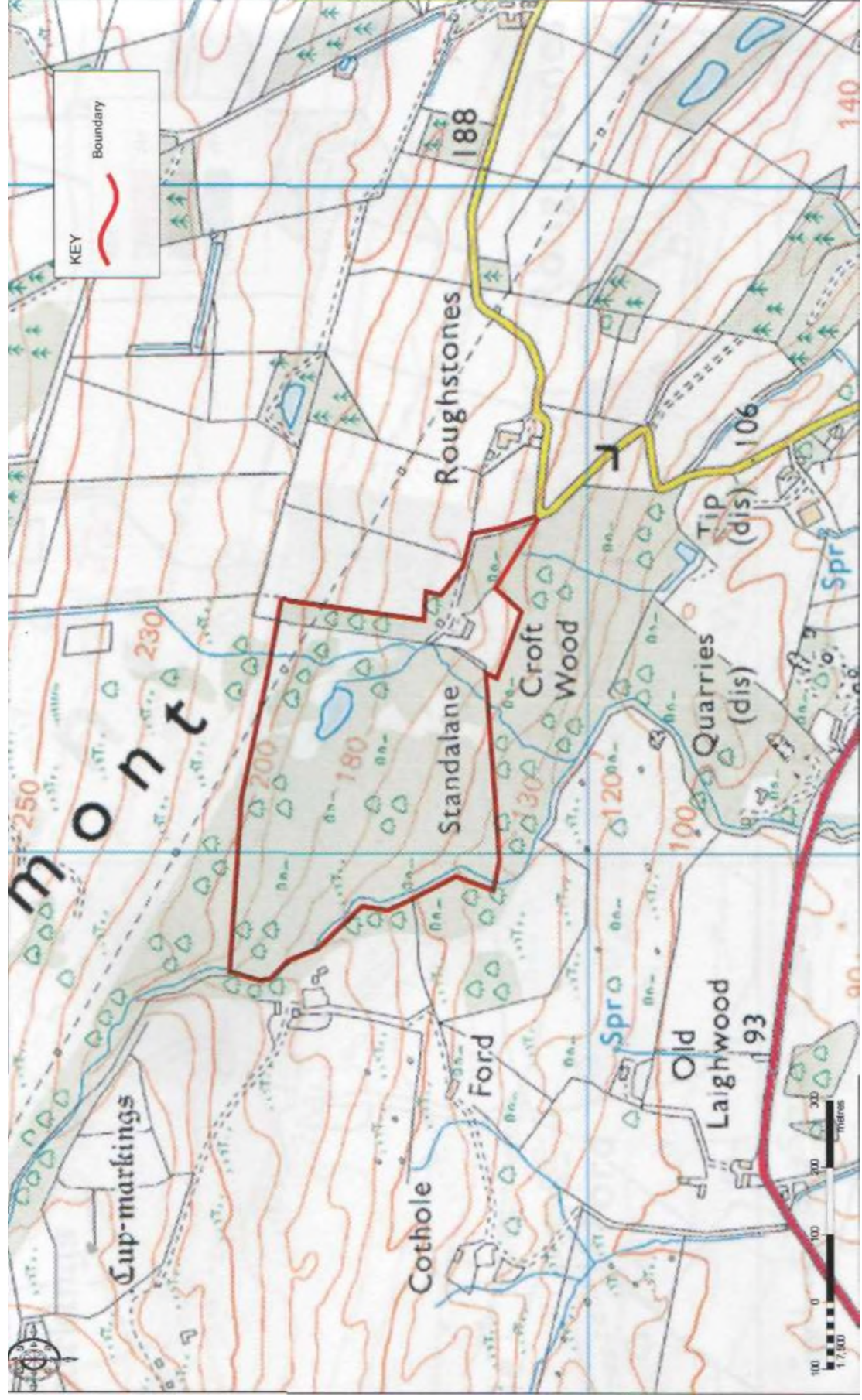
- The lack of tracks onto the site makes access to carry out management difficult and time consuming e.g. deer carcass removal and timber removal.
- The aspect of the site makes it prone to wind damage in the event of storms which it has witnessed in the past two years.
- There are resident deer populations on the neighbouring estates surrounding the site and they will take advantage of any weaknesses in the fence to gain access.
- Historically the site has seen a large increase in the number of raspberry canes develop due to them blowing in from nearby fruit farms.

## 10 Monitoring and Recording

All monitoring and recording will be carried out by the owners. Additional help may be requested from third parties to assist with further habitat surveys and condition assessments. The monitoring and recording that will be carried out is:

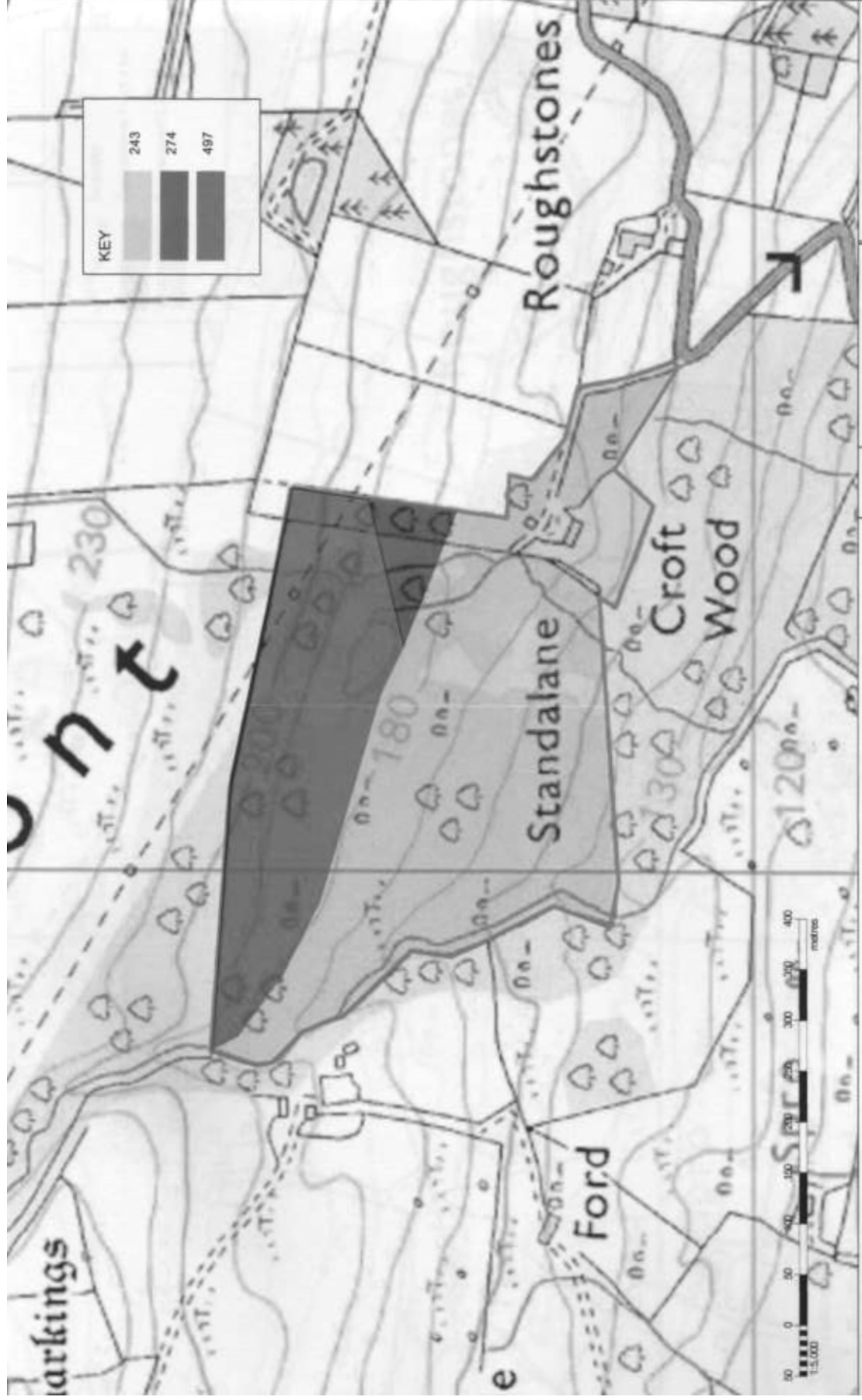
- Deer management - number and location of animals shot to be recorded.
- Grey Squirrel control - number and location of animals trapped/shot is recorded using RDC on line forms.
- Vermin - number of animals shot/trapped to be recorded.
- Photographic diary of key places on the site, taken on an annual basis.

Map A – Boundary Plan

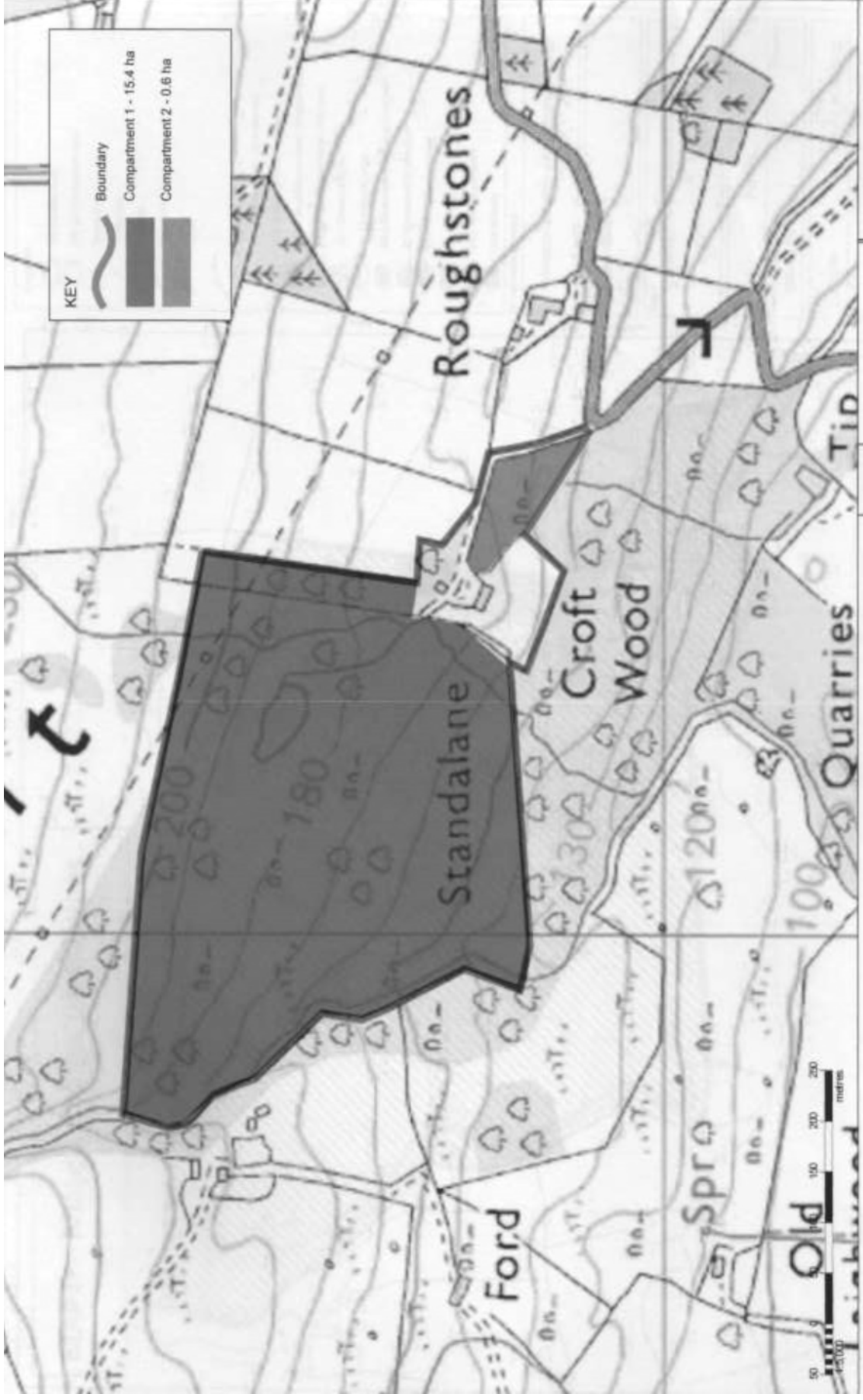


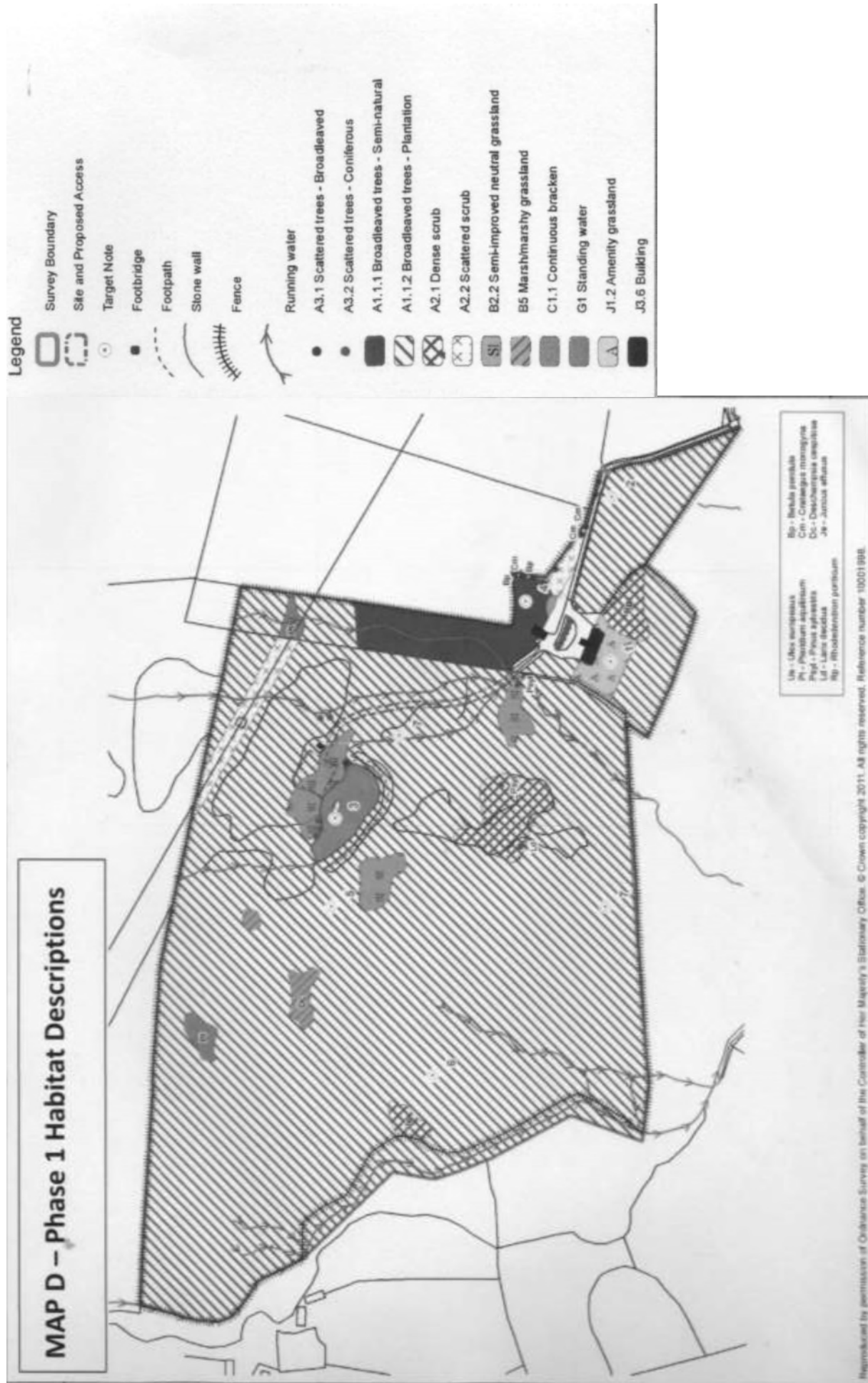


Map B – Geology & Soil



Map C - Compartments







**Planning Justification in support of a Renewal of Application**

**Ref. No 12/01088/FLL**

**Erection of a Dwelling House at Forneth, Blairgowrie, PH10 6SW**

Site and Building Plan demonstrating proposed technologies to achieve a Carbon Zero property which combined with a Landscape Management plan will achieve Carbon Negativity in Perpetuity.

