

TCP/11/16(619) – 19/01129/IPL – Erection of a dwellinghouse (in principle), land 80 metres north east of The Stables, Hatchbank
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INDEX

- (a) Papers submitted by the Applicant (***Pages 5-98***)
- (b) Decision Notice (***Pages 73-74***)
 - Report of Handling (***Pages 75-86***)
 - Reference Documents (***Pages 19, 20, 23, 25-72, 87-97 and 101***)
- (c) Representations (***Pages 103-110***)

**TCP/11/16(619) – 19/01129/IPL – Erection of a dwellinghouse
(in principle), land 80 metres north east of The Stables,
Hatchbank**

**PAPERS SUBMITTED
BY THE
APPLICANT**



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

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

Thank you for completing this application form:

ONLINE REFERENCE 100127400-003

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

Applicant or Agent Details

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

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation: Andrew Megginson Architecture

Ref. Number:

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

First Name: *

Andrew

Building Name:

No. 1

Last Name: *

Megginson

Building Number:

Telephone Number: *

0131 467 5951

Address 1
(Street): *

29 Jamaica Mews

Extension Number:

Address 2:

New Town

Mobile Number:

Town/City: *

Edinburgh

Fax Number:

Country: *

Scotland

Postcode: *

EH3 6HL

Email Address: *

andrew@andrewmegginsonarchitecture.com

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

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

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

Site Address Details

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

Please identify/describe the location of the site or sites

Northing	<input type="text" value="699132"/>	Easting	<input type="text" value="312249"/>
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Description of Proposal

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

Proposed dwelling on land 150m NE of Monega House, Hatchbank Road with associated infrastructure.

Type of Application

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

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

What does your review relate to? *

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

Statement of reasons for seeking review

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

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

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

Please see separate document.

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

☐ Yes ☒ No

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

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

Location plan, site plan, indicative proposed site plan, design statement, tree report, topographical survey, letter from applicant, letter from carer, letter from doctor, refusal notice, report of handling, reason for refusal analysis document (statement for appeal).

Application Details

Please provide details of the application and decision.

What is the application reference number? *

19/01129/IPL

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

06/07/2019

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

14/08/2019

Review Procedure

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

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

☐ Yes ☒ No

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

Please select a further procedure *

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

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

The reasons for refusal are site specific.

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

Checklist – Application for Notice of Review

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

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

☒ Yes ☐ No ☐ N/A

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

Declare – Notice of Review

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

Declaration Name: Mr Andrew Megginson

Declaration Date: 12/11/2019

Reasons for Refusal Analysis Document

15.10.19

Our Ref: 1053

Your Ref: 19/01129/IPL

Comments below to be read in conjunction with planning officer's report dated 14 August 2019.

Reason for Refusal 1

The proposal is contrary to Policy RD3 '*Housing in the Countryside*' of the Perth and Kinross Local Development Plan 2014 and 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.

Analysis of Reason for Refusal 1

As per section 3 of the Supplementary Guidance of policy RD3, the proposals are compliant with regard to section 3.3 a) '*Economic Activity*' as below;

"A house or group of houses is required either on site or in the locality for a local or key worker associated with either a consented or an established economic activity. The applicant must demonstrate to the satisfaction of the Council that there is a need for the house(s). Where the house is to be associated with a proposed economic activity, construction of the house will not be permitted in advance of the development of the business. Permission may be restricted by an occupancy condition to remain as essential worker housing in perpetuity, or convert to an agreed tenure of affordable housing when the employment use is no longer required."

At present the site is predominantly used for equestrian purposes but also for a small amount of horse breeding. The owner, whom is one of the applicants (Lee Scammacca), of the stables is looking to expand the horse breeding element of the **existing** economic activity, whilst expanding and continuing the equestrian element, where in any such growth it would be required that the owner is present a majority of the time at the stables whilst carrying out this activity, especially through the birthing process, in which there are many risks.

As an expansion of an existing business the land is compatible with the existing use and is satisfactorily accommodated on the site. The expansion would also allow for the possible



creation of further employment over time as it grows. The client has tried to grow her established business while being away from the site but in the process had two horses pass away due to not having full on-site attention. She has gone back to breeding the bare minimum amount of horses which mitigates some but not all risks associated with this type of business. This shows that the business has developed previously but due to the lack of on-site attention has had to halt the development temporarily.

Scottish Planning Policy (SPP) confirms that the planning system should encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality.

SPP also encourages “provision for small-scale housing and other development which supports sustainable economic growth in a range of locations”. It also encourages “sustainable development that will provide employment” (Para 83).

Lee whom also runs a graphic design business jointly from home and an office in Kinross would be seeking to operate her business wholly from the proposed dwelling house also. This would allow her to also care properly for her mother as in relation to the below.

As the horse breeding business is existing and the graphic design business is largely based online the any additional footfall to the site would be negligible.

The proposals are also compliant with the Supplementary Guidance of policy RD3 section 3.4 ‘House for Local People’ as below;

“A house is required for a local applicant who has lived and/or worked in the area for at least 3 years, and is currently inadequately housed. Proof of residency and/or work status may be required.”

Along with the house being for Lee Scammacca in regard to the economic activity, Ann, whom is Lee’s elderly mother and is registered as disabled, will also share the proposed house as the house which she currently occupies is not suitable for her special needs. The proposed house will be designed with her special needs in mind to provide a better quality of life.

As per the section above discussing section 3.4 of the Supplementary Guidance of policy RD6, Ann, who has lived locally for over 3 years and is currently **inadequately housed**, falls under this policy. We did submit with the second application a letter from an advisor carer to Ann which confirms the current situation, this is not however available on the online planning portal for



some reason. This aspect of policy RD3 was not taken into consideration in the initial or most recent application.

It should also be noted that In relation to specialist housing provision and other specific needs SPP states that “As part of the HNDA, local authorities are required to consider the need for specialist provision that covers accessible and adapted housing, wheelchair housing and supported accommodation, including care homes and sheltered housing. This supports independent living for elderly people and those with a disability. Where a need is identified, planning authorities should prepare policies to support the delivery of appropriate housing and consider allocating specific sites (Para 132).

The proposals are also generally compliant with the Supplementary Guidance of policy RD3 section 3.5 ‘*Pilot projects creating eco-friendly houses*’ as below;

“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 applicant has been in discussion with a local company whom are trialling prefabricated houses which are built off-site using innovative construction methods such as structural insulated panels which are then taken on a lorry to site and built off a base on site (where the base will be built as a post and beam structure as outlined in the planning application drawings so as to not disrupt the trees). This type of construction is ideal for the proposal site and is described fully in our design and access statement. The company are looking to see how these buildings can be situated on sites such as the applicants where there is adequate space for off grid solutions (private water system, private sewage system, air/ ground source heat pumps and solar/ wind energy if possible) which would thus provide an eco-friendly house. On top of the company wanting to experiment with the aforementioned, the applicant is keen to make the house as eco-friendly as possible where natural compost bins, enhancement of the eco system (beehives, general planting and habitat enhancement for birds, bats, etc.) and the like is being looked into. Should any specific further information be required regarding this aspect we would be happy to provide this to Perth and Kinross Council.

Reason for Refusal 2

The proposal is contrary to Policy PM1B ‘*Placemaking*’, criterion (a) of the Perth and Kinross Local Development Plan 2014, as the proposal fails to create a sense of identity and erodes the character of the countryside.

Reason for Refusal 3



The proposal is contrary to Policy PM1B 'Placemaking', criterion (b) of the Perth and Kinross Local Development Plan 2014, as the siting of dwellinghouse would erode and dilute the areas landscape character.

Reason for Refusal 4

The proposal is contrary to Policy ER6 '*Managing Future Landscape Change to Conserve and Enhance the Diversity of the Area's Landscape*' of the Perth and Kinross Local Development Plan 2014, as the loss of agricultural land to a residential use in this rural location will erode the local distinctiveness, diversity and quality of Perth and Kinross's landscape character whilst being of detriment to the visual and scenic qualities of the landscape.

Analysis for Reason for Refusal 2, 3 and 4

See drawing 1053-LOC-02.

Through both planning in principle applications we have submitted the planning officer has considered the whole 21,000m² (approximately) site under the applicant's ownership as the dwelling application site. This is incorrect as the small dwelling is being positioned within the woodland area and will only take up a tiny proportion of the site in which the applicant owns. Most of the site will remain in the same use as existing.

In hindsight a plan of this sort should have been submitted to confirm this matter where the red line boundary for the residential dwelling outlines the dwelling, gives a small amount of space between the wings (say for an entrance area and some welcoming landscaping) and allows access to the dwelling from the existing hardstanding area. We believe that this plan clearly shows that the whole site should not be considered and that there are natural features/elements in the immediate locality of the dwelling that allow it to sympathetically blend into the site with no detriment to visual amenity.

To the South of the proposed dwelling existing hedging (which can be enhanced with native species) and a bund, formed by the road, provides a boundary and screening to the development, existing hedging (again which can be enhanced with native species), a dyke wall and the natural topography provides a boundary and screening to the development from the North, the existing woodland itself screens the development and provides an immediate backdrop to the site from all orientations. The fact that the dwelling will front onto an existing hardstanding area, where access to the site is currently gained, provides the dwelling with a positive frontage. With two similar buildings facing onto this area the dwelling will not be out of place.

As discussed in the design statement the design of the dwelling will be modest and will fit into the site well. The proposed single storey flat roofed dwelling is to be clad in timber so that the building blends in sympathetically to the site and will have minimal visual impact. The proposals are also partly informed by the existing stable building on the site.



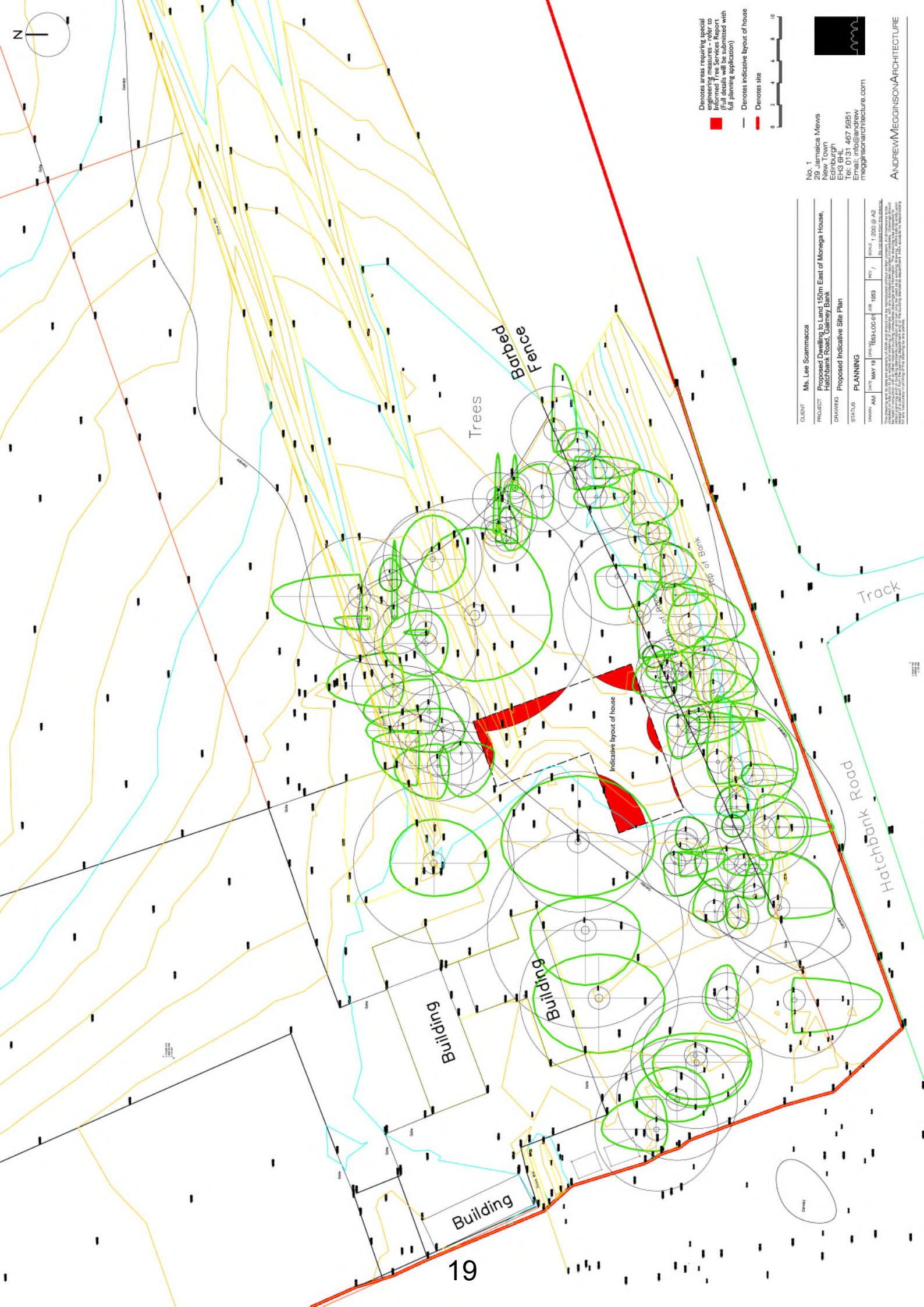
Furthermore to the above it should be noted that the proposal for a large 5 bedroom dwelling, mentioned in the report, to a neighbouring application site (17/00691/FLL) is incomparable to this application, we are proposing a modest dwelling which works with the trees as opposed to clearing a large site in the ancient woodland and then applying for planning permission. The nature of the proposals will not contribute to sprawl in the countryside/ ribbon development nor will it be a catalyst for this to happen, the fact that this area has been unsympathetically cleared means that no development should actually occur on this adjacent site. The applicant would welcome any conditions that prevents any further large residential development on the site, should this be seen to be required.