Grimmstane Estates Ltd

Registered In Scotland SC 442912

04 January 2018

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## Summary

This renewal application refers to an original application granted under terms (See Appendix 1) including this key requirement:



Unless otherwise agreed in writing by the Council as Planning Authority, the dwelling shall be 'carbon negative' in terms of its CO<sub>2</sub> emissions in perpetuity, to the satisfaction of the Council as Planning Authority.

Carbon negativity in perpetuity shall be achieved under this application in two ways detailed on the following pages:



First the dwelling itself: The enclosed SAP calculations (full 23 page analysis is available if required) demonstrates that the house has a negative carbon impact with -0.3 tonnes of carbon dioxide emissions per year.



They also show that the building will achieve A ratings for both its Energy Efficiency and its Environmental Impact, scoring five stars for almost all of its environmental performance. This will be achieved through the use of a combination of technologies, including water sourced heat exchange, high value insulated walls and roofing spaces, mechanical air heat recovery, photovoltaic solar panels, hot water recycling and triple glazed windows.



Finally the planting of 1600 trees in the surrounding woodland will, over a decade, absorb a cumulative total of over 100 tonnes of CO<sub>2</sub>, with a continuing annual saving of some 20 tonnes.

## Section 1- Background

In June 2012 Bell Ingram submitted a proposal on behalf of Mr & Mrs Scuse, to erect a Carbon Neutral property which together with an associated land management plan, would create a Carbon negative “in perpetuity” project in keeping with local and national planning guidelines.

In October 2013 planning permission was granted (Ref. No 12/01088/FLL) with conditions shown in Appendix 1. For reasons of finance and family bereavement, Mr & Mrs Scuse were unable to further the project until now and consequently the original permission ran out in October 2016.

This renewal application is based on the same planning and environmental principles as those which obtained the original permission, but seeks to update the proposed property design and utilise the latest technologies to achieve the carbon emission targets and so maintain it’s “pilot project” nature.

The woodland area in which the new dwelling will be built extends to forty five acres and is the subject of an accompanying Management Plan. The site chosen for the new dwelling lies on the north bank for a small man made lochan, into which flow streams running down from farm land to the north.

### SNH & SEPA

SEPA and SNH have a goal of reducing phosphorous discharge from septic tanks and run off from farms in the Lunan Valley and specifically into the 5 Lochs (which are designated SSSIs). We can confirm that in discussions with SNH and SEPA, it has been agreed that phosphate reduction sewage treatment plants will be installed in the new dwelling and in the existing dwelling.

Therefore this proposal will create betterment in terms of treatment of foul drainage.

Since the land in question was not presently a designated site, SNH would not be required to comment under any statutory procedures (planning or otherwise). However, they have provided advice and information which has been incorporated into the Land Management Plan.

## Site Plan

The site (shown in yellow) is within the area of land covered by the Management Plan, (green boundary) which as part of Croft Wood is classified as a Site of Nature Conservation Interest. Part of the woodland is scheduled as ancient woodland of semi-natural origin and in part long established of plantation origin.



The location of the house and access road have been carefully chosen to minimise the number of trees removed to construct the dwelling place and it's new access road. Any trees removed will be largely common species such as ash, birch and willow and will be more than compensated for by the number of native oaks, ash, blackthorn and other native plants that will be planted as shown in the accompanying Land Management Plan.

The house site itself is an existing clearing within the woodland on the northern side of the man-made lochan comprising of a gentle south facing slope down towards the lochan. The area identified as the actual clearing for the house is approximately 300m<sup>2</sup>. The site is immediately enclosed on three sides by mature woodland and on the fourth side by the man made lochan and then mature woodland providing a well-established landscape framework for the proposed house.



The surrounding woodland landscape and the physical distance to neighbouring land owners, mean the proposed house will not be visible out with the immediate site area. As the site sits on the northern slope of the Lunan Valley, well below the ridge line, the proposed house will not break the skyline when viewed from anywhere out with the site, including from across the other side of the Lunan Valley.

## The Design Proposal

The proposal involves the construction of a new highly energy efficient eco-friendly dwelling which has been individually designed to relate to its context. The design will have a minimal impact on the surrounding environment, not only from its construction and siting but over the buildings lifetime. To this end, the building has been designed and orientated to maximise the potential of renewable technologies and operational efficiency.

### Heating

#### Water Sourced Heat Pump



Water sourced from the Lochan to provide ground floor underfloor heating below engineered timber flooring, with further under floor piping on the top floor. The unit would be large enough to supply Domestic Hot Water.

Water source heat pumps are between 300-500% efficient, compared to condensing boilers which are 98% efficient, so every 1kw of energy input generates an output of 3kw to 5kw. An open loop system will be used where water is extracted from the lochan, flows around the heat exchanger and is then discharged. As there are no pipes to absorb the energy from the lochan there is no temperature drop through the pipe, making Open loop systems more efficient than closed loop systems and so having lower energy costs.

Water has a high capacity to hold heat in relation to its volume; it readily absorbs heat and readily delivers it. The thermal capacity and thermal inertia of water enables it to retain some of the solar heat gained in the summer through to the winter.

A dwelling of 200m<sup>2</sup> floor area built to current standards has a space heating demand of @ 55kWh/m<sup>2</sup>/yr, so for 200m<sup>2</sup> = 11,000kWh per year. In addition domestic hot water (DHW) requirement for two people living in the house = 3,000kWh.

At COP 5, an open water sourced heat pump could deliver 14,000 kWh for 2,800 kWh of electricity or 20% of the normal energy use.

#### Heat Recovery Ventilation System

A mechanical heat recovery system with optional additional heating will be used. One example is the Genvex Combi 185 S which provides heat recovery ventilation, domestic hot water and additional heating. The unit has a 600 x 664 mm footprint and stands 2,014 mm high. F7 Pollen filters clean the fresh air before introducing it into the building. It is powered by EC motors that

run at a typical consumption of only 93 Watts in total creating a Counter Current Heat Exchange Matrix with up to 95% heat recovery.

### Reclaiming Heat from Waste hot water

Hot water from showers, sinks and baths will be collected and used to either pre-heat water or as low grade heating. Achieved through the use of a heat exchanger to recover energy and reuse heat from drain water from various activities such as dish-washing, clothes washing and especially showers. Standard units save up to 60% of the heat energy that is otherwise lost down the drain. A 2-year independent study of waste water heat recovery systems installed into residential houses in the UK found savings of 380kWh and 500kWh per person per year.

### Underfloor Heating

Pipes with 20cm gap for maximum efficiency and a wooden board thickness of 16mm and width of 160mm would give a maximum floor surface temperature of 27°C efficiently. This temperature restriction is secured by using a thermostat which controls the heating system. In bathrooms and the kitchen, slate tiles may be used which have an extremely conductive natural finish, ideal for use with underfloor heating.

## Wall, Roof & Floor Insulation

### Overall Thermal Insulation Target

The walls are Hoff House standard, of 195mm thickness with 150mm pre-fitted Rigid Foam insulation and multi-foil internal facing, with similarly insulated and engineered flooring. As shown, this specification will exceed standards for the maximum U value for elements of the insulation envelope required by Scottish Government.

Type of element	Area-weighted average U-value (W/m <sup>2</sup> K) for all elements of the same type	Achieved U-value (W/m <sup>2</sup> K)
Wall	0.22	0.10
Floor	0.18	0.11
Roof	0.15	0.11
Windows, doors	1.6	0.68

## Triple Glazing

As it faces south, the property has the potential to gain energy from the sun for most of the day. “A” rated triple glazing, using a low-emissivity metallic coating that reflects some of the heat back into the home will increase their energy efficiency. The gaps will be filled with argon to reduce the heat loss even further.

## Electricity

### Primary Source

The primary source will be the national grid. We have agreed with SSE that the connecting line to the new property will be alongside the new road by laying armoured cable rather than above ground on poles which would necessitate more trees being removed.

### Secondary Source

Photovoltaic cells would generate electricity used to run the heat pump and contribute to general household electricity usage. 35sqm of cells pointing due south at 30 degrees at the proposed location, with a system capacity of 5 kW(p) a year could produce some 3,750 kWh (the water source heat pump would require some 2,800kWh).

Cell area	35 m <sup>2</sup>
Capacity	5 kW(p)
Cost	@ £8,000
Total electricity generated	3,780 kWh
Energy required to produce your PV panels	8,750 kWh
Energy payback time	2.3 years
CO <sub>2</sub> emissions avoided per year	1,671 kg/year
reduction in one person's average total carbon footprint	19%

## Rain Water

Rainwater from the roof will be captured for non-potable use within the home, being gravity fed down to toilets and washing machines.



## Drainage & Sewage

A phosphate reducing septic tank system approved by SEPA will be installed at the new site. In addition Grimmstane Estates have agreed to replace the existing 20 year old septic tank at the existing Grimmstane house with a new phosphate reducing system.

## SAP Energy Efficiency Ratings

The key factors are:



The EER, (the Energy Efficiency Rating), scores between 0 and 100, where 100 is a zero energy home. This determines the EPC rating band, band B is between 81 and 91 and band A is above 92. A negative energy home can have a rating above 100.



The EI (the Environmental Impact rating) is the tonnes of CO<sub>2</sub> the house emits per year, derived from the total energy consumption of the house plus factors to convert the energy source used back to "primary energy" to get the amount of CO<sub>2</sub> released. For this rating the lower the number the better, and ideally a negative number.



The TER (Target Emission Rate) of CO<sub>2</sub> per m<sup>2</sup> per year produced by the house. This is the figure the house has to meet, based on its size etc, to comply with building regs, so is, if you like, the worst the house can be and still pass.



The DER (Design Emission Rate), again in terms of CO<sub>2</sub> per m<sup>2</sup> per year produced by the house. It should always be a lot lower than the TER, and if possible should be negative, or at least zero, for a zero carbon home.

The SAP calculation on the proposed design demonstrates that the building :



: has a negative carbon impact with -0.3 tonnes of carbon dioxide emissions per year.

: will achieve A ratings for both its Energy Efficiency and

: it's Environmental Impact, scoring five stars for almost all of its environmental performance.

## Summary Woodland Management Plan

A Wildlife and Habitat Management Plan has been prepared by Charlotte Gilfillan from Bell Ingram for the forty five acres of woodland associated with this application. The Management Plan and associated Woodland and Habitat Surveys form part of the planning application documentation, but can be summarised below:

Grimmstane estate in Perthshire extends to approximately 17 hectares (42 acres) and comprises a number of habitats including ancient native broad leaved woodland. The site is designated as a Site of Nature Conservation Interest due to the historic nature of the woodlands and their local importance.

The woodland and habitats on Grimmstane are currently not in a favourable condition due to increased browsing pressure from deer and lack of drainage on the site. There are also strong incursions of invasive non-native species like Himalayan Balsam, Rhododendron Ponticum and grey squirrels which are threatening the existing native species and habitats. Grimmstane is currently proactive in trying to conserve and enhance its woodland and is subject to a Scottish Forestry Grants Scheme (SFGS) and Rural Development Contract for the control of grey squirrels.

The existing management of the land has included deer control measures, feeding programmes for red squirrels and significant planting of native species of trees and other plants.

Additional management is now required to bring the site into a favourable condition over the next five years. This will improve the ancient woodland habitat and increase the overall biodiversity of the site to benefit a broad range of species. The prescriptions used to achieve this will be woodland planting of native trees, further deer management, improved drainage, control of non-native species, increasing biodiversity through planting of additional food sources for birds, leaving dead wood for invertebrates, putting up boxes for owls/bats/squirrels and increased vermin control. There will also be relationships developed with local schools/groups to offer the site as an area suitable for environmental education. During the course of the management plan it is hoped that 18.2 tonnes of CO<sub>2</sub> will be offset each year due to the new woodland planting. The level of commitment in terms of time required to complete all the necessary prescriptions from the estate will be 142.5 days in the first year with 54.6 days in each subsequent year (based on 1 person working an 8 hour day).

## Road Construction

The new road to the site will be constructed with site won material from borrow pits. It will be 3 metre wide on straight sections, increased to 4 metres around corners, formed and compacted with either a raised centre or cross fall to ditches for water run-off. The roadway will be capped off and compacted to falls created before with approx. 200 mm of quarry/recycled material, 75mm down in size. Trees to be removed to allow this have previously been assessed as part of the original Bell Ingram application. They are predominantly birch or crack willow. The road will be routed to avoid damage to oaks, both during and after construction.

## Planning Assessment Planning Policy Context

### Development Plan

It has been demonstrated in the previous chapters that the proposal is in line with the general sentiments of the Structure Plan, which is entitled 'Towards a Sustainable Future', which states that an integrated approach is required in order to meet the objectives of sustainable development particularly by:

- Ensuring greater energy efficiency.
- Meeting needs and aspirations for housing.
- Protecting the environment and reducing pollution.
- Promoting the importance of stewardship of the land.

The aim of Policy 9, is that Local Plans will ensure that new development contributes to sustainable development, through energy conservation, efficiency through design, site layout and where possible the use of local materials. The proposal accords to these aims as detailed in Section 3, to the point where not only is the building extremely energy efficient, it actually has a negative carbon emissions rate.

### Eastern Area local Plan (1998)

The site lies within the landward area of the Eastern Area Local Plan and the most relevant Policies are Policy 38, Policy 45 and Policy 49. Policy 38 outlines the general criteria that all developments will be judged against. These include:

- Good siting and landscape framework.
- Quality of design.
- Compatible with its surroundings.

- Suitability of road network.
- Suitability of local Services.
- Site area suitable for development.

The proposal accords with all of these criteria in that it has a very good landscape framework and is not visible out with the site. The proposal has been designed to the highest standards, creating an innovative design that compliments the surrounding environment. As the dwelling is linked to the management of the surrounding woodland and habitat, it is very compatible with its surroundings. There is an existing private road which access's the site and minimal additional traffic will be generated. Local services will be extended onto the site. The immediate site area is large enough to accommodate the proposed dwelling without having to cut down any of the surrounding mature trees.

Policy 45 of the Eastern Area Local Plan refers to the environmentally sensitive Lunan Valley Catchment Area which the proposal falls within. This policy states that there will be a presumption against built development within the area, except for renovations or alterations to existing buildings and developments necessary for operational need which can be shown by the developer to have no adverse impact on the environmental assets of the area.

Grimmstane Estates is not seeking an economic justification in terms of the operational need aspect of the policy, as it is associated with the management of the land and not an economical need. However as the objective of the policy is to protect the Lunan valley Catchment Area, in conjunction with Scottish Natural Heritage, we have included for the replacement of the existing septic tank serving Grimmstanes with a combined secondary treatment plant. This will reduce the phosphorous discharge within the catchment area and help alleviate the nutrient enrichment problems that the Lochs currently suffer. It is therefore argued that we are providing an Environmental Benefit to the Lunan Valley Catchment Area and this approach is supported by SNH and SEPA and is further backed up by the environmental credentials of the proposed dwelling.

Policy 49 of the Eastern Area Local Plan refers to Housing in the Countryside, referencing the Housing in the Countryside Policy contained in Annex 1 of the plan. This Policy lists a number of categories of acceptable development within the countryside, however due to the out dated nature of this policy our proposal does not fall under any of the listed categories.

The Housing in the Countryside Policy contained within the Eastern Area Local Plan has been reviewed Council wide and an approved Policy was adopted in 2009 covering the whole landward area of Perth and Kinross.

Grimmstane Estates are seeking the Council's support for favourable consideration of their proposal and consider that, notwithstanding the Development Plan position with particular regard to Policy 45 of the adopted Local Plan, the application of this Housing in the Countryside Policy would allow a departure from the Development Plan given the justification as presented below.

### **Housing in the Countryside Policy (2009)**

The 2009 Housing in the Countryside Policy is the most recent expression of Council Policy towards new housing in the open countryside. It seeks to encourage sustainable development in rural areas, minimise travel, ensure high standards of siting and design and support rural economies through development.

The Policy states that favourable consideration will be given to proposals for the erection of single houses in the countryside which fall into a least one of the stated categories.

The category that our proposal falls into is 3.5, 'Pilot projects creating eco-friendly houses'.

This aspect of the policy states that such proposals may be supported where a rural setting is required and the project is linked to the management of land or use of land for sustainable living.

As demonstrated within Section 4 of this statement and the accompanying Management Plan, the house will be linked to the ongoing management of the surrounding woodland and habitat and its rural setting is essential.