We respectfully ask that the above material considerations are taken into account by Perth and Kinross Council and that the decision by the planning officer can be reviewed and overturned to support the proposals.



General aspiration image for the new dwelling





Denotes areas requiring special engineering measures - refer to Informed Tree Services Report (full details will be submitted with full planning application)

Denotes indicative layout of house

Denotes site

CLIENT	Ms. Lee Scammacca				
PROJECT	Proposed Dwelling to Land 150m East of Monaga House, Hatchbank Road, Gairney Bank				
DRAWING	Proposed Indicative Site Plan				
STATUS	PLANNING				
DRAWN	AM	DATE	16th DEC 19	REV	1
SCALE 1:200 @ A2					
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Tel: 0131 467 5951
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megginsonarchitecture.com

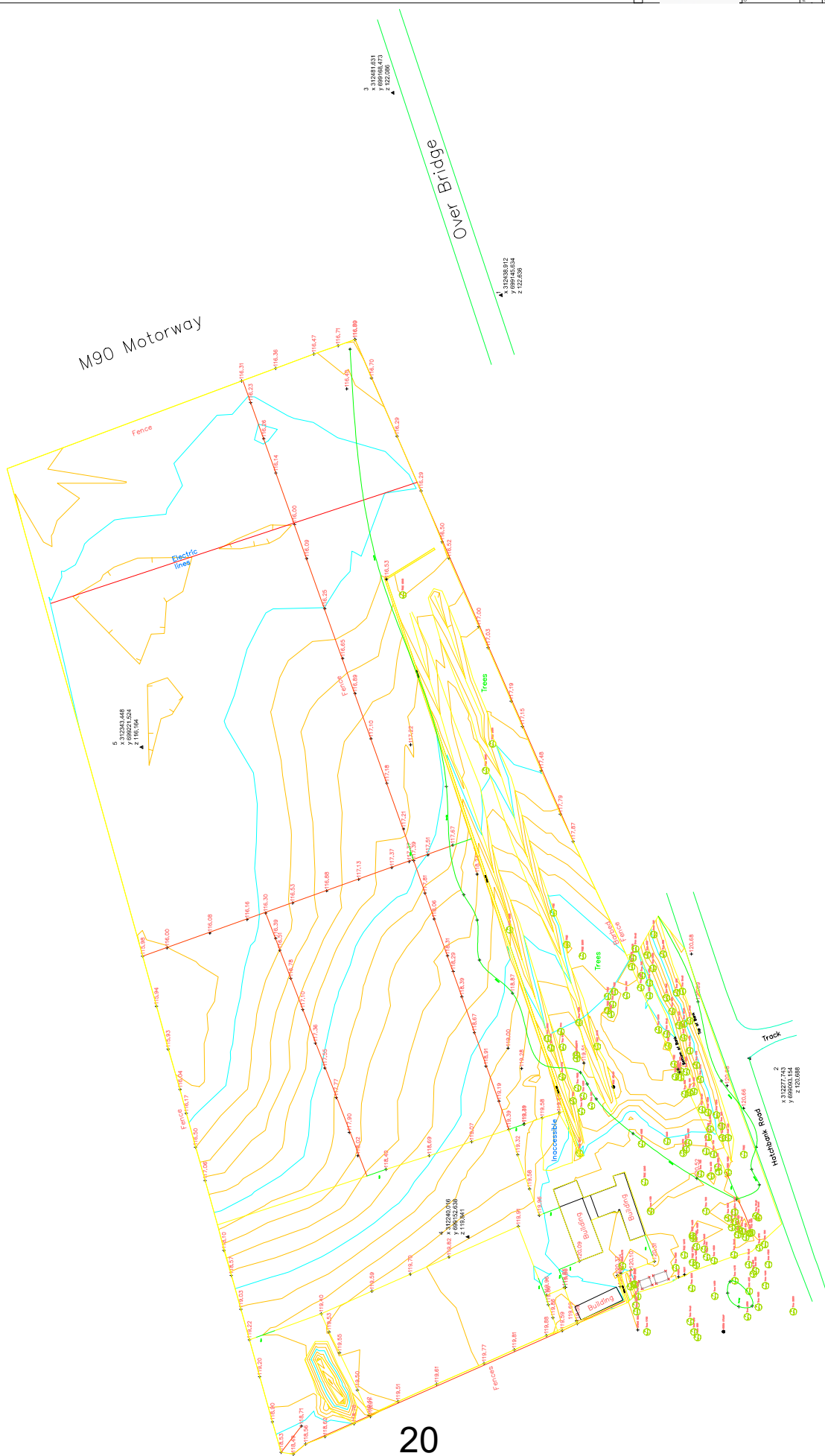
ANDREWMEGINSONARCHITECTURE



3
x 312481.631
y 699168.473

312438.912
699145.634
455.636

Over Bridge

[illegible]

24 May 2019

To whom it may concern,

PROPOSED HOUSE ON LAND 150 METRES NORTH EAST OF MONEGA HOUSE, HATCHBANK ROAD

My mother and I recently had Andrew Megginson Architecture submit a planning in principle application for the above, to have a residence at my stables at Hatchbank, which was unfortunately refused by Perth and Kinross Council. Upon discussion with Andrew about the reasons for refusal I decided to write this letter along with the application.

The house will be shared with my mother, whom is currently inadequately housed. She is semi-disabled and is getting worst, she has had a few long term stays in hospital with a chronic infection and sepsis which has meant her ability to get around has deteriorated over the last couple of years. She faces many issues with her disability in the house we share, which we have been advised is not possible to upgrade to a reasonable standard. She can no longer use her bath, as getting in and out is far too dangerous and the only walk-in shower is on the second floor, but unfortunately she cannot use the stairs. We also need ramps for her mobility scooter and the layout of our house is such that it is hard to manoeuvre a wheelchair or zimmer frame through the doorways. A new house would see her able to move freely again and give her back freedom which will be extremely beneficial to her quality of life. The concerns I have for her just now will hopefully be helped in this regard.

I have been running my design business in Kinross for over 30 years. As my mother's only carer, I would like to be at the house 24hrs in case she may need me. I would like to have an office at my residence, to work from, which is not possible at my current residence due to layout.

It has always been my greatest wish to have my own stables and live near to my horses. The ability to be nearby, if anything should go wrong or to deter intruders goes without saying, but during breeding season they require almost 24/7 attention and being on site, would allow me to have this, which in turn would mean that the horses would be safer. Unfortunately we lost two horses recently and I feel that if we had the opportunity for full on-site attention this could have been avoided. I have also had things stolen including a large horse trailer, worth £3,000, this also could have been deterred if there was people in the vicinity.

I hope that the council can understand and agree with my angle for wanting the house and that the refusal can be overturned.

Kind regards

Lee Scammacca

Dear Lee,