As demonstrated within Section 3 of this statement, we consider the proposal (including all the renewable and sustainable technologies) which creates a dwelling that has a negative carbon emissions rate, a very high energy efficiency rating and environmental impact rating, and the actual contemporary design of the house, is very much a pilot project creating an eco-friendly house.

5.17 As our proposal falls into category 3.5, the siting criteria laid out under this section is relevant. However as previously stated the house will not be visible from out with the immediate site area and therefore not from any land out with Grimmstane Estates ownership. However the proposal still complies with the aspirations of the siting criteria in that:

- It blends sympathetically with the land form.
- It uses the existing trees and hillside as a backdrop.
- It is within an identifiable and contained site.
- It will not have a detrimental impact on the surrounding environment.
- It does not occupy a skyline.
- The site boundaries are the surrounding mature woodland.
- It has a very high degree of enclosure around the site

We consider this to be an exciting opportunity to construct a 'one off house which genuinely promotes sustainability and renewable technologies as opposed to inappropriately retrofitting technologies to a standard house type.

## Conclusion

The Erection of a new Dwelling at Grimmstane is Suitable in Planning terms.

The principal aim of this statement has been to demonstrate that Grimmstane Estates's proposal to erect a new highly energy efficient, eco-friendly dwelling associated with the management of the land, is acceptable in planning terms by complying with the Council's prevailing Policies covering the site.

Where the proposal does not meet the specific requirements of Policy 45 of the Eastern Area Local Plan, we have demonstrated mitigating circumstances, by providing a net environmental benefit to the designated area.

Notwithstanding the Development Plan position with particular regard to Policy 45 of the adopted Local Plan, the application of this Housing in the Countryside Policy would allow a departure from the Development Plan given the justification as presented.

The proposal is in accord with section 3.5 of the most recent Housing in the Countryside Policy, whereby it has been demonstrated that the project is truly a 'pilot project creating an eco-friendly house' and is linked to the management of the land as demonstrated by the Management Plan accompanying the application. The proposal further meets all the siting criteria set down within the Housing in the Countryside Policy.

Planning Policy objectives regarding sustainability, housing and rural development matters. It is intended that the project, when complete, shall demonstrate by example what can be achieved in terms of modern architecture, appropriate forms linked to the surrounding landscape, environmental protection and management, the integration of renewable technologies, and maximising energy efficiency through design.

It is respectfully requested that Perth and Kinross Council grants planning permission for the erection of a new dwelling associated with the management of the land at Grimmstane which we have submitted on behalf of Grimmstane Estates Mr and Mrs Scuse.

It is considered that the proposal is in accord with National

## Appendix 1

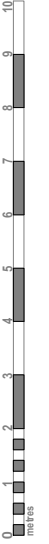
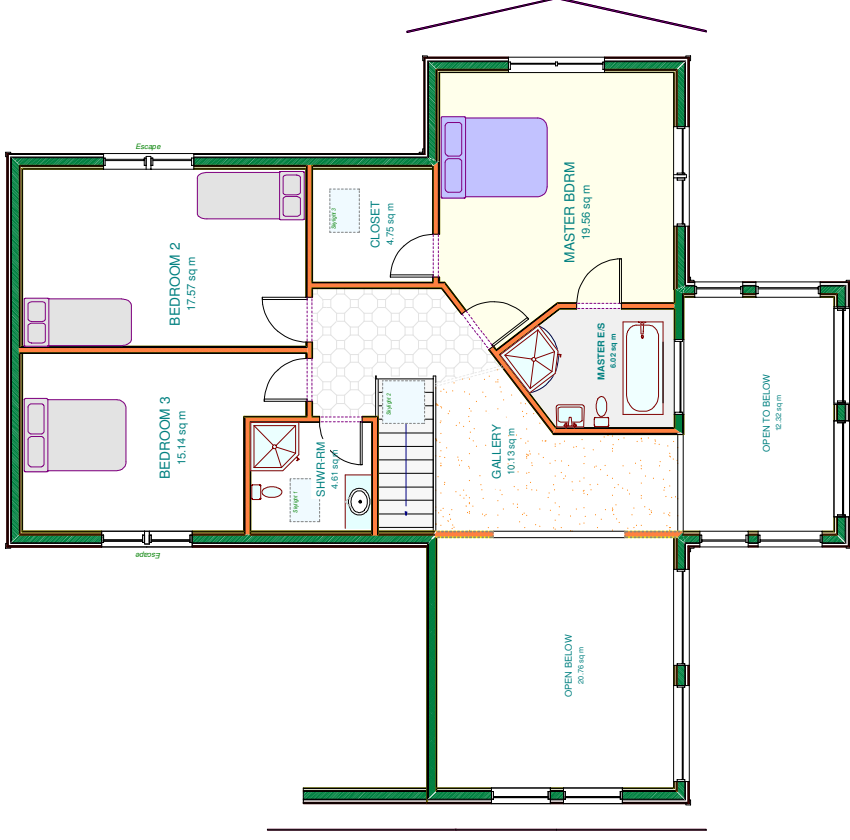
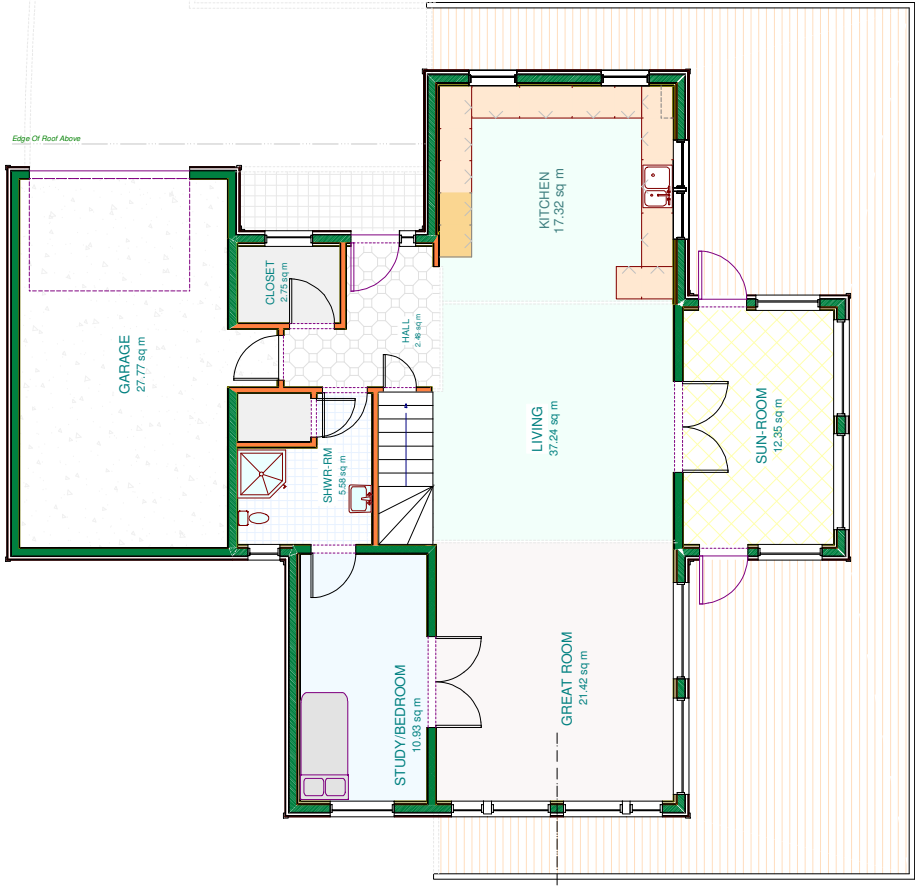
### Perth & Kinross Council Conditions to Application Number 12/01088/FLL

- The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed in the planning consent.
- Prior to the commencement of any works on site precise details of all external walling, timber features and roof finishes shall be submitted for the approval in writing by the Council as Planning Authority. The approved details shall be implemented in full, to the satisfaction of the Council as Planning Authority.
- Prior to the commencement of any works on site, precise details of the private drainage system shall be submitted for the approval by the Council as Planning Authority, in consultation with SNH. The approved details shall be implemented in full, and it is expected that the new drainage system includes the replacement of the existing private system which serves Grimmstane House, all to the satisfaction of the Council as Planning Authority.
- Unless otherwise agreed in writing by the Council as Planning Authority or as shown on the approved plans, all trees shall be retained and adequately protected during the course of construction to a standard which is acceptable to the Council as Planning Authority.
- Prior to the occupation of the dwelling, turning facilities shall be provided (and thereafter retained) within the site to enable all vehicles to enter and leave in a forward gear to the satisfaction of the Council as Planning Authority.
- Prior to the occupation of the dwelling, a minimum of 2 No. car parking spaces shall be provided (and thereafter retained) within the site, to the satisfaction of the Council as Planning Authority.
- Unless otherwise agreed in writing by the Council as Planning Authority, the dwelling shall be 'carbon negative' in terms of its CO<sub>2</sub> emissions in perpetuity, to the satisfaction of the Council as Planning Authority. Prior to the commencement of any works on site, precise details of proposed means of monitoring the CO<sub>2</sub> emissions (which must including details of the proposed equipment to be used, the processes proposed and timescale / frequency / format of reporting this information) which will demonstrate that the dwelling is operating as a 'carbon negative' dwelling shall be submitted for the approval in writing by the Council as Planning Authority. The approved details shall be implemented in full, to the satisfaction of the Council as Planning Authority



- Prior to any works commencing on site, details shall be submitted to and approved in writing by this Planning Authority of the monitoring equipment and processes to be used in the development to establish levels of energy use. The details agreed shall be fully operational to the satisfaction of this Council as Planning Authority prior to the occupation of the dwellinghouse and shall be maintained thereafter. All information and data collected through this monitoring shall be provided in writing to this Planning Authority annually.
- Unless otherwise agreed in writing by the Council as Planning Authority, the submitted wildlife and habitat management for the Grimmstane Estate are hereby approved and shall be implemented in full to the satisfaction of the Council as Planning Authority
- Permitted development rights associated with Classes 1A, 1B, 3A and 3B of The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), or any subsequent comparable classes in future legislation relating to development within the curtilage of a dwellinghouse, are hereby revoked in full,
- All matters regarding vehicular access(es), car parking, road layout, design and specification (including disposal of surface water) shall be in accordance with the standards required by the Council as Roads Authority.





Scale 1:100 Unless Otherwise Stated

HOUSE MODEL: **Custom Type**

Issue - PlangV1r0\_2017

Page # 5



**Log & Cedar Construction Ltd.**  
 Log & Cedar Construction Ltd, 10 Birch Court, Doune, Perthshire, FK16 6JD

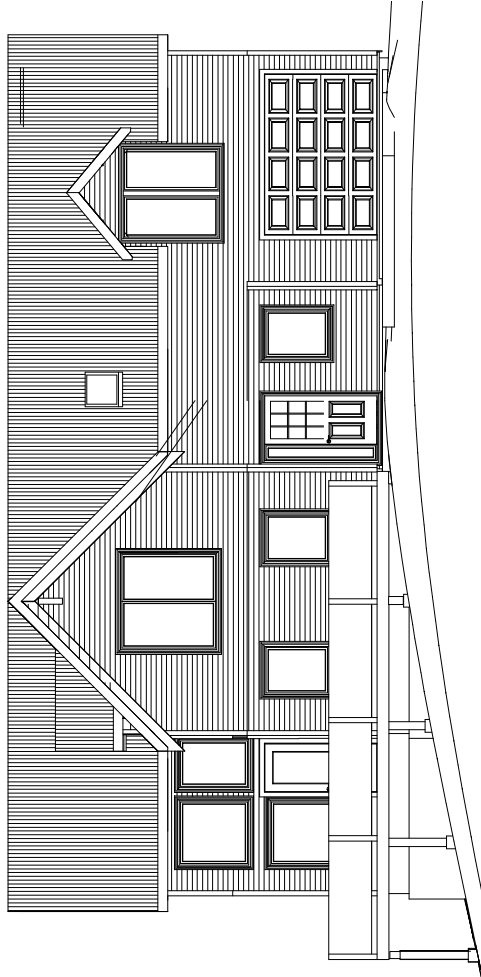
**Donald McInnes**  
 Sales & Design Consultant

Tel. 01786 842216  
 email: logandcedarhomes@mcinnes.grdstd.co.uk  
 www.logandcedarhomes.co.uk

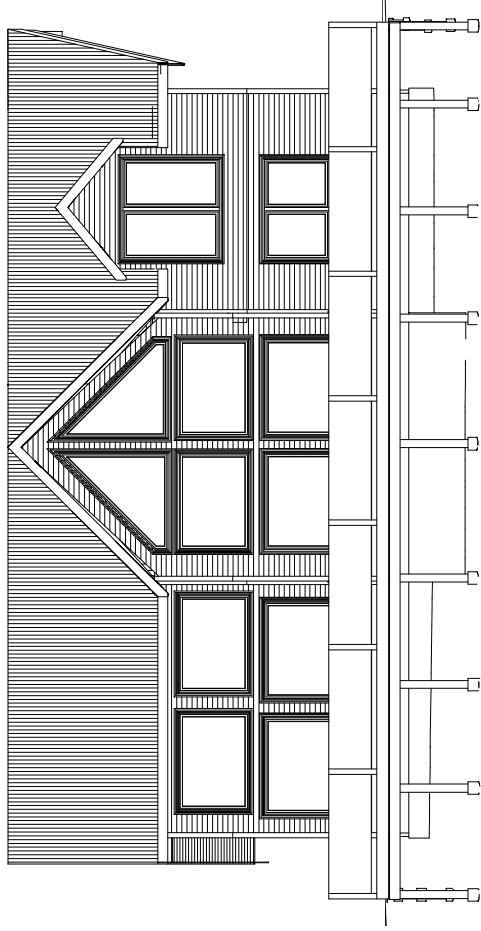
**CUSTOMER:**  
 Mr. J. & Mrs. S. Scuse,  
 Grimstane,  
 Forreth, PH10 6SW.

Print Date:  
 11/01/2018  
 16:34:12

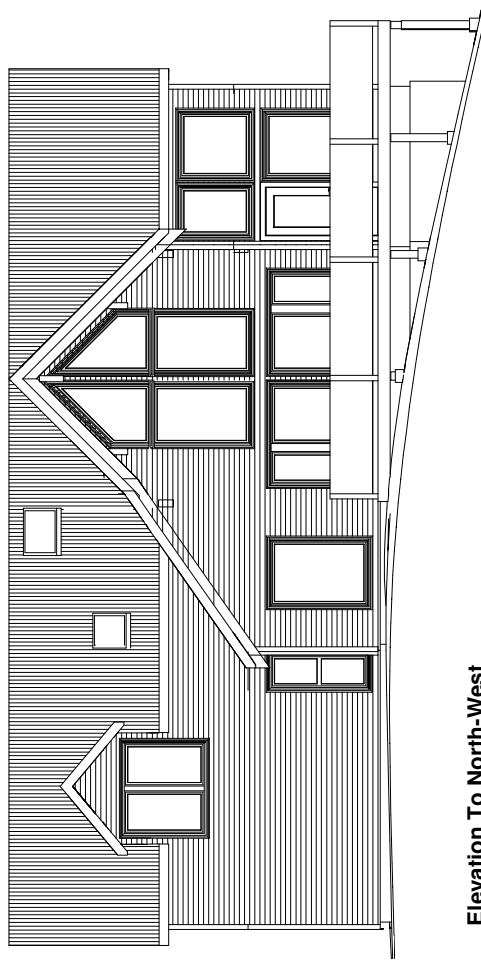
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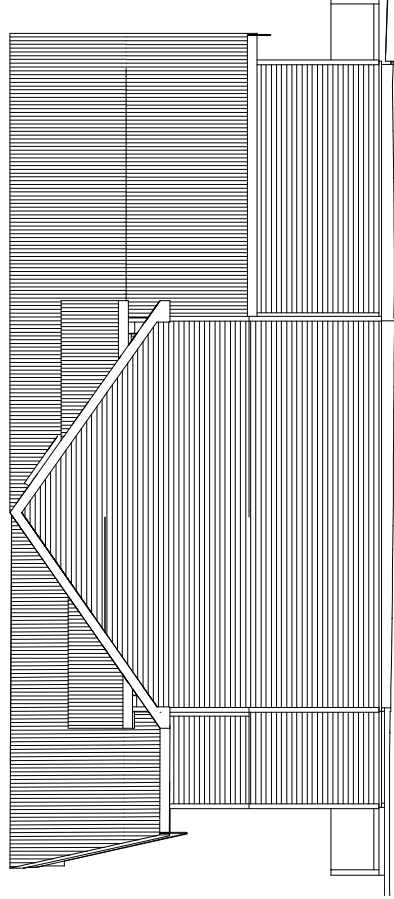
Elevation To South-East