I'm sorry your mum has been unwell again and the stress this causes both of you. As you are no doubt aware, COPD is a progressive disease and this may be one of the reasons she gets frequent chest infections. The GP is prescribing prednisolone and antibiotics in order to boost her lung function and clear any residual infections and this is common practise. The GP will be aware of the level of disability, opiate type pain relief and consequences of her frailty in this regard, but I do appreciate your own anxieties around your current living situation and maintaining a safe independent environment for both of you to live without detriment.

I spoke with your mum during my last visit, she remains generally "well" although does not leave the house often which can lead to increased isolation. Her main concerns are around mobility, personal hygiene due to restricted access to the bath, and some episodes of mild confusions. Moving her bed to a ground level near a toilet has been beneficial although she still has issues with gaining access to the upstairs. I do not think the layout of the house will permit stairlifts or access for a wheelchair, reconfiguring the house where you both reside, at this juncture, would not be advisable and therefore the issue for both of you appears to be one of closer supervision.

I gathered that you were planning to move your business premises and living accommodation close to your stable facility in Kinross, which would obviously be the ideal solution to the on-going stress and concerns you both have, which are real and unlikely to resolve. I discussed with your mum the requirement for wide doors, large open spaces in the living areas and a joining corridor between both accommodations. This is logical for wheelchairs, mobility aids, zimmer /walking frames etc etc and would allow both of you to maintain privacy, independence but also easy access and support whenever required. It may be prudent to pursue planning permission sooner rather than later.

I do not wish to give you any more worry by stating that I cannot write this in an official capacity as I am not a clinical practitioner connected to Ann's care. I have known Ann since she was a senior manager with the Council Homeless Team and I was a Nurse in Clackmannshire area and we maintain contact via your own business *Cree8*. While I wholeheartedly support your attempts to plan for the future with regards to the complexity of your current logistics, it would be unprofessional of me to be involved in your mum's situation as anything other than a care advisor.

However, I have no issue with you using this letter to support any application for planning to locate yourself and your Mum to a more suitable environment where you can feel less concerned about her welfare and your own wellbeing. I know both of you to be individuals with good, honest, work ethics and a sense of social justice and I would support my own judgements if requested to do so.

I have included my email for further correspondence but you also have my personal email if you need to contact me further.

Karen Ferguson RGN RMN BScHons



Map area bounded by: 312193,699080 312335,699222. Produced on 13 June 2018 from the OS National Geographic Database. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown copyright 2018. Supplied by UKPlanningMaps.com a licensed OS partner (100054135). Unique plan reference: p2buk/254958/347781

St Serf's Medical Practice

Dr Gordon Allott
Dr Anne Cunningham

Dr Sandy Dalgety
Dr Eileen Lyons
Dr Roddy Pattison

Dr David Richmond
Dr Sandra Smith

**Loch Leven Health Centre
Muir, Kinross
KY13 8FP**

Tel: 01577 862112

Fax: 01577 862515

TO WHOM IT MAY CONCERN

Our Ref: SB/2010370368
31 October 2019

Dear Sir/Madam

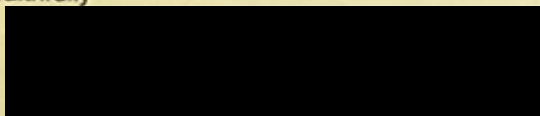
Name: Ann Harley
2 Hatchbank Road
Kinross
KY13 9JY

DOB: 20/10/1937

I am being asked to describe this patient's medical condition with reference to re-housing.