Elevation To South-West



Elevation To North-West



Elevation To North-East

Scale 1:100



Scale 1:100 Unless Otherwise Stated

## Elevations

HOUSE MODEL: **Custom Type**

Issue - PlangV1r0\_2017

Jan2018 - Bar Scale Added



**Log & Cedar  
Construction Ltd.**  
Log & Cedar Construction Ltd, 10 Birch  
Court, Doune, Perthshire, FK16 6JD

**Donald  
McInnes**

Sales & Design Consultant

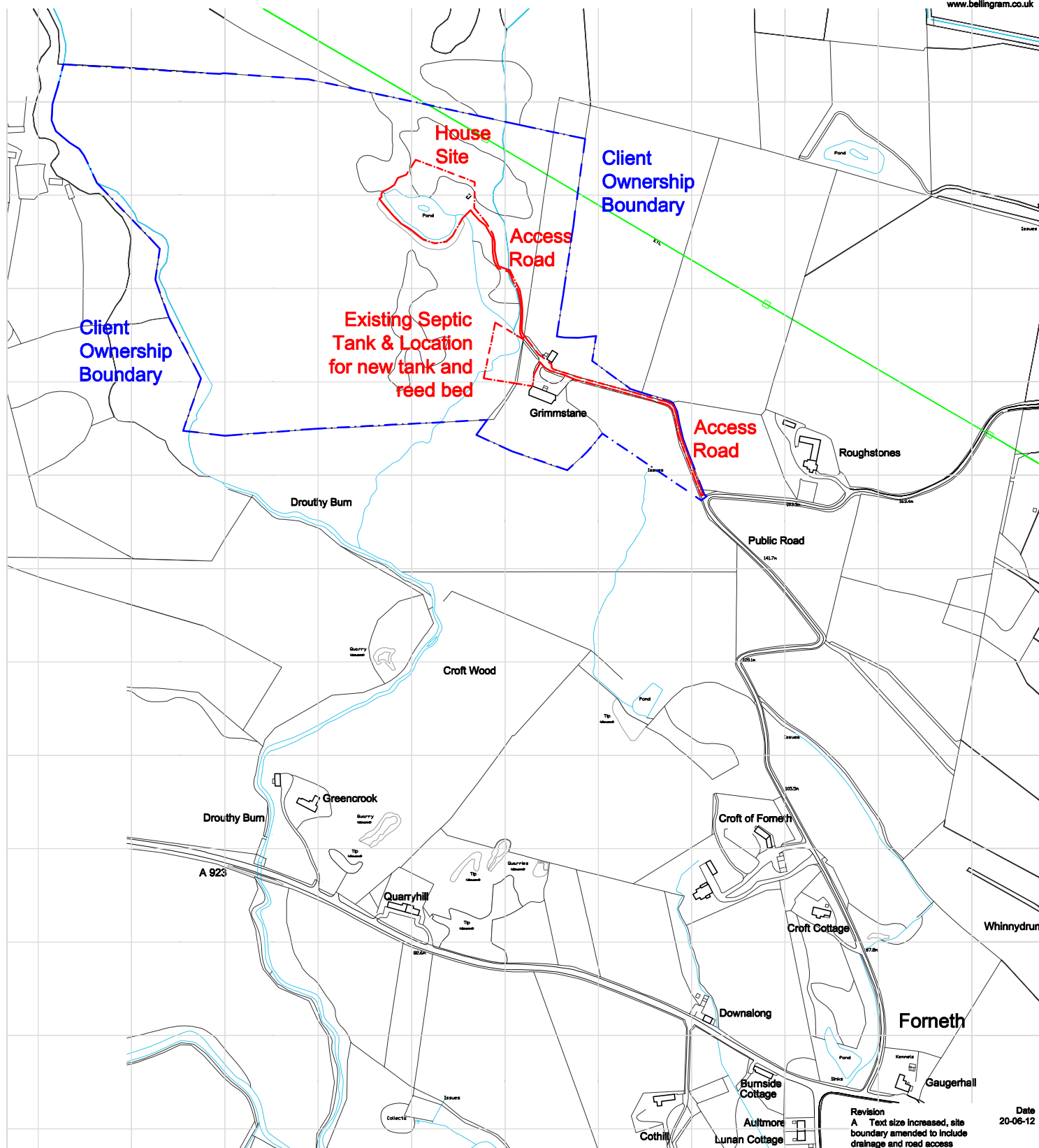
Tel. 01786 842216

email: logandcedarhomes.co.uk  
www.logandcedarhomes.co.uk

**CUSTOMER:**  
Mr. J. & Mrs. S. Scuse,  
Grimmstane,  
Forneth, PH10 6SW.

Print Date:  
11/01/2018  
16:38:18

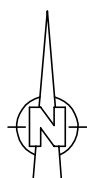
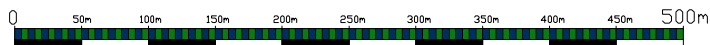
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Revision  
A Text size increased, site  
boundary amended to include  
drainage and road access

Date  
20-06-12



Existing Location Plan @ 1:4,000  
333

**EXISTING**

Client The Grimmstane Partnership LLP			
Project New Dwelling at Grimmstane			
Title Existing Location Plan			
Branch Perth	Telephone 01738 621 121		
Drawn BRS	Date 20/06/12	Drg Size A3	Checked BRS
Job No. S4848	Scale 1:2500		
Drg No. L(EX)001	Rev A		







Jeremy Scuse &lt;jscuse01@gmail.com&gt;

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**Planning application 18/00012/FLL**

2 messages

---

**Milne, Alasdair** <alasdair.milne@sepa.org.uk>

2 May 2018 at 10:51

To: [REDACTED]

Jeremy

I refer to the planning application for the dwelling house at land 250m north of Grimmstate, Forneth and to your letter to SEPA of 16 April in which you provide further information in support of the development proposal.

I have discussed this with colleagues in our Perth regulatory services team and we would advise as follows:

The phosphorus mitigation appears to be acceptable given the upgrade of exiting property. We would, however, highlight that we would object to any subsequent planning application should the proposal continue to involve a discharge of treated sewage effluent to the lochan.

Should the effluent from the new property discharge to a soakaway (as offered in your letter) and ground conditions be demonstrated to be suitable for such a soakaway, we would have no objection.

I trust these comments are of assistance – please do not hesitate to contact me if you require any further information.

Regards

Alasdair

[Alasdair Milne](#)

[Senior Planning Officer](#)

[Scottish Environment Protection Agency](#)

[Strathallan House](#)

[Castle Business Park](#)

[Stirling](#)

[FK9 4TZ](#)

[Telephone 01786 452537](#)

[Mobile 07827 978405](#)



[www.sepa.org.uk](http://www.sepa.org.uk)

---

**Milne, Alasdair** <alasdair.milne@sepa.org.uk>

3 May 2018 at 12:35

To: [REDACTED]

Jeremy

I spoke with Bruce Meikle in our Perth Office.

You're probably aware of SEPA's guidance document on indirect sewage discharges to water - [https://www.sepa.org.uk/media/152688/wat\\_rm\\_04.pdf](https://www.sepa.org.uk/media/152688/wat_rm_04.pdf) which may be of assistance.

The soakaway tests and construction is also the responsibility of the building control department at Perth and Kinross Council so you may wish to discuss the proposals with them.

Trust these comments are of assistance.

Regards

Alasdair

---

**From:** Milne, Alasdair**Sent:** 02 May 2018 10:52**To:** [REDACTED]**Subject:** Planning application 18/00012/FLL

[Quoted text hidden]

**TCP/11/16(537) – 18/00012/FLL – Erection of a dwellinghouse on land 250 metres north west of Grimmstane, Forneth**

## **PLANNING DECISION NOTICE**

## **REPORT OF HANDLING**

## **REFERENCE DOCUMENTS** *(part included in applicant's submission, see pages 294-308 and 331-334)*



# PERTH AND KINROSS COUNCIL

Grimmstane Estates  
Mr Jeremy Scuse  
Grimmstane  
Grimmstane  
Forneth  
Blairgowrie  
PH10 6SW

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date 6th March 2018

## TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **18/00012/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 7th February 2018 for permission for **Erection of a dwellinghouse Land 250 Metres North West Of Grimmstane Forneth** for the reasons undernoted.

Interim Development Quality Manager

### Reasons for Refusal

1. The proposal is contrary to Policy RD3 - Housing in the Countryside, of the Perth and Kinross Local Development Plan 2014, in addition to the Council's Housing in the Countryside Guide 2014, as it does not comply with any of the categories of the policy guidance where a dwellinghouse or dwellinghouses would be acceptable in principle at this location. The application site falls within the Lunan Lochs Catchment Area and as such the application of Policy RD3 within the Catchment Area is limited to economic need, conversions or replacement buildings, neither of which applies for this proposal.
2. The proposal is contrary to Policy ER6 - Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Areas Landscapes, of the Perth and Kinross Local Development Plan 2014, as the siting of the proposed development on the banks of the lochan is intrusive to the existing landscape framework and does not conserve or enhance the surrounding landscape as required by the Policy.

3. The proposal is contrary to Policy EP6 - Lunan Valley Catchment Area, of the Perth and Kinross Local Development Plan 2014, as a lack of information in relation to foul drainage and phosphorous levels have been submitted to adequately assess the proposals.
4. The proposal is contrary to advice given by the Scottish Environment Protection Agency (SEPA), as the proposal intends to discharge the treated sewage effluent to the lochan which SEPA have highlighted is not good practice and is against SEPA policy. This is due to the discharge potentially impacting upon the water quality of the existing lochan which could have negative environmental impacts upon the surrounding area.

### **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**

None Applicable

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

Plan Reference

18/00012/1

18/00012/2

18/00012/3

18/00012/4

18/00012/5

18/00012/6

18/00012/7

18/00012/8

18/00012/9

18/00012/10

## REPORT OF HANDLING

### DELEGATED REPORT

Ref No	18/00012/FLL	
Ward No	P5- Strathtay	
Due Determination Date	06.04.2018	
Case Officer	Sean Panton	
Report Issued by		Date
Countersigned by		Date

**PROPOSAL:** Erection of a dwellinghouse.

**LOCATION:** Land 250 Metres North West of Grimmstane, Forneth.

#### SUMMARY:

This report recommends **refusal** of the application as the development is considered to be contrary to the relevant provisions of the Development Plan and there are no material considerations apparent which justify setting aside the Development Plan.

**DATE OF SITE VISIT:** 16<sup>th</sup> February 2018

#### SITE PHOTOGRAPHS



#### BACKGROUND AND DESCRIPTION OF PROPOSAL

The application site is on land 250metres North West of Grimmstane, Forneth, and forms part of the Lunan Valley Catchment Area. The application seeks detailed planning permission for the erection of a 4 bedroom detached dwellinghouse with an integrated garage. The application forms the resubmission of application 12/01088/FLL which was granted in 2013, prior to



the current Perth & Kinross Local Development Plan 2014 being adopted. This said permission expired in October 2016.

The proposed dwellinghouse will measure approximately 16.5metres at maximum width, 15.5metres at maximum length and 8.5metres at maximum height. The overall ground floor print of the dwellinghouse, including the integrated garage and excluding the raised area of decking, is approximately 143m<sup>2</sup>.

It is indicated that the proposed dwellinghouse will be a 'Carbon Neutral' development which utilises the existing woodland and man-made lochan on the site. The woodland area in which the proposed dwellinghouse will be built extends to approximately 45 acres and is the subject of an accompanying management plan. Part of this woodland is scheduled as ancient woodland of semi-natural origin.

## **SITE HISTORY**

12/01088/FLL - Erection of a dwellinghouse 4 October 2013: Application Permitted

## **PRE-APPLICATION CONSULTATION**

It is understood that there has been some correspondence regarding the renewal of the consent however no formal pre-application consultation has been undertaken.

## **NATIONAL POLICY AND GUIDANCE**

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

## **DEVELOPMENT PLAN**

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2014.

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

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

## **Perth and Kinross Local Development Plan 2014 – Adopted February 2014**

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

The principal policies are, in summary:

### **Policy PM1A - Placemaking**

Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. All development should be planned and designed with reference to climate change mitigation and adaption.

### **Policy PM1B - Placemaking**

All proposals should meet all eight of the placemaking criteria.

### **Policy PM3 - Infrastructure Contributions**

Where new developments (either alone or cumulatively) exacerbate a current or generate a need for additional infrastructure provision or community facilities, planning permission will only be granted where contributions which are reasonably related to the scale and nature of the proposed development are secured.

### **Policy RD3 - Housing in the Countryside**

The development of single houses or groups of houses which fall within the six identified categories will be supported. This policy does not apply in the Green Belt and is limited within the Lunan Valley Catchment Area.

### **Policy NE2A - Forestry, Woodland and Trees**

Support will be given to proposals which meet the six criteria in particular where forests, woodland and trees are protected, where woodland areas are expanded and where new areas of woodland are delivered, securing establishment in advance of major development where practicable.

### **Policy NE2B - Forestry, Woodland and Trees**

Where there are existing trees on a development site, any application should be accompanied by a tree survey. There is a presumption in favour of protecting woodland resources. In exceptional circumstances where the loss of individual trees or woodland cover is unavoidable, mitigation measures will be required.

### **Policy NE3 - Biodiversity**

All wildlife and wildlife habitats, whether formally designated or not should be protected and enhanced in accordance with the criteria set out. Planning permission will not be granted for development likely to have an adverse effect on protected species.

### **Policy TA1B - Transport Standards and Accessibility Requirements**

Development proposals that involve significant travel generation should be well served by all modes of transport (in particular walking, cycling and public transport), provide safe access and appropriate car parking. Supplementary Guidance will set out when a travel plan and transport assessment is required.

#### Policy EP2 – New Development and Flooding

There will be a general presumption against proposals for built development or land raising on a functional flood plain and in areas where there is a significant probability of flooding from any source, or where the proposal would increase the probability of flooding elsewhere.

#### Policy EP6 – Lunan Valley Catchment Area

Total phosphorous from built development must not exceed the current level permitted by the existing discharge consents and the current contribution from built development within the rural area of the catchment. Where improvements reduce the phosphorous total from the built development, there will be a presumption in favour of retaining such gains to the benefit of the ecological recovery of the Lunan Lochs.

#### Policy ER6 - Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Areas Landscapes

Development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross and they meet the tests set out in the 7 criteria.

### **OTHER POLICIES**

#### Development Contributions and Affordable Housing Guide 2016

This document sets out the Council's Policy for securing contributions from developers of new homes towards the cost of meeting appropriate infrastructure improvements necessary as a consequence of development.

#### Housing in the Countryside Guide

A revised Housing in the Countryside Guide was adopted by the Council in October 2014. The guide applies over the whole local authority area of Perth and Kinross except where a more relaxed policy applies at present. In practice this means that the revised guide applies to areas with other Local Plan policies and it should be borne in mind that the specific policies relating to these designations will also require to be complied with. The guide aims to:

- Safeguard the character of the countryside;
- Support the viability of communities;
- Meet development needs in appropriate locations;
- Ensure that high standards of siting and design are achieved.

The Council's "Guidance on the Siting and Design of Houses in Rural Areas" contains advice on the siting and design of new housing in rural areas.

## Lunan Valley Area Dunkeld – Blairgowrie Lochs Special Area of Conservation Supplementary Guidance

The supplementary guidance was adopted in October 2016. This requires that information is submitted to provide details of proposed phosphorous mitigation. The reason for this is to ensure that development accords with Local Development Plan Policy EP6: Lunan Valley Catchment Area, which requires that total phosphorous from the built development, must not exceed the current level, to ensure no reduction in water quality in the Lunan Lochs due to the fact that the catchment has an issue with elevated nutrient levels.

### **CONSULTATION RESPONSES**

#### External

Scottish Environment Protection Agency (SEPA):

SEPA **objected** to the proposals on the grounds of a lack of information relating to the foul drainage proposals. SEPA also noted that it is intended to discharge treated sewage effluent to the lochan which is against SEPA policy.

Scottish Natural Heritage (SNH):

SNH did not respond to the consultation.