Mrs Harley has osteoarthritis of the lower back and hips which cause mobility problems. She can walk and climb a few stairs but it is painful to do so and there is no doubt that she would be better suited to single level accommodation. It would be most appropriate if she had access to a walk in shower and the access to and from the house from the outside would be better if it were to be ramped.

Yours faithfully



Dr D W Richmond



**PRE-DEVELOPMENT REPORT
ON TREES LOCATED EAST OF:
MONEGA HOUSE,
HATCHBANK ROAD,
GAIRNEY BANK,
KINROSS.
KY13 0LF.**

REF: AMA/TS/08.04.19

Prepared at the request of;
Mr. Andrew Megginson,
Andrew Megginson Architecture,
29/1, Jamaica Mews,
Edinburgh.
EH3 6HL.

Prepared by:

CHRIS SIMPSON.

MICFor, CEnv, F.Arbor.A, MEWI, Dip. Arb (RFS), HND (For), Tech Cert (Arbor.A), Cert Arb (RFS).
Informed Tree Services Ltd,
67 Buchan Street, Hamilton. ML3 8JY.

Tel: 01698 428603

Mobile: 07881 677813

E- Mail: chris@informedtreeservices.co.uk

Signed: _____

8th April 2019.

This report has been prepared exclusively for the use of the **Andrew Megginson Architecture** on the basis of information supplied, and no responsibility can be accepted for actions taken by any third party arising from their interpretation of the information contained in this document. No other party may rely on the report and if he does, then he relies upon it at his own risk.

<u>CONTENTS</u>	<u>PAGE</u>
1. INTRODUCTION & INSTRUCTIONS	3
2. LIMITATIONS	4
3. SUMMARY	5
4. OPINION	6
5. INVESTIGATION FINDINGS	7
6. RECOMMENDATIONS.	
6.1 Arboricultural method statement	11
6.2 Arboricultural impact assessment	15
6.3 General recommendations	16
7. REFERENCES	18
<i>Appendix 1: Tree constraints plan</i>	19
<i>Appendix 2: Tree schedule</i>	21
Tree schedule – an explanation.	35
<i>Appendix 3: Arboricultural impact assessment (plan)</i>	37
<i>Appendix 4: Supporting photographic evidence</i>	39
<i>Appendix 5: Protective fencing specification</i>	43
<i>Appendix 6: Glossary of arboricultural terms</i>	47

1 INTRODUCTION & INSTRUCTIONS

- 1.1 Following communications requesting a tree survey received from Mr. Andrew Megginson, of Andrew Megginson Architecture, on the 28th February 2019, a quote for the cost of a tree survey was provided. The quote was accepted in writing by Mr. Megginson on the 7th March 2019.
- 1.2 It was agreed that Mr. Chris Simpson (author) of Informed Tree Services Ltd (ITS) would carry out a Visual Tree Assessment (VTA Type 1, Mattheck and Breloer 94) of the trees located within the “Monega House” site; as highlighted in documentation provide by Mr. Megginson.¹
- 1.3 On review of the documentation forwarded by Mr. Megginson, it is understood the report is required to ensure appropriate tree protection and management during proposed construction of single storey residential dwellings. Therefore, measurements and calculations pertaining to and required by the British Standards Institute (BSI) publication “*BS 5837: 2012 Trees in relation to design, demolition and construction – recommendations*” have been taken.
- 1.4 The assessment was carried out on 22nd March 2019, with the aim of assessing the trees’ short to medium term health prospects and the trees’ future suitability for the site. The possibility of future construction work was taken into consideration while surveying the trees, (as per BS5837: 2012, section 4.4.2.2).
- 1.5 Mr. Megginson clarified the approximate position of the proposed dwellings via site plans and during a pre-work meeting, on the 22nd March 2019.
- 1.6 All inspected and recorded trees have had ID tags attached. Tag numbers start at 00014. In all further reference to these tag numbers the pre-fix “000” has been omitted.

¹ Proposed Residential Development on Land 150m East of Monega House, Hatchbank Road, Gairney Bank (PDF)

2 LIMITATIONS

- 2.1 All survey work was carried out from ground level, as this is a preliminary report, should further investigation be required this will be highlighted in the report recommendations.
- 2.2 No soil, foliage or root samples were taken for analysis, should any further investigation be required this will be highlighted in the report recommendations.
- 2.3 No decay measurements were taken, should such investigations be required this will be highlighted in the report recommendations.
- 2.4 Trees are living organisms and can decline in health rapidly due to biotic and abiotic influences. Therefore, failure of intact trees can never be ruled out due to the laws and forces of nature.²
- 2.5 Tree locations are based on a topographical plan of the Monega House site.³
- 2.6 No approach was made to the Local Planning Department (LPA) to ascertain whether any legal protection is afforded to the trees inspected/referred to in this report.
- 2.7 Only trees located within, or close to, the designated development area have been inspected.
- 2.8 Therefore, this report and its supporting plans should not be taken as a definitive account of the mature trees in or near the “Monega House” area.
- 2.9 Recommended timescales for remedial work should be treated as a maximum duration; not the optimal timing.
- 2.10 Durations should be based on the date of this report; please refer to page 1.

² Mattheck. C. (94)

³ ACAD-20181115-hatchbank Road6-Exp (DWG)

3 SUMMARY

- 3.1 Sixty-seven individual trees were inspected in detail by Mr. Chris Simpson, of Informed Tree Services Ltd, on the 22nd March 2019.
- 3.2 Three trees have been classified as a category A trees, “high desirability for retention”. Twenty-three have been classed as category B trees, “moderate desirability for retention” and forty as category C, “low desirability for retention”. One category U tree “unsuitable for retention” was also recorded.
- 3.3 The proposed development’s footprint is devoid of trees. The site is bordered to north by paddocks, to the east by mature mixed (but mainly native broadleaved) woodland, to the south by a narrow belt of young broadleaved woodland – then Hatchbank Road, and to the west by an existing driveway, parking area and stables.
- 3.4 The surrounding trees are dominated by category C trees (60%). While category C trees should not restrict an otherwise satisfactory planning application, the woodland (collectively) should be considered as being of higher value. As such it should be retained intact.
- 3.5 Retention of the woodland belt should be straightforward. By erecting Heras fencing around the proposed site, restricting access so that vehicles and machinery can only access via the existing driveway from the west and by utilising the land (paddock) to the north for the storing of building materials and machinery, then there should no impact on the surrounding trees.
- 3.6 Tree 29 should be removed to ground level within 6 months, or prior to development.
- 3.7 Trees 20, 21, 73 & 74 would benefit from having soil levels returned to normal.
- 3.8 Tree 75 should be crown lifted to ensure that lower limbs are not damaged when construction traffic enters the site from Hatchbank Road; assuming development proceeds.
- 3.9 Tree 42 should have a fractured limb pruned back to the parent stem, within 3 months.
- 3.10 Trees 77, 78 & 79 should have hanging limbs removed for safety reasons, within 6 months.
- 3.11 The condition of any retained trees should be monitored during the construction process and a re-inspection of any such trees should be carried out within 18 months of completion of the construction work.
- 3.12 The proposed footprint impinges slightly on the default RPAs of 8 trees. Assuming the advice layout within the AMS & AIA (see sections 6.1 & 6.2) is adhered to, the proposed development is compatible with the successful retention of the woodland belt.

4 **OPINION**

- 4.1 The “Monega House” site is of **moderate landscape value, low amenity value and moderate conservation value**. The proposed development site is encompassed by young to middle-aged trees and is therefore screened from view. The woodland is not readily accessible or utilised by the public. The woodland has limited connectivity with surrounding woodland. The woodland is not readily viewed by neighbours but is viewed by those travelling on Hatchbank Road and the M90.
- 4.2 The proposed development site is located to the western corner of an established shelter-belt. The “footprint” area is devoid of trees. Assuming fencing is erected as recommended within this report and assuming that construction materials, machinery and temporary structures can be kept on the open (paddock) land to the north, I foresee no impact on the surrounding woodland.
- 4.3 The proposed dwellings are single-story timber framed structures that will be well screened by the retained woodland. The visual impact of the development would be minimal.
- 4.4 I don’t anticipate the requirement for any tree removals. The development may slightly impinge on the root protection area of trees 20, 23, 24, 35, 51, 58, 62 & 64. But Mr. Megginson has indicated that if that transpires to be the case “piling and raft” construction methods will be adopted. By piling (drilling holes for piles) and creating a raised structure the impact on the trees’ rooting system and surrounding soil structure would be minimised.
- 4.5 It is easy to recommend protection measures within a report but the real challenge is for careful and diligent supervision throughout the construction process. The developer must ensure the fencing is erected as specified and positioned correctly. The appointed (main) contractor must make all those working onsite aware that any remaining woodland is off limits and representatives of the planning authority should visit site periodically, to ensure the protective measures stated herein are being adopted throughout.
- 4.6 Rather than erecting Heras fencing around each of the trees, it would be easier and more appropriate to simply block off the development area to all cardinal points – as long as it encompasses the calculated Construction Exclusion Zone of each tree.

5 INVESTIGATION FINDINGS

5.1 The investigation was carried out in cold, wet, overcast and dull conditions. The wind speed averaged an approximate Force 6 (Strong Breeze).⁴

5.2 Sixty-seven individual trees were surveyed. Individually inspected tree species consisted of:

•	<i>Acer platanoides</i> (Norway Maple)	x3
•	<i>Acer pseudoplatanus</i> (Sycamore)	x10
•	<i>Betula pendula</i> (Silver Birch)	x15
•	<i>Betula pubescens</i> (Downy Birch)	x7
•	<i>Crataegus monogyna</i> (Hawthorn)	x1
•	<i>Fagus sylvatica</i> (Beech)	x3
•	<i>Fraxinus excelsior</i> (Common Ash)	x4
•	<i>Pinus sylvestris</i> (Scots Pine)	x4
•	<i>Prunus avium</i> (Gean)	x4
•	<i>Salix caprea</i> (Goat Willow)	x9
•	<i>Sorbus aucuparia</i> (Rowan)	x1
•	<i>Sorbus intermedia</i> (Swedish Whitebeam)	x5
•	<i>Ulmus glabra</i> (Wych Elm)	x1

Please refer to Appendix 2 “Tree Schedule” for the details/condition of each of the individual trees.