Scottish Water:

Scottish Water highlighted that there is currently sufficient capacity in the Lintrathen Water Treatment Works to service the development however there is no Scottish Water Waste Water Infrastructure available to service the development.

#### Internal

Transport Planning:

No objection to the proposed development.

Contributions Officer:

No contributions are required.

Biodiversity Officer:

Noted the wildlife and management plan and recommended a condition and 2 informatives to be added to any consent granted.

Local Flood Prevention Authority (LFPA):

No objection to the proposed development subject to a condition and an informative being added to the consent.

Strategy and Policy Team:

Strategy and Policy **object** to the application as the proposal is contrary to the Housing in the Countryside policy EP6 as it relates to the Lunan Lochs Catchment Area. Strategy and Policy have highlighted that even if significant

environmental benefit can be demonstrated that justifies a departure from the policy, they are not of the opinion that a sufficient link has been demonstrated between the proposed house and the management of the land as required by category 3.5 of the supplementary guidance.

## **REPRESENTATIONS**

No letters of representation were received regarding the proposal.

## **ADDITIONAL INFORMATION RECEIVED:**

Environmental Impact Assessment (EIA)	Not Required
Screening Opinion	Not Required
EIA Report	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Submitted (Supporting Statement)
Report on Impact or Potential Impact eg Flood Risk Assessment	Submitted (Land Management and Carbon Capture Plan)

## **APPRAISAL**

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan 2016 and the adopted Perth and Kinross Local Development Plan 2014.

The determining issues in this case are whether; the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy.

### **Policy Appraisal**

As previously mentioned, the application forms the resubmission of application 12/01088/FLL which was granted in 2013, prior to the current Perth & Kinross Local Development Plan 2014 being adopted. This said permission expired in October 2016.

Taking the above into account, the 2013 consent has lapsed as no material start has been made within the accepted timescales. As such, the site no longer has planning permission. I am therefore required to assess the application under the provisions of the current Local Development Plan.

### Principle of development

The site is not within an identified settlement within the Perth & Kinross Local Development Plan 2014. The local plan through Policy PM4 - Settlement Boundaries specifies that development will not be permitted, except within the defined settlement boundaries which are defined by a settlement boundary in the Plan.

However, through Policy RD3 - Housing in the Countryside, it is acknowledged that opportunities do exist for housing in rural areas to support the viability of communities, meet development needs in appropriate locations while safeguarding the character of the countryside as well as ensuring that a high standard of siting and design is achieved. Thus the development of single houses or groups of houses which fall within the six identified categories will be supported.

Having had the opportunity to undertake a site visit and assess the plans, I consider the application does not relate to any of the required categories:-

- (a) Building Groups
- (b) Infill sites.
- (c) New houses in the open countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance.
- (d) Renovation or replacement of houses.
- (e) Conversion or replacement of redundant non-domestic buildings.
- (f) Development on rural brownfield land.

The submitted supporting statement highlights that the applicant wishes for the proposal to be assessed under criterion c, as the applicant considers the proposal to be a 'pilot project' where this site is required for the development.

#### Pilot projects creating eco-friendly houses

On consulting with my colleagues in Strategy and Policy, it is considered that the proposed development does not comply with the said Housing in the Countryside Policy. The application site falls within the Lunan Lochs Catchment Area and as such the application of the Housing in the Countryside Policy RD3 within the Catchment Area is limited to economic need, conversions or replacement buildings. The proposal does not fall within any of these categories and is therefore contrary to the Housing in the Countryside Policy.

It is stated in the Supporting Statement which accompanies the application that the proposal will create betterment in terms of the treatment of foul drainage in that phosphate reduction sewage treatment plants will be installed in both the new dwelling and in the existing dwelling (Grimmstane) thereby reducing the phosphorous discharge within the catchment area. The question is, however, whether the environmental benefit of replacing the existing septic tank at Grimmstane is so significant that it justifies the construction of a sizeable new house in open countryside, contrary to the Housing in the



Countryside Policy. Due to SEPA objecting to the proposals, for reasons mentioned within the report, it is considered that the proposal does not justify the development of a new dwellinghouse contrary to policy.

If significant environmental benefit can be demonstrated, and it is accepted that this justifies a departure from the Policy, then compliance with one or more of the categories of the Policy would still be required. The relevant category would be that set out in 3.5 of the Supplementary Guidance: Pilot projects creating eco-friendly houses.

The proposed house is to be carbon zero which, combined with a landscape management plan, will achieve carbon negativity in perpetuity. Category 3.5 is aimed at proposals which go beyond those technologies which are widely available and are already in use in standard new build developments. Whilst some of the elements proposed in this scheme may well go beyond widely available technologies, this category of the policy is about more than the environmental credentials of the property itself; to be acceptable under category 3.5 it must be demonstrated that a rural setting is required and that the project is linked to the management of land or the use of land for sustainable living. The Planning Justification submitted with the application states that 'the house will be linked to the ongoing management of the surrounding woodland and habitat', however I am concerned, along with my colleagues in the Strategy and Policy team, that no such link has been demonstrated. A Wildlife and Habitat Management Plan has been submitted with the application and its contents are noted, but I am not convinced that that this sufficiently explains why the implementation of the Management Plan requires a new house to be built on this particular site. From the information provided I cannot see why the Management Plan could be implemented without the new house.

In conclusion, the proposal is contrary to the Housing in the Countryside policy as it relates to the Lunan Lochs Catchment Area. Even if significant environmental benefit can be demonstrated that justifies a departure from the Policy, both my colleagues in the Strategy and Policy Team and I are of the opinion that a sufficient link has not been demonstrated between the proposed house and the management of the land as required by category 3.5 of the Policy.

Taking the above into account, the principle of housing development on the site is contrary to Policy RD3. No material considerations are evident that would justify setting aside the relevant provisions of the aforementioned Local Development Plan.

### **Design and Layout**

Although the principle of the development is not supportable, nevertheless an assessment of wider policy matters is required. It is considered that the design

of the dwellinghouse is of a reasonably high quality which will respect its woodland surrounding. It is also of an appropriate scale with a sufficient level of associated amenity space.

With regards to layout, I have concerns that the location of the proposed dwellinghouse will have a negative impact upon the visual amenity of the existing lochan and surrounding area. This will be discussed further in the immediately below section.

### **Landscape and Visual Amenity**

Development and land use change should be compatible with the distinctive characteristics and features of Perth and Kinross's landscape. Development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross.

In this case, the siting of a proposed dwellinghouse on this site directly next to the lochan is considered to erode the local distinctiveness, diversity and quality of the landscape. This is due to the prominence of the site from the surrounding area around the lochan and the scale of the proposed dwellinghouse. The proposal will therefore be visible and intrusive within the existing landscape framework and will appear out of place. The Housing in the Countryside Policy (a) requires proposals to blend sympathetically with land form. Due to the site being centrally located next to the existing lochan, I consider that the proposal would have an adverse impact on the landscape and visual amenity of this area. As seen from the site visit photographs on this report, the existing woodland and lochan contributes positively to the visual amenity and landscape of the area. The proposal is therefore considered to be contrary to Policy ER6 - Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Areas Landscapes, and as such will be a reason for refusal on this report.

### **Biodiversity**

The site of the proposal is in an area of woodland and includes a wildlife and management plan demonstrating that, whilst there will be some disturbance in the immediate area of the building, a substantial amount of work is proposed to compensate for the construction.

The work outlined in the wildlife and management plan is a combination of control of nuisance and invasive species as well as proactive improvements such as woodland planting, drainage, erection of owl and bat boxes and encouraging red squirrels by feeding. The Biodiversity Officer was consulted as part of this proposal and recommended a condition and 2 informatives to be added to any consent granted. As this proposal is being recommended for refusal on other grounds however, the recommended condition and informatives are not relevant.

### **Residential Amenity**

The proposed development site is isolated with the nearest residential property to the proposed development being Grimmstane. Grimmstane is approximately 230metres away to the south-east. This is considered to be a sufficient distance where the proposal will have a minimal impact upon existing residential amenity.

With regards to the proposed development itself, this is considered to have a sufficient level of amenity space for future occupiers which will provide a satisfactory level of residential amenity. As such, I have no adverse concerns in relation to residential amenity.

### **Roads and Access**

The proposal incorporates a large driveway with suitable parking and turning facilities which connects to the existing road which leads to the neighbouring property, Grimmstane. Whilst this road is of a relatively poor quality with areas of sharp gradients, this is considered to be acceptable for the level of traffic likely to be generated by this proposal. Furthermore, my colleagues in Transport Planning were consulted as part of this proposal and have no objection to make. I therefore have no concerns in relation to roads and access.

### **Drainage and Phosphorous Mitigation**

Scottish Environment Protection Agency (SEPA) was consulted as part of this application and objected to the proposed development on grounds of a lack of information in relation to foul drainage.

The updated 'Lunan Valley Area Dunkeld – Blairgowrie Lochs Special Area of Conservation' supplementary guidance was adopted in October 2016. This requires that information is submitted to provide details of proposed phosphorous mitigation. The reason for this is to ensure that development accords with Local Development Plan Policy EP6: Lunan Valley Catchment Area, which requires that total phosphorous from the built development, must not exceed the current level, to ensure no reduction in water quality in the Lunan Lochs due to the fact that the catchment has an issue with elevated nutrient levels. Given that this application does not provide any specific details of required phosphate mitigation, SEPA have objected to this application due to lack of information.

Notwithstanding the comments from SEPA on phosphorus mitigation, SEPA note that the intention is to discharge treated sewage effluent to the lochan. SEPA have highlighted that this is not good practice and against SEPA policy. This is against SEPA policy as it will compromise the water quality of the lochan which could lead to a negative environmental impact. This will be included as a reason for refusal on this report.

### **Flooding**

The site is in an area of known flood risk and as such the Local Flood Prevention Authority (LFPA) was consulted as part of the application. The LFPA do not object to the proposals subject to a condition and an informative being added to any consent granted. As such, I have no adverse concerns in relation to flood risk as any concerns can be controlled via planning conditions.

## **Developer Contributions**

### Primary Education

The Council's Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.

This proposal is within the catchment of Newhill Primary School.

A contribution towards primary education was paid on 04 October 2013 in relation to the previous consent on the site under 12/01088/FLL. This proposal does not seek additional units on the site over that previously consented. No contribution towards primary education will therefore be required.

## **Economic Impact**

The development of this site will count towards local housing targets, accounting for short term economic investment through the short term construction period and indirect economic investment of future occupiers of the associated development.

## **Conclusion**

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is not considered to comply with the approved TAYplan 2012 and the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for refusal.

## **APPLICATION PROCESSING TIME**

The recommendation for this application has been made within the statutory determination period.

## **LEGAL AGREEMENTS**

None required.

## **DIRECTION BY SCOTTISH MINISTERS**

None applicable to this proposal.

## **RECOMMENDATION**

**Refuse the application.**

### **Conditions and Reasons for Recommendation**

- 1 The proposal is contrary to Policy RD3 – Housing in the Countryside, of the Perth and Kinross Local Development Plan 2014, in addition to the Council's Housing in the Countryside Guide 2014, as it does not comply with any of the categories of the policy guidance where a dwellinghouse or dwellinghouses would be acceptable in principle at this location. The application site falls within the Lunan Lochs Catchment Area and as such the application of Policy RD3 within the Catchment Area is limited to economic need, conversions or replacement buildings, neither of which applies for this proposal.
- 2 The proposal is contrary to Policy ER6 - Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Areas Landscapes, of the Perth and Kinross Local Development Plan 2014, as the siting of the proposed development on the banks of the lochan is intrusive to the existing landscape framework and does not conserve or enhance the surrounding landscape as required by the Policy.
- 3 The proposal is contrary to Policy EP6 - Lunan Valley Catchment Area, of the Perth and Kinross Local Development Plan 2014, as a lack of information in relation to foul drainage and phosphorous levels have been submitted to adequately assess the proposals.
- 4 The proposal is contrary to advice given by the Scottish Environment Protection Agency (SEPA), as the proposal intends to discharge the treated sewage effluent to the lochan which SEPA have highlighted is not good practice and is against SEPA policy. This is due to the discharge potentially impacting upon the water quality of the existing lochan which could have negative environmental impacts upon the surrounding area.

### **Justification**

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

### **Informatives**

Not Applicable.

**Procedural Notes**

Not Applicable.

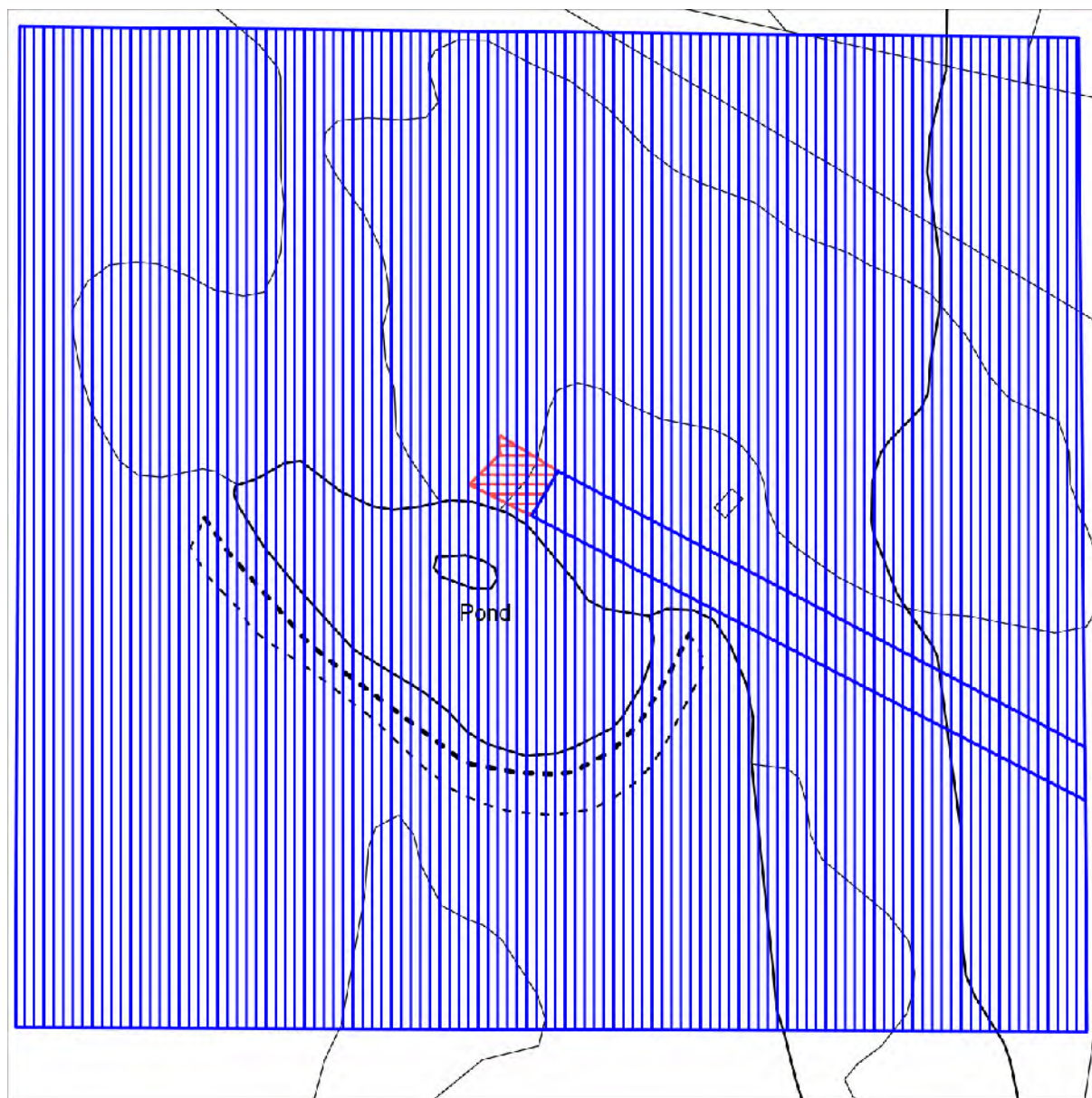
**PLANS AND DOCUMENTS RELATING TO THIS DECISION**

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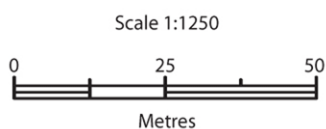
**Date of Report** 5<sup>th</sup> March 2018







Grimmstane, Blairgowrie



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 Applicant: JEREMY SCUSE  
 eDevelopment.Scot Reference: 100026494

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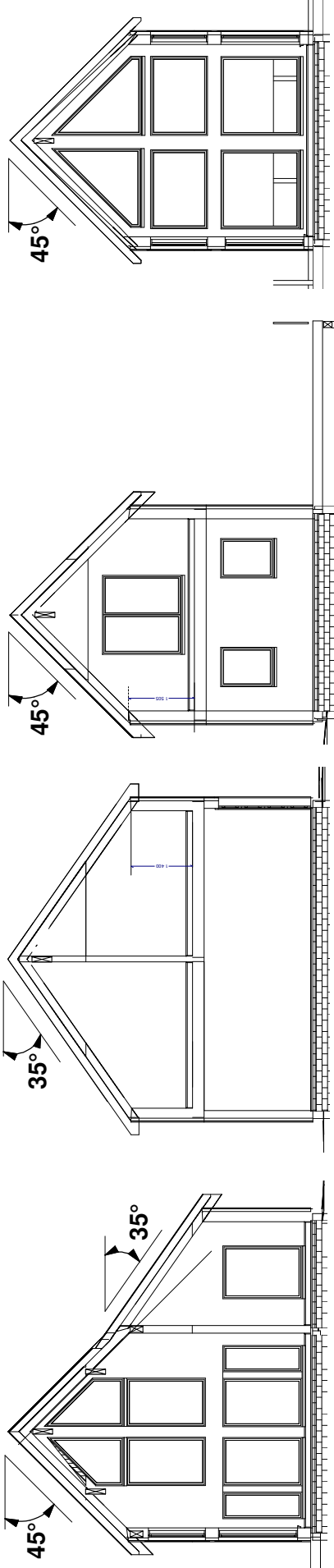
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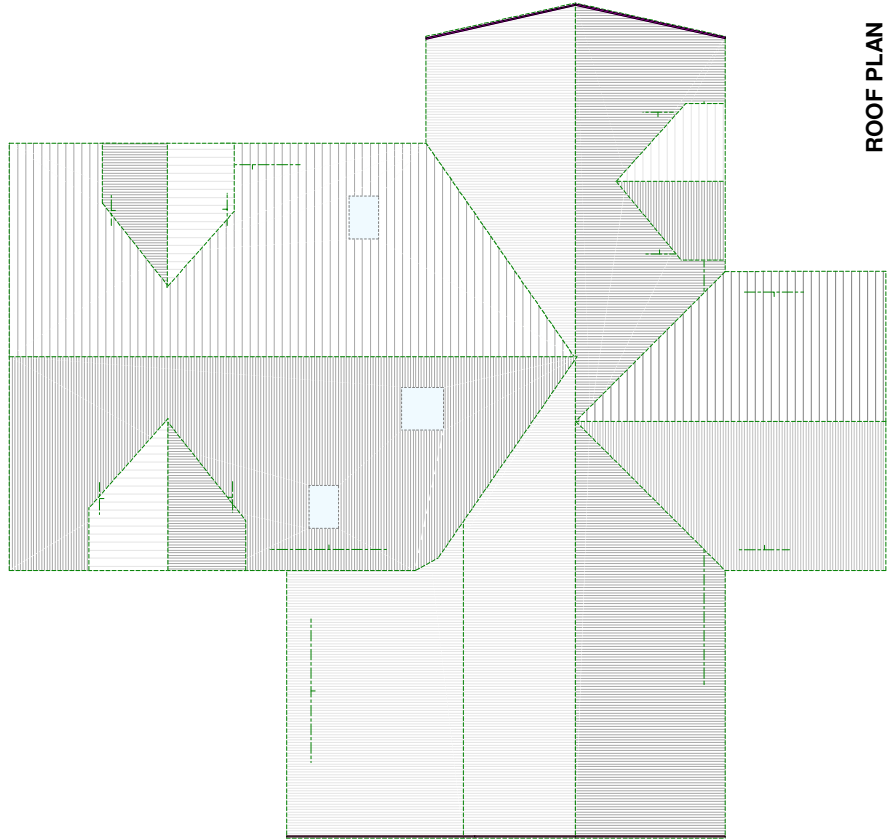


Section D-D

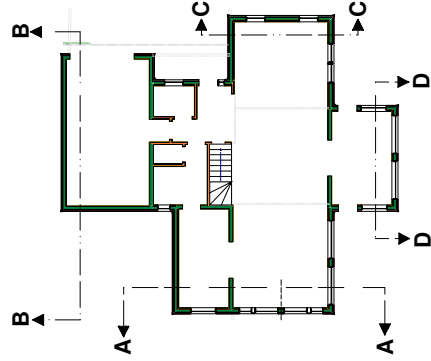
Section C-C

Section B-B

Section A-A



ROOF PLAN



Scale 1:100 Unless Otherwise Stated

## Roof Plan & Sections

HOUSE MODEL: **Custom Type**

Issue - PlangV1r0\_2017

Jan2018 - Rev 2 Scale Added



**Planning Justification in support of a Renewal of Application**

**Ref. No 12/01088/FLL**

**Erection of a Dwelling House at Forneth, Blairgowrie, PH10 6SW**

Site and Building Plan demonstrating proposed technologies to achieve a Carbon Zero property which combined with a Landscape Management plan will achieve Carbon Negativity in Perpetuity.

Grimmstane Estates Ltd

Registered In Scotland SC 442912

24 January 2018

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## Summary

This renewal application refers to an original application granted under terms (See Appendix 1) including this key requirement:



Unless otherwise agreed in writing by the Council as Planning Authority, the dwelling shall be 'carbon negative' in terms of its CO<sub>2</sub> emissions in perpetuity, to the satisfaction of the Council as Planning Authority.

Carbon negativity in perpetuity shall be achieved under this application in two ways detailed on the following pages:



First the dwelling itself: The enclosed SAP calculations (full 23 page analysis is available if required) demonstrates that the house has a negative carbon impact with -0.3 tonnes of carbon dioxide emissions per year.



They also show that the building will achieve A ratings for both its Energy Efficiency and its Environmental Impact, scoring five stars for almost all of its environmental performance. This will be achieved through the use of a combination of technologies, including water sourced heat exchange, high value insulated walls and roofing spaces, mechanical air heat recovery, photovoltaic solar panels, hot water recycling and triple glazed windows.



Finally the planting of 1600 trees in the surrounding woodland will, over a decade, absorb a cumulative total of over 100 tonnes of CO<sub>2</sub>, with a continuing annual saving of some 20 tonnes.

## Section 1- Background

In June 2012 Bell Ingram submitted a proposal on behalf of Mr & Mrs Scuse, to erect a Carbon Neutral property which together with an associated land management plan, would create a Carbon negative “in perpetuity” project in keeping with local and national planning guidelines.

In October 2013 planning permission was granted (Ref. No 12/01088/FLL) with conditions shown in Appendix 1. For reasons of finance and family bereavement, Mr & Mrs Scuse were unable to further the project until now and consequently the original permission ran out in October 2016.

This renewal application is based on the same planning and environmental principles as those which obtained the original permission, but seeks to update the proposed property design and utilise the latest technologies to achieve the carbon emission targets and so maintain it’s “pilot project” nature.

The woodland area in which the new dwelling will be built extends to forty five acres and is the subject of an accompanying Management Plan. The site chosen for the new dwelling lies on the north bank for a small man made lochan, into which flow streams running down from farm land to the north.

### SNH & SEPA

SEPA and SNH have a goal of reducing phosphorous discharge from septic tanks and run off from farms in the Lunan Valley and specifically into the 5 Lochs (which are designated SSSIs). We can confirm that in discussions with SNH and SEPA, it has been agreed that phosphate reduction sewage treatment plants will be installed in the new dwelling and in the existing dwelling.

Therefore this proposal will create betterment in terms of treatment of foul drainage.

Since the land in question was not presently a designated site, SNH would not be required to comment under any statutory procedures (planning or otherwise). However, they have provided advice and information which has been incorporated into the Land Management Plan.

## Site Plan

The site (shown in yellow) is within the area of land covered by the Management Plan, (green boundary) which as part of Croft Wood is classified as a Site of Nature Conservation Interest. Part of the woodland is scheduled as ancient woodland of semi-natural origin and in part long established of plantation origin.



The location of the house and access road have been carefully chosen to minimise the number of trees removed to construct the dwelling place and its new access road. Any trees removed will be largely common species such as ash, birch and willow and will be more than compensated for by the number of native oaks, ash, blackthorn and other native plants that will be planted as shown in the accompanying Land Management Plan.

The house site itself is an existing clearing within the woodland on the northern side of the man-made lochan comprising of a gentle south facing slope down towards the lochan. The area identified as the actual clearing for the house is approximately 300m<sup>2</sup>. The site is immediately enclosed on three sides by mature woodland and on the fourth side by the man made lochan and then mature woodland providing a well-established landscape framework for the proposed house.



The surrounding woodland landscape and the physical distance to neighbouring land owners, mean the proposed house will not be visible out with the immediate site area. As the site sits on the northern slope of the Lunan Valley, well below the ridge line, the proposed house will not break the skyline when viewed from anywhere out with the site, including from across the other side of the Lunan Valley.

## The Design Proposal

The proposal involves the construction of a new highly energy efficient eco-friendly dwelling which has been individually designed to relate to its context. The design will have a minimal impact on the surrounding environment, not only from its construction and siting but over the buildings lifetime. To this end, the building has been designed and orientated to maximise the potential of renewable technologies and operational efficiency.

### Heating

#### Water Sourced Heat Pump



Water sourced from the Lochan to provide ground floor underfloor heating below engineered timber flooring, with further under floor piping on the top floor. The unit would be large enough to supply Domestic Hot Water.

Water source heat pumps are between 300-500% efficient, compared to condensing boilers which are 98% efficient, so every 1kw of energy input generates an output of 3kw to 5kw. An open loop system will be used where water is extracted from the lochan, flows around the heat exchanger and is then discharged. As there are no pipes to absorb the energy from the lochan there is no temperature drop through the pipe, making Open loop systems more efficient than closed loop systems and so having lower energy costs.

Water has a high capacity to hold heat in relation to its volume; it readily absorbs heat and readily delivers it. The thermal capacity and thermal inertia of water enables it to retain some of the solar heat gained in the summer through to the winter.

A dwelling of 200m<sup>2</sup> floor area built to current standards has a space heating demand of @ 55kWh/m<sup>2</sup>/yr, so for 200m<sup>2</sup> = 11,000kWh per year. In addition domestic hot water (DHW) requirement for two people living in the house = 3,000kWh.

At COP 5, an open water sourced heat pump could deliver 14,000 kWh for 2,800 kWh of electricity or 20% of the normal energy use.

#### Heat Recovery Ventilation System

A mechanical heat recovery system with optional additional heating will be used. One example is the Genvex Combi 185 S which provides heat recovery ventilation, domestic hot water and additional heating. The unit has a 600 x 664 mm footprint and stands 2,014 mm high. F7 Pollen filters clean the fresh air before introducing it into the building. It is powered by EC motors that

run at a typical consumption of only 93 Watts in total creating a Counter Current Heat Exchange Matrix with up to 95% heat recovery.

### Reclaiming Heat from Waste hot water

Hot water from showers, sinks and baths will be collected and used to either pre-heat water or as low grade heating. Achieved through the use of a heat exchanger to recover energy and reuse heat from drain water from various activities such as dish-washing, clothes washing and especially showers. Standard units save up to 60% of the heat energy that is otherwise lost down the drain. A 2-year independent study of waste water heat recovery systems installed into residential houses in the UK found savings of 380kWh and 500kWh per person per year.

### Underfloor Heating

Pipes with 20cm gap for maximum efficiency and a wooden board thickness of 16mm and width of 160mm would give a maximum floor surface temperature of 27°C efficiently. This temperature restriction is secured by using a thermostat which controls the heating system. In bathrooms and the kitchen, slate tiles may be used which have an extremely conductive natural finish, ideal for use with underfloor heating.

## Wall, Roof & Floor Insulation

### Overall Thermal Insulation Target

The walls are Hoff House standard, of 195mm thickness with 150mm pre-fitted Rigid Foam insulation and multi-foil internal facing, with similarly insulated and engineered flooring.

As shown, this specification will exceed standards for the maximum U value for elements of the insulation envelope required by Scottish Government.

Type of element	Area-weighted average U-value (W/m <sup>2</sup> K) for all elements of the same type	Achieved U-value (W/m <sup>2</sup> K)
Wall	0.22	0.10
Floor	0.18	0.11
Roof	0.15	0.11
Windows, doors	1.6	0.68

## Triple Glazing

As it faces south, the property has the potential to gain energy from the sun for most of the day. “A” rated triple glazing, using a low-emissivity metallic coating that reflects some of the heat back into the home will increase their energy efficiency. The gaps will be filled with argon to reduce the heat loss even further.

## Electricity

### Primary Source

The primary source will be the national grid. We have agreed with SSE that the connecting line to the new property will be alongside the new road by laying armoured cable rather than above ground on poles which would necessitate more trees being removed.

### Secondary Source

Photovoltaic cells would generate electricity used to run the heat pump and contribute to general household electricity usage. 35sqm of cells pointing due south at 30 degrees at the proposed location, with a system capacity of 5 kW(p) a year could produce some 3,750 kWh (the water source heat pump would require some 2,800kWh).

Cell area	35 m <sup>2</sup>
Capacity	5 kW(p)
Cost	@ £8,000
Total electricity generated	3,780 kWh
Energy required to produce your PV panels	8,750 kWh
Energy payback time	2.3 years
CO <sub>2</sub> emissions avoided per year	1,671 kg/year
reduction in one person's average total carbon footprint	19%

## Rain Water

Rainwater from the roof will be captured for non-potable use within the home, being gravity fed down to toilets and washing machines.



## Drainage & Sewage Phosphate Reduction

After discussions with SEPA a sequencing batch reactor (SBR) wastewater treatment system with phosphate removal (+P) will be used. The system will be approved by SEPA prior to installation.

### Product Description

The proposed product is the GRAF Klaro E+P Professional 3750 litre one-tank system for 5 people. All movement processes are performed by three air lift pumps, operated using a compressor which also provides the plate ventilator on the bottom of the SBR reservoir with air. The compressor and all other technical components offer power failure recognition and will be stored in a switch cabinet in the plant room of the property.



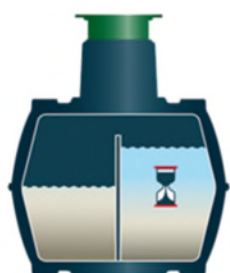
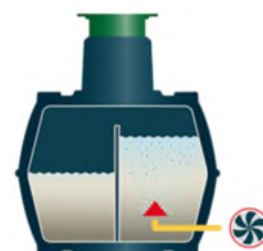
### SBR Function

SBRs use a separate pre-treatment section to mechanically hold back solids and a biological aeration and settling tank to clean incoming wastewater over a number of cycles. GRAF products achieve a cleaning performance of up to 98 %.



The wastewater goes first into primary treatment (1st chamber), where the solid substances are retained. From there, the wastewater is fed into the SBR tank (2nd chamber) where the biological cleaning by microorganisms takes place. Short aeration and rest phases alternate in a controlled cleaning process. The so-called

activated sludge can now develop with millions of microorganisms and clean the water thoroughly.



A rest phase now follows, during which the live sludge sinks to the bottom of the system. This allows a clarified water zone to form at the top of the SBR tank. The purified wastewater will be fed into the outflow stream from the adjacent lochan. The sludge is fed back from the SBR tank into the primary treatment tank.



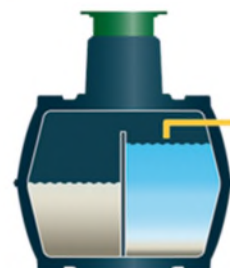
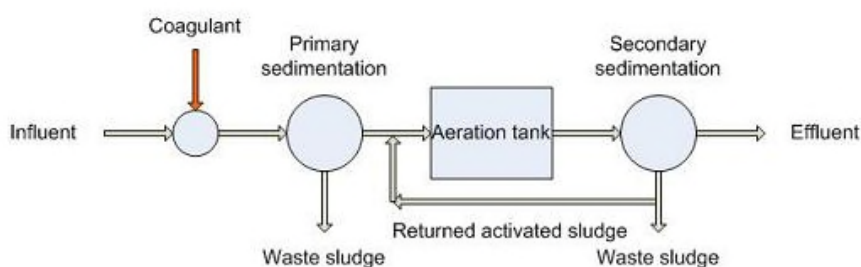
### + P Phosphate removal package

The phosphorous contribution / inhabitant varies between 0.65 and 4.80 g/inhabitant per day with an average of about 2.18 g. The usual forms of phosphorous found in aqueous solutions include:

- Orthophosphates: available for biological metabolism without further breakdown
- Polyphosphates: more complex molecules with 2 or more phosphorous atoms, oxygen and in some cases hydrogen atoms. Usually they undergo hydrolysis and revert to the orthophosphate forms.

Phosphorous is removed by incorporating a coagulant into the suspended solids which causes chemical precipitation, in this case using poly- aluminium chloride. Polyphosphates are

returned to the primary treatment tank as part of the sludge, allowing time to hydrolyse and then repeat the treatment cycle. Phosphorous is removed with over 90% efficiency and the final P concentration is lower than 0.5 mg/l. In this system the coagulant reservoir is located in the vertical section of the tank.



### Control System

A switch cabinet for system control with the air compressor and valve unit will be installed in the plant room under the decking of the property. The LCD display shows the operating hours of the individual devices. Any power failure is indicated with a visual and audio alarm.

### Location

Please see also attached Plan LCC-Scuse\_PlangV1r0\_Metric A4\_Waste Water Plan (1-200)

The GRAF Klaro E+P 3750 litre tank will be buried between the property and the adjacent lochan, with the lid of the tank being at ground level some 2 meters below the ground floor level of the property. An 18 metre Inlet pipe connects the property waste water outlet points to the tank.

A 12m outlet pipe drains purified water into the naturally occurring reed bed along the north edge of the lochan and so out of the lochan via the main outlet stream.

## SAP Energy Efficiency Ratings

The key factors are:



The EER, (the Energy Efficiency Rating), scores between 0 and 100, where 100 is a zero energy home. This determines the EPC rating band, band B is between 81 and 91 and band A is above 92. A negative energy home can have a rating above 100.



The EI (the Environmental Impact rating) is the tonnes of CO<sub>2</sub> the house emits per year, derived from the total energy consumption of the house plus factors to convert the energy source used back to "primary energy" to get the amount of CO<sub>2</sub> released. For this rating the lower the number the better, and ideally a negative number.



The TER (Target Emission Rate) of CO<sub>2</sub> per m<sup>2</sup> per year produced by the house. This is the figure the house has to meet, based on its size etc, to comply with building regs, so is, if you like, the worst the house can be and still pass.



The DER (Design Emission Rate), again in terms of CO<sub>2</sub> per m<sup>2</sup> per year produced by the house. It should always be a lot lower than the TER, and if possible should be negative, or at least zero, for a zero carbon home.

The SAP calculation on the proposed design demonstrates that the building :



: has a negative carbon impact with -0.3 tonnes of carbon dioxide emissions per year.

: will achieve A ratings for both its Energy Efficiency and

: it's Environmental Impact, scoring five stars for almost all of its environmental performance.

## Summary Woodland Management Plan

A Wildlife and Habitat Management Plan has been prepared by Charlotte Gilfillan from Bell Ingram for the forty five acres of woodland associated with this application. The Management Plan and associated Woodland and Habitat Surveys form part of the planning application documentation, but can be summarised below:

Grimmstane estate in Perthshire extends to approximately 17 hectares (42 acres) and comprises a number of habitats including ancient native broad leaved woodland. The site is designated as a Site of Nature Conservation Interest due to the historic nature of the woodlands and their local importance.

The woodland and habitats on Grimmstane are currently not in a favourable condition due to increased browsing pressure from deer and lack of drainage on the site. There are also strong incursions of invasive non-native species like Himalayan Balsam, Rhododendron Ponticum and grey squirrels which are threatening the existing native species and habitats. Grimmstane is currently proactive in trying to conserve and enhance its woodland and is subject to a Scottish Forestry Grants Scheme (SFGS) and Rural Development Contract for the control of grey squirrels.

The existing management of the land has included deer control measures, feeding programmes for red squirrels and significant planting of native species of trees and other plants.

Additional management is now required to bring the site into a favourable condition over the next five years. This will improve the ancient woodland habitat and increase the overall biodiversity of the site to benefit a broad range of species. The prescriptions used to achieve this will be woodland planting of native trees, further deer management, improved drainage, control of non-native species, increasing biodiversity through planting of additional food sources for birds, leaving dead wood for invertebrates, putting up boxes for owls/bats/squirrels and increased vermin control. There will also be relationships developed with local schools/groups to offer the site as an area suitable for environmental education. During the course of the management plan it is hoped that 18.2 tonnes of CO<sub>2</sub> will be offset each year due to the new woodland planting. The level of commitment in terms of time required to complete all the necessary prescriptions from the estate will be 142.5 days in the first year with 54.6 days in each subsequent year (based on 1 person working an 8 hour day).

## Road Construction

The new road to the site will be constructed with site won material from borrow pits. It will be 3 metre wide on straight sections, increased to 4 metres around corners, formed and compacted with either a raised centre or cross fall to ditches for water run-off. The roadway will be capped off and compacted to falls created before with approx. 200 mm of quarry/recycled material, 75mm down in size. Trees to be removed to allow this have previously been assessed as part of the original Bell Ingram application. They are predominantly birch or crack willow. The road will be routed to avoid damage to oaks, both during and after construction.

## Planning Assessment Planning Policy Context

### Development Plan

It has been demonstrated in the previous chapters that the proposal is in line with the general sentiments of the Structure Plan, which is entitled 'Towards a Sustainable Future', which states that an integrated approach is required in order to meet the objectives of sustainable development particularly by:

- Ensuring greater energy efficiency.
- Meeting needs and aspirations for housing.
- Protecting the environment and reducing pollution.
- Promoting the importance of stewardship of the land.

The aim of Policy 9, is that Local Plans will ensure that new development contributes to sustainable development, through energy conservation, efficiency through design, site layout and where possible the use of local materials. The proposal accords to these aims as detailed in Section 3, to the point where not only is the building extremely energy efficient, it actually has a negative carbon emissions rate.

### Eastern Area local Plan (1998)

The site lies within the landward area of the Eastern Area Local Plan and the most relevant Policies are Policy 38, Policy 45 and Policy 49. Policy 38 outlines the general criteria that all developments will be judged against. These include:

- Good siting and landscape framework.
- Quality of design.
- Compatible with its surroundings.

- Suitability of road network.
- Suitability of local Services.
- Site area suitable for development.

The proposal accords with all of these criteria in that it has a very good landscape framework and is not visible out with the site. The proposal has been designed to the highest standards, creating an innovative design that compliments the surrounding environment. As the dwelling is linked to the management of the surrounding woodland and habitat, it is very compatible with its surroundings. There is an existing private road which access's the site and minimal additional traffic will be generated. Local services will be extended onto the site. The immediate site area is large enough to accommodate the proposed dwelling without having to cut down any of the surrounding mature trees.

Policy 45 of the Eastern Area Local Plan refers to the environmentally sensitive Lunan Valley Catchment Area which the proposal falls within. This policy states that there will be a presumption against built development within the area, except for renovations or alterations to existing buildings and developments necessary for operational need which can be shown by the developer to have no adverse impact on the environmental assets of the area.

Grimmstane Estates is not seeking an economic justification in terms of the operational need aspect of the policy, as it is associated with the management of the land and not an economical need. However as the objective of the policy is to protect the Lunan valley Catchment Area, in conjunction with Scottish Natural Heritage, we have included for the replacement of the existing septic tank serving Grimmstanes with a combined secondary treatment plant. This will reduce the phosphorous discharge within the catchment area and help alleviate the nutrient enrichment problems that the Lochs currently suffer. It is therefore argued that we are providing an Environmental Benefit to the Lunan Valley Catchment Area and this approach is supported by SNH and SEPA and is further backed up by the environmental credentials of the proposed dwelling.

Policy 49 of the Eastern Area Local Plan refers to Housing in the Countryside, referencing the Housing in the Countryside Policy contained in Annex 1 of the plan. This Policy lists a number of categories of acceptable development within the countryside, however due to the out dated nature of this policy our proposal does not fall under any of the listed categories.

The Housing in the Countryside Policy contained within the Eastern Area Local Plan has been reviewed Council wide and an approved Policy was adopted in 2009 covering the whole landward area of Perth and Kinross.

Grimmstane Estates are seeking the Council's support for favourable consideration of their proposal and

consider that, notwithstanding the Development Plan position with particular regard to Policy 45 of the adopted Local Plan, the application of this Housing in the Countryside Policy would allow a departure from the Development Plan given the justification as presented below.

### **Housing in the Countryside Policy (2009)**

The 2009 Housing in the Countryside Policy is the most recent expression of Council Policy towards new housing in the open countryside. It seeks to encourage sustainable development in rural areas, minimise travel, ensure high standards of siting and design and support rural economies through development.

The Policy states that favourable consideration will be given to proposals for the erection of single houses in the countryside which fall into a least one of the stated categories.

The category that our proposal falls into is 3.5, 'Pilot projects creating eco-friendly houses'.

This aspect of the policy states that such proposals may be supported where a rural setting is required and the project is linked to the management of land or use of land for sustainable living.

As demonstrated within Section 4 of this statement and the accompanying Management Plan, the house will be linked to the ongoing management of the surrounding woodland and habitat and its rural setting is essential.

As demonstrated within Section 3 of this statement, we consider the proposal (including all the renewable and sustainable technologies) which creates a dwelling that has a negative carbon emissions rate, a very high energy efficiency rating and environmental impact rating, and the actual contemporary design of the house, is very much a pilot project creating an eco-friendly house.

5.17 As our proposal falls into category 3.5, the siting criteria laid out under this section is relevant. However as previously stated the house will not be visible from out with the immediate site area and therefore not from any land out with Grimmstane Estates ownership. However the proposal still complies with the aspirations of the siting criteria in that:

- It blends sympathetically with the land form.
- It uses the existing trees and hillside as a backdrop.
- It is within an identifiable and contained site.
- It will not have a detrimental impact on the surrounding environment.
- It does not occupy a skyline.
- The site boundaries are the surrounding mature woodland.
- It has a very high degree of enclosure around the site

We consider this to be an exciting opportunity to construct a 'one off house which genuinely promotes sustainability and renewable technologies as opposed to inappropriately retrofitting technologies to a standard house type.

## Conclusion

The Erection of a new Dwelling at Grimmstane is Suitable in Planning terms.

The principal aim of this statement has been to demonstrate that Grimmstane Estates's proposal to erect a new highly energy efficient, eco-friendly dwelling associated with the management of the land, is acceptable in planning terms by complying with the Council's prevailing Policies covering the site.

Where the proposal does not meet the specific requirements of Policy 45 of the Eastern Area Local Plan, we have demonstrated mitigating circumstances, by providing a net environmental benefit to the designated area.

Notwithstanding the Development Plan position with particular regard to Policy 45 of the adopted Local Plan, the application of this Housing in the Countryside Policy would allow a departure from the Development Plan given the justification as presented.



The proposal is in accord with section 3.5 of the most recent Housing in the Countryside Policy, whereby it has been demonstrated that the project is truly a 'pilot project creating an eco-friendly house' and is linked to the management of the land as demonstrated by the Management Plan accompanying the application. The proposal further meets all the siting criteria set down within the Housing in the Countryside Policy.

Planning Policy objectives regarding sustainability, housing and rural development matters.

It is intended that the project, when complete, shall demonstrate by example what can be achieved in terms of modern architecture, appropriate forms linked to the surrounding landscape, environmental protection and management, the integration of renewable technologies, and maximising energy efficiency through design.

It is respectfully requested that Perth and Kinross Council grants planning permission for the erection of a new dwelling associated with the management of the land at Grimmstane which we have submitted on behalf of Grimmstane Estates Mr and Mrs Scuse.

It is considered that the proposal is in accord with National

## Appendix 1

### Perth & Kinross Council Conditions to Application Number 12/01088/FLL

- The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed in the planning consent.
- Prior to the commencement of any works on site precise details of all external walling, timber features and roof finishes shall be submitted for the approval in writing by the Council as Planning Authority. The approved details shall be implemented in full, to the satisfaction of the Council as Planning Authority.
- Prior to the commencement of any works on site, precise details of the private drainage system shall be submitted for the approval by the Council as Planning Authority, in consultation with SNH. The approved details shall be implemented in full, and it is expected that the new drainage system includes the replacement of the existing private system which serves Grimmstane House, all to the satisfaction of the Council as Planning Authority.
- Unless otherwise agreed in writing by the Council as Planning Authority or as shown on the approved plans, all trees shall be retained and adequately protected during the course of construction to a standard which is acceptable to the Council as Planning Authority.
- Prior to the occupation of the dwelling, turning facilities shall be provided (and thereafter retained) within the site to enable all vehicles to enter and leave in a forward gear to the satisfaction of the Council as Planning Authority.
- Prior to the occupation of the dwelling, a minimum of 2 No. car parking spaces shall be provided (and thereafter retained) within the site, to the satisfaction of the Council as Planning Authority.
- Unless otherwise agreed in writing by the Council as Planning Authority, the dwelling shall be 'carbon negative' in terms of its CO<sub>2</sub> emissions in perpetuity, to the satisfaction of the Council as Planning Authority. Prior to the commencement of any works on site, precise details of proposed means of monitoring the CO<sub>2</sub> emissions (which must including details of the proposed equipment to be used, the processes proposed and timescale / frequency / format of reporting this information) which will demonstrate that the dwelling is operating as

a 'carbon negative' dwelling shall be submitted for the approval in writing by the Council as Planning Authority. The approved details shall be implemented in full, to the satisfaction of the Council as Planning Authority

- Prior to any works commencing on site, details shall be submitted to and approved in writing by this Planning Authority of the monitoring equipment and processes to be used in the development to establish levels of energy use. The details agreed shall be fully operational to the satisfaction of this Council as Planning Authority prior to the occupation of the dwellinghouse and shall be maintained thereafter. All information and data collected through this monitoring shall be provided in writing to this Planning Authority annually.
- Unless otherwise agreed in writing by the Council as Planning Authority, the submitted wildlife and habitat management for the Grimmstane Estate are hereby approved and shall be implemented in full to the satisfaction of the Council as Planning Authority
- Permitted development rights associated with Classes 1A, 1B, 3A and 3B of The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), or any subsequent comparable classes in future legislation relating to development within the curtilage of a dwellinghouse, are hereby revoked in full,
- All matters regarding vehicular access(es), car parking, road layout, design and specification (including disposal of surface water) shall be in accordance with the standards required by the Council as Roads Authority.

**TCP/11/16(537) – 18/00012/FLL – Erection of a dwellinghouse on land 250 metres north west of Grimmstane, Forneth**

## **REPRESENTATIONS**



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

<b>Planning Application ref.</b>	18/00012/FLL	<b>Comments provided by</b>	Gavin Bissett
<b>Service/Section</b>	TES/Flooding	<b>Contact Details</b>	██████████ ████████████████████
<b>Description of Proposal</b>	Erection of a dwellinghouse		
<b>Address of site</b>	Land 250 Metres North West Of Grimmstane Forneth		
<b>Comments on the proposal</b>	No objection to this application.		
<b>Recommended planning condition(s)</b>	<b>DR01</b> Storm water drainage from all paved surfaces, including the access, shall be disposed of by means of suitable Sustainable Urban Drainage Systems to meet the requirements of best management practices.		
<b>Recommended informative(s) for applicant</b>	PKC Flooding and Flood Risk Guidance Document (June 2014)		
<b>Date comments returned</b>	09/02/18		







12<sup>th</sup> February 2018

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

Development Operations  
The Bridge  
Buchanan Gate Business Park  
Cumbernauld Road  
Stepps  
Glasgow  
G33 6FB

Development Operations  
Freephone Number - 0800 3890379  
E-Mail - [DevelopmentOperations@scottishwater.co.uk](mailto:DevelopmentOperations@scottishwater.co.uk)  
[www.scottishwater.co.uk](http://www.scottishwater.co.uk)

Dear Local Planner

**PH10 Forneth Grimmstane 250 Metres North West Of**  
**PLANNING APPLICATION NUMBER: 18/00012/FLL**  
**OUR REFERENCE: 757004**  
**PROPOSAL: Erection of a dwellinghouse**

**Please quote our reference in all future correspondence**

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

#### **Water**

- There is currently sufficient capacity in the Lintrathen Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

**The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.**

#### **Foul**

- Unfortunately, according to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options.

## **Surface Water**

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not normally accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

### **General notes:**

- **Scottish Water asset plans can be obtained from our appointed asset plan providers:**

**Site Investigation Services (UK) Ltd**

**Tel: 0333 123 1223**

**Email: [sw@sisplan.co.uk](mailto:sw@sisplan.co.uk)**

**[www.sisplan.co.uk](http://www.sisplan.co.uk)**

- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.
- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.

- Please find all of our application forms on our website at the following link <https://www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms>

#### **Next Steps:**

- **Single Property/Less than 10 dwellings**

For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre-Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

- **10 or more domestic dwellings:**

For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

- **Non Domestic/Commercial Property:**

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at [www.scotlandontap.gov.uk](http://www.scotlandontap.gov.uk)

- **Trade Effluent Discharge from Non Dom Property:**

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.

If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email [TEQ@scottishwater.co.uk](mailto:TEQ@scottishwater.co.uk) using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found using the following link <https://www.scottishwater.co.uk/business/our->

[services/compliance/trade-effluent/trade-effluent-documents/trade-effluent-notice-form-h](#)

Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.

For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at [www.resourceefficientscotland.com](http://www.resourceefficientscotland.com)

If the applicant requires any further assistance or information, please contact our Development Operations Central Support Team on 0800 389 0379 or at [planningconsultations@scottishwater.co.uk](mailto:planningconsultations@scottishwater.co.uk).

Yours sincerely

**Stephen Campbell**

Development Operations Tech Analyst

[Stephen.Campbell2@scottishwater.co.uk](mailto:Stephen.Campbell2@scottishwater.co.uk)

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

<b>Planning Application ref.</b>	18/00012/FLL	<b>Comments provided by</b>	Euan McLaughlin
<b>Service/Section</b>	Strategy & Policy	<b>Contact Details</b>	<b>Development Negotiations Officer:</b> Euan McLaughlin [REDACTED]
<b>Description of Proposal</b>	Erection of a dwellinghouse		
<b>Address of site</b>	Land 250 Metres North West Of Grimmstane, Forneth		
<b>Comments on the proposal</b>	<p><b>NB: Should the planning application be successful and such permission not be implemented within the time scale allowed and the applicant subsequently requests to renew the original permission a reassessment may be carried out in relation to the Council's policies and mitigation rates pertaining at the time.</b></p> <p>THE FOLLOWING REPORT, SHOULD THE APPLICATION BE SUCCESSFUL IN GAINING PLANNING APPROVAL, <u>MAY</u> FORM THE BASIS OF A SECTION 75 PLANNING AGREEMENT WHICH MUST BE AGREED AND SIGNED PRIOR TO THE COUNCIL ISSUING A PLANNING CONSENT NOTICE.</p> <p><b>Primary Education</b></p> <p>With reference to the above planning application the Council Developer Contributions Supplementary Guidance requires a financial contribution towards increased primary school capacity in areas where a primary school capacity constraint has been identified. A capacity constraint is defined as where a primary school is operating, or likely to be operating following completion of the proposed development and extant planning permissions, at or above 80% of total capacity.</p> <p>This proposal is within the catchment of Newhill Primary School.</p> <p>A contribution towards primary education was paid on 04 October 2013 in relation to the previous consent on the site under 12/01088/FLL. This proposal does not seek additional units on the site over that previously consented. No contribution towards primary education will be required.</p>		
<b>Recommended planning condition(s)</b>	<p><b>Summary of Requirements</b></p> <p>Education: £0</p> <p><b><u>Total:</u> £0</b></p>		
<b>Recommended informative(s) for applicant</b>			
<b>Date comments returned</b>	21 February 2018		



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

<b>Planning Application ref.</b>	<b>18/00012/FLL</b>	<b>Comments provided by</b>	David Williamson
<b>Service/Section</b>	Strategy and Policy	<b>Contact Details</b>	██████████ ████████████████████
<b>Description of Proposal</b>	Erection of a dwellinghouse		
<b>Address of site</b>	Land 250 Metres North West Of Grimmstane, Forneth		
<b>Comments on the proposal</b>	<p><b>Part 214 of the Scottish Planning Policy states:</b></p> <p>The presence (or potential presence) of a legally protected species is an important consideration in decisions on planning applications. If there is evidence to suggest that a protected species is present on site or may be affected by a proposed development, steps must be taken to establish their presence. The level of protection afforded by legislation must be factored into the planning and design of the development and any impacts must be fully considered prior to the determination of the application. Certain activities – for example those involving European Protected Species as specified in the Conservation (Natural Habitats, &amp;c.) Regulations 1994 and wild birds, protected animals and plants under the Wildlife and Countryside Act 1981 – may only be undertaken under licence. Following the introduction of the Wildlife and Natural Environment (Scotland) Act 2011, Scottish Natural Heritage is now responsible for the majority of wildlife licensing in Scotland.</p> <p><b>The RTPi GOOD PRACTICE GUIDE - PLANNING FOR BIODIVERSITY provides the following guidance:</b></p> <p>The presence of a protected species is a material consideration in planning decisions. It is important to bear in mind that the granting of planning permission can provide a legal justification for Undertaking operations that would harm a protected species.</p> <p>In dealing with cases that may involve protected species it is important to ensure that an expert survey is undertaken and specialist advice is obtained, either from the applicant (through consultants) or from the statutory agencies or local nature conservation organisations, many of which have valuable local knowledge and experience of the species. In most cases harm could be overcome by modifications to the proposals or by the use of conditions or agreements related to any permission granted. However, it should be born in mind that mobile species frequently range beyond designated sites or sites where they are known to breed, roost, rest or hibernate. They may be equally</p>		



dependent upon more extensive foraging, hunting or feeding areas (for example, barn owls and bats).

**The Association of Local Government Ecologists Guidance on Validation of Planning Applications provides the following guidance:**

The planning authority has a duty to consider the conservation of biodiversity when determining a planning application; this includes having regard to the safeguard of species protected under the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats etc) Regulations 1994 or the Badgers Act 1992. Where a proposed development is likely to affect protected species, the applicant must submit a **Protected Species Survey and Assessment**.

If the application involves any of the development proposals shown in **Table 1** (Column 1), a protected species survey and assessment must be submitted with the application. Exceptions to when a survey and assessment may not be required are also explained in this table. The **Survey** should be undertaken and prepared by competent persons with suitable qualifications and experience and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines/methods where available\*. The survey may be informed by the results of a search for ecological data from a local environmental records centre. The survey must be to an appropriate level of scope and detail and must:

- Record which species are present and identify their numbers (may be approximate);
- Map their distribution and use of the area, site, structure or feature (e.g. for feeding, shelter, breeding).

The **Assessment** must identify and describe potential development impacts likely to harm the protected species and/or their habitats identified by the survey (these should include both direct and indirect effects both during construction and afterwards). Where harm is likely, evidence must be submitted to show:

- How alternatives designs or locations have been considered;
- How adverse effects will be avoided wherever possible;
- How unavoidable impacts will be mitigated or reduced;
- How impacts that cannot be avoided or mitigated will be compensated.

In addition, proposals are to be encouraged that will enhance, restore or add to features or habitats used by protected species. The Assessment should also give an indication of how species numbers are likely to change, if at all, after development e.g. whether there will be a net loss or gain.

The information provided in response to the above requirements are consistent with those required for an application to Scottish Natural Heritage for a European Protected Species Licence. A protected species survey and assessment may form part of a wider Ecological Assessment and/or part of an Environmental Impact Assessment.

	<p><b>Biodiversity Officer Comments</b></p> <p>The site of the proposal is in an area of woodland and includes a wildlife and management plan demonstrating that, while there will be some disturbance in the immediate area of the building, a substantial amount of work is proposed to compensate for the construction.</p> <p>The work outlined in the wildlife and management plan is a combination of control of nuisance and invasive species as well as proactive improvements such as woodland planting, drainage, erection of owl and bat boxes and encouraging red squirrels by feeding.</p>
<b>Recommended planning condition(s)</b>	<p>If you are minded to approve the application then I recommend the following conditions be included in any approval:</p> <p><b>NE01</b> Measures to protect animals from being trapped in open excavations and/or pipe and culverts shall be implemented for the duration of the construction works of the development hereby approved. The measures may include creation of sloping escape ramps for animals, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day and open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.</p> <p><b>RNE02</b> Reason - In order to prevent animals from being trapped within any open excavations.</p>
<b>Recommended informative(s) for applicant</b>	<ul style="list-style-type: none"> <li>• The applicant is reminded that, should any protected species be present a licence may be required from Scottish Natural Heritage to disturb a protected species. Failure to obtain a licence may constitute a criminal act under the Habitats Regulations and penalties are severe for non compliance.</li> <li>• The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage or destroy the nest of any wild birds while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.</li> </ul>
<b>Date comments returned</b>	23 February 2018



Our ref: PCS/157409  
Your ref: 18/00012/FLL

If telephoning ask for:  
Alasdair Milne

23 February 2018

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

By email only to: [DevelopmentManagement@pkc.gov.uk](mailto:DevelopmentManagement@pkc.gov.uk)

Dear Sir

**Planning application: 18/00012/FLL  
Erection of a dwellinghouse  
Land 250 Metres North West of Grimmstane, Forneth**

Thank you for your consultation email which SEPA received on 8 February 2018.

**Advice for the planning authority**

We **object** to this planning application on the grounds of a lack of information relating to the foul drainage proposals. We will review this objection if the issues detailed in Section 1 below are adequately addressed.

**1. Phosphorous mitigation**

- 1.1 The updated [Lunan Valley Area Dunkeld – Blairgowrie Lochs Special Area of Conservation](#) supplementary guidance (SG) was adopted in October 2016. The SG requires that information is submitted with full or approval of matters specified by condition (AMM) planning applications for new developments to provide details of proposed phosphorous (P) mitigation
- 1.2 The reason for this is to ensure that development accords with [Local Development Plan](#) Policy EP6: Lunan Valley Catchment Area which requires that total phosphorous from built development must not exceed the current level, to ensure no reduction in water quality in the Lunan Lochs due to the fact that the catchment has an issue with elevated nutrient levels. Given that this application does not provide any specific details of required P mitigation we **object** to this application due to lack of information and would ask that detailed phosphorus mitigation calculations (a worked example is provided in the SG referred to in section 1.1 above) be provided.
- 1.3 Notwithstanding our comments on phosphorus mitigation, we note the intention is to discharge treated sewage effluent to the lochan – this is not good practice and against [SEPA policy](#). We would ask that the applicant investigate the ground conditions for the

suitability of a soakaway instead. Should ground conditions preclude a soakaway the discharge of effluent will require to be *downstream* of the lochan and even then we are unable to confirm if this would be acceptable as we are unaware of the flow (if any) from such a small lochan and catchment area and we therefore have concerns regarding the dilution which the lochan outlet would provide. We therefore have concerns relating to the potential consentability of the foul drainage proposals and **object** due to a lack of information in this regard.

### **Detailed advice for the applicant**

#### **2. Phosphorous mitigation**

- 2.1 Relevant information with regards forms of phosphorous mitigation proposals are contained within the SG.

#### **3. The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended)**

- 3.1 The applicant should be aware that they will need to apply for a licence under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended (CAR)) for the discharge of foul effluent from the development. It should also be noted that any mitigating property will also require authorisation from us under CAR. Contact should be made with the Perth Operations team (ask for Bruce Meikle, contact details below) regarding this issue.
- 3.2 The provision of phosphorous mitigation to ensure that total phosphorous from built development does not exceed the current level is a separate issue to the CAR licence. The approval of submitted phosphorus mitigation details through the planning process is therefore made without prejudice to any CAR licence application and does not infer that the CAR licence application(s) will be approved. Conversely it is at the applicant's commercial risk if the CAR licence application is progressed in advance of approval of P mitigation details.

### **Regulatory advice for the applicant**

#### **4. Regulatory requirements**

- 4.1 Details of regulatory requirements and good practice advice for the applicant can be found on the [Regulations section](#) of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory team in your local SEPA office at:

SEPA, Strathearn House, Broxden Business Park, Lamberkine Drive, Perth, PH1 1RX,  
tel 01738 627989



Chairman  
Bob Downes  
Chief Executive  
Terry A'Hearn

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#### **Perth Strathearn House**

Broxden Business Park,  
Lamberkine Drive, Perth, PH1 1RX  
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[www.sepa.org.uk](http://www.sepa.org.uk) • customer enquiries 03000 99 66 99

If you have any queries relating to this letter, please contact me by telephone on 01786 452537 or e-mail at [planning.se@sepa.org.uk](mailto:planning.se@sepa.org.uk)

Yours faithfully

Alasdair Milne  
Senior Planning Officer  
Planning Service

Ecopy to: Bruce Meikle, SEPA - [bruce.meikle@sepa.org.uk](mailto:bruce.meikle@sepa.org.uk)  
Copy to: Jeremy Scuse, Grimmstane, Forneth, Blairgowrie, PH10 6SW

*Disclaimer*

*This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our [website planning pages](#).*



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

<b>Planning Application ref.</b>	18/00012/FLL	<b>Comments provided by</b>	Katrina Walker
<b>Service/Section</b>	Local Development Plans	<b>Contact Details</b>	██████
<b>Description of Proposal</b>	Land 250 metres North West of Grimmstane, Forneth		
<b>Address of site</b>	Erection of a dwellinghouse		
<b>Comments on the proposal</b>	<p>The application site falls within the Lunan Lochs Catchment Area. The application of the Housing in the Countryside Policy RD3 within the Catchment Area is limited to economic need, conversions or replacement buildings. The proposal does not fall within any of these categories and is therefore contrary to the Housing in the Countryside Policy.</p> <p>It is stated in the Supporting Statement which accompanies the application that the proposal will create betterment in terms of the treatment of foul drainage in that phosphate reduction sewage treatment plants will be installed in both the new dwelling and in the existing dwelling (Grimmstane) thereby reducing the phosphorous discharge within the catchment area. The question is, however, whether the environmental benefit of replacing the existing septic tank at Grimmstane is so significant that it justifies the construction of a sizeable new house in open countryside, contrary to the Housing in the Countryside Policy. I am not able to comment on the extent of the environmental benefit but I do note that SEPA have objected to the proposals as they currently stand.</p> <p>If significant environmental benefit can be demonstrated, and it is accepted that this justifies a departure from the Policy, then compliance with one or more of the categories of the Policy would still be required. The relevant category would be that set out in 3.5 of the Supplementary Guidance: Pilot projects creating eco-friendly houses.</p> <p>The proposed house is to be carbon zero which, combined with a landscape management plan, will achieve carbon negativity in perpetuity. Category 3.5 is aimed at proposals which go beyond those technologies which are widely available and are already in use in standard new build developments. Whilst some of the elements proposed in this scheme may well go beyond widely available technologies, this category of the policy is about more than the environmental credentials of the property itself; to be acceptable under category 3.5 it must be demonstrated that a rural setting is required and that the project is linked to the management of land or the use of land for sustainable living. The Planning Justification submitted with the application states that 'the house will be linked to the ongoing management of the surrounding woodland and habitat' however I am concerned that no such link has been demonstrated. A Wildlife and Habitat Management Plan has</p>		

	<p>been submitted with the application and its contents are noted, but I am not convinced that that this sufficiently explains why the implementation of the Management Plan <u>requires</u> a new house to be built on this particular site. From the information provided I cannot see why the Management Plan could be implemented without the new house.</p> <p>In conclusion, the proposal is contrary to the Housing in the Countryside policy as it relates to the Lunan Lochs Catchment Area. Even if significant environmental benefit can be demonstrated that justifies a departure from the Policy, I am not of the opinion that a sufficient link has been demonstrated between the proposed house and the management of the land as required by category 3.5 of the Policy.</p>
<b>Recommended planning condition(s)</b>	
<b>Recommended informative(s) for applicant</b>	
<b>Date comments returned</b>	28/2/18

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

<b>Planning Application ref.</b>	18/00012/FLL	<b>Comments provided by</b>	Tony Maric Transport Planning Officer
<b>Service/Section</b>	Transport Planning	<b>Contact Details</b>	██████████ ████████████████████
<b>Description of Proposal</b>	Erection of a dwellinghouse		
<b>Address of site</b>	Land 250 Metres North West Of Grimmstane Forneth		
<b>Comments on the proposal</b>	Insofar as the roads matters are concerned, I have no objections to this proposal.		
<b>Recommended planning condition(s)</b>			
<b>Recommended informative(s) for applicant</b>			
<b>Date comments returned</b>	01 March 2018		