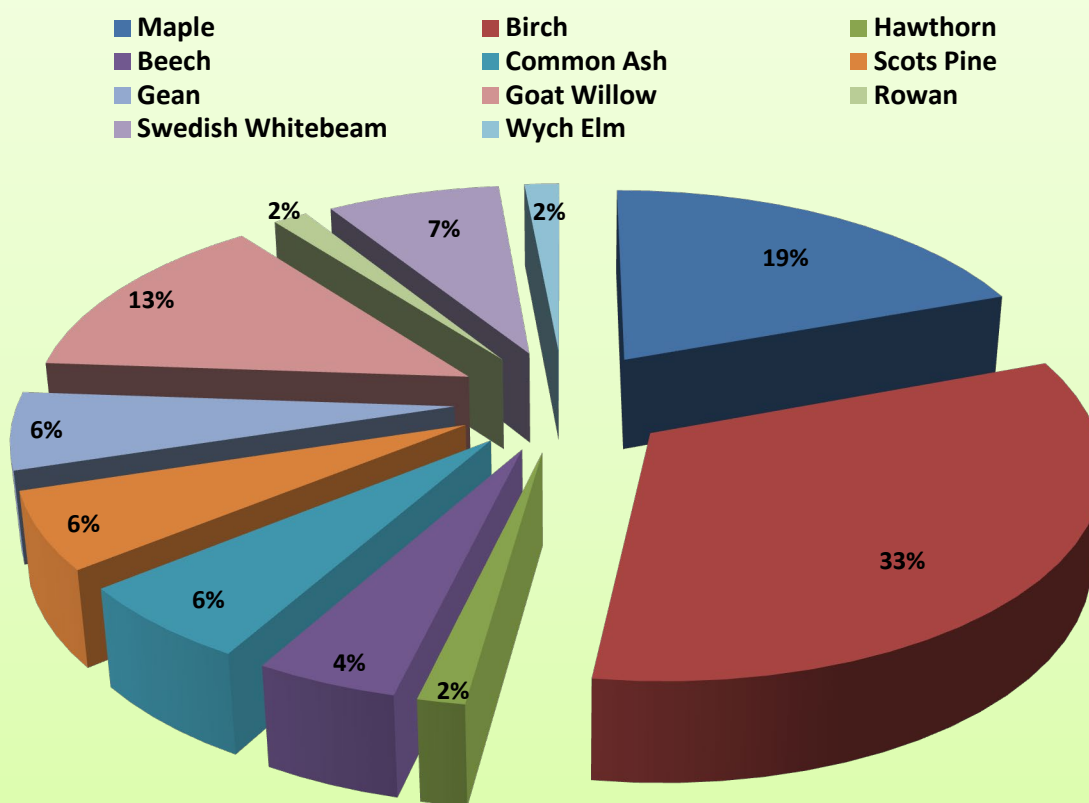
5.3 Species distribution can be viewed below in Figure 1 below:

Cont...

⁴ Met Office – Beaufort Scale

5 INVESTIGATION FINDINGS CONTINUED

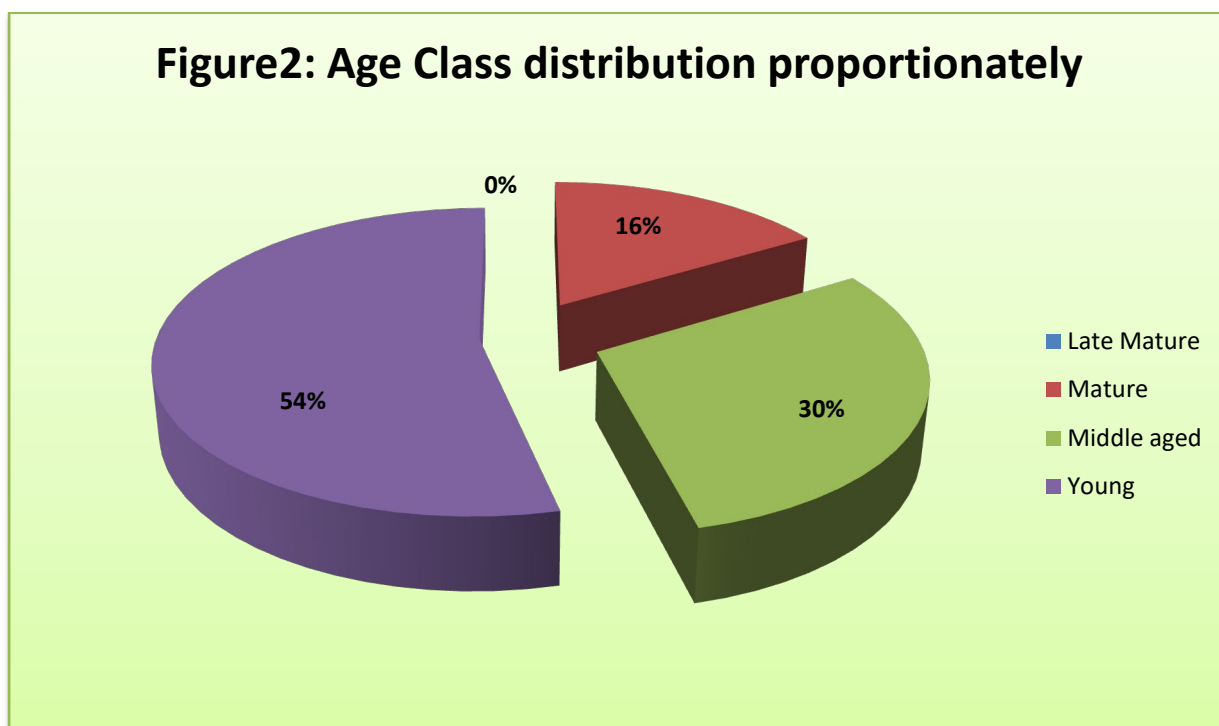
Figure1: (Simplified) Species distribution proportionately



- 5.4 So, the site contains a 13 species of woody perennials over 10 different genera.
- 5.5 There are two distinct woodland habitats present. The proposed site lies to the western end of a middle-aged to mature native mixed woodland belt. The trees present are well spaced and the vertical structure is diverse. This woodland is bordered to the south by a narrow roadside belt of densely stocked young broadleaved trees. The two woodland types are divided by a derelict post and wire stock fence. The roadside woodland consists of an even mix of native and exotic species.
- 5.6 The roadside trees had recently been crown reshaped. Their lower limbs had been flailed to improve clearance from the road-edge. Please refer to appendix 3, picture 1.
- 5.7 The tree stock present within the “Monega House” site is dominated by “young” specimens (54%). 30% of the trees are middle-aged with only 16% being mature. No late mature trees are present within the site boundaries.
- 5.8 Age classes may be viewed below in Figure 2 below:

5 INVESTIGATION FINDINGS CONTINUED

Figure2: Age Class distribution proportionately

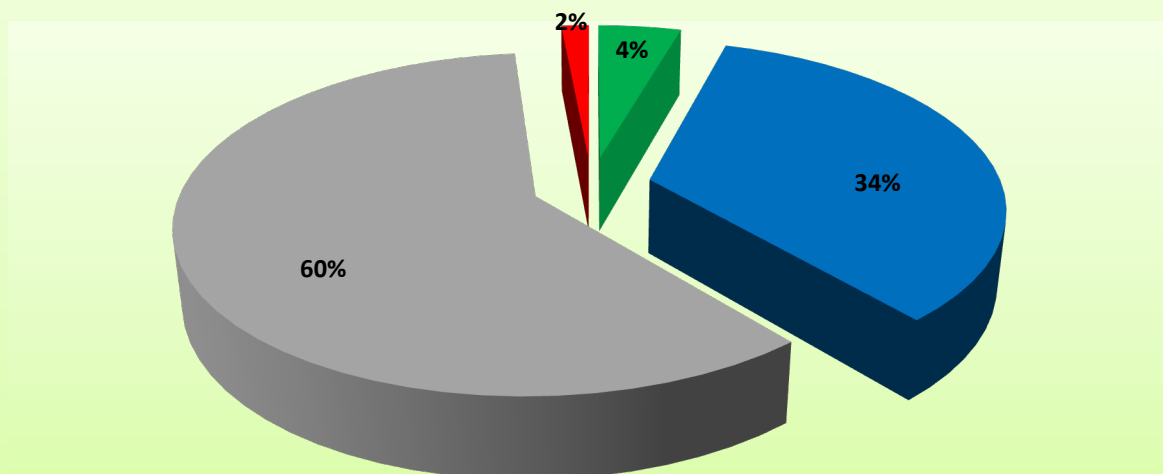


- 5.9 The site is set in a rural/agricultural location. The nearest private dwellings can be found to the west, south-west and are screened by further woodland. The site can be viewed from Hatchbank Road, to the immediate south, and from the M90 to the east.
- 5.10 The site has no particular aspect; the area is very level and is exposed to the prevailing wind. The terrain is smooth to undulating. But a moderately steep north, north-west facing embankment forms the southern edge of the site; Hatchbank Road is in an elevated position, in relation to the proposed development site.
- 5.11 Access is favourable but only via the private driveway to the western edge of the site. This hardcore driveway leads to single storey structures (stables) to the north. No paths or access roads enter the actual development site.
- 5.12 No riparian features are present.
- 5.13 Drainage appeared favourable, with no signs of surface water or field-layer vegetation indicative of water-logged soil observed.
- 5.14 The proposed development area (the footprint of the proposed buildings and immediate surrounding area) is devoid of trees. Some old stumps which support small adventitious shoots are present only. Please refer to appendix 3, pictures 2 & 3.
- 5.15 No weeds that may be subject to control measures under the “Wildlife & Countryside Act 1981” or “Weeds Act 1959” were observed.
- 5.16 The proportion of BS 5837 retention category A, B, C and U trees can be viewed below in Figure 3 “Retention Categories Proportionately”.

5 INVESTIGATION FINDINGS CONTINUED

Figure 3: Retention Categories Proportionately

■ Category A: 3 ■ Category B: 23 ■ Category C: 40 ■ Category U: 1



- 5.17 So, the site is dominated by category C trees, at 60%. While category C trees may be retained they should not restricted an otherwise satisfactory planning application. 23 trees (34%) are classified as category B trees. Only 3 category A trees are recorded. Category A & B trees should be retained wherever possible. One U category tree was recorded and should be removed regardless of future development, or not.

6 RECOMMENDATIONS

6.1 ARBORICULTURAL METHOD STATEMENT

- 6.1.1 The laying of any utilities/cables/pipes should follow the “*National Joint Utilities Group*” guidelines set forth in “*Guidelines for the planning, installation and maintenance of utility services in proximity to trees*” Volume 4, Issue 2 (2007).
- 6.1.2 All construction work should comply with *British Standard 5837 (2012)*, “*Trees in relation to Design, Demolition and Construction - Recommendations*”. Please refer to appendix 2 for precautionary areas (RPAs) for each tree.
- 6.1.3 Adequate protection should be awarded to any retained/neighbouring trees. Compaction of the soil and physical damage should be avoided by minimising machinery traffic near trees. Please refer to appendix 2, or section 6.1.17, for the default BS 5837 root protection areas (RPAs) for each tree.
- 6.1.4 Roots, of any retained tree, over 25 mm should not be severed. Where possible when excavating near any retained trees the soil should be excavated by hand and closely supervised. Exposed roots should be covered in hessian and kept damp at all times.
- 6.1.5 A pre-development site meeting, between the appointed arborist, the site manager and (ideally) a representative from the Local Planning Authority (LPA), should be held to discuss and agree the final positioning of the protective fencing, trees for retention/trees for removal, location of equipment, materials, cabins etc.
- 6.1.6 Inspection of retained trees should be carried out by a suitably qualified arborist at regular intervals during the construction process. The suggested cycle of inspection is, initially, once every two weeks.
- 6.1.7 Assuming retention, protective fencing should be erected around trees before other site works commence, (please refer to appendix 2 “tree schedule”). It should be constructed of weld-mesh material with a suitable scaffold framework. The fencing must be a minimum height of 2.3 metres. “Keep Out – Tree Protection Area” signs should be hung on the fence at 10 metre spacing, or as appropriate. Please refer to appendix 4 for a full fence specification.
- 6.1.8 If the surveyed trees are to be successfully retained, a root protection area (RPA) should be established. This should be achieved by erecting the protective fencing **before any other work commences**. Please refer to appendix 1, tree constraints plan, for the location of each tree and its default protective fencing location.
- 6.1.9 No materials (including topsoil) should be stored within the protected areas.
- 6.1.10 Any bonfires should be at least 6 metres from the edge of any tree canopy.
- 6.1.11 Any retained trees and protective fencing should be inspected on a regular basis (at least weekly) during the period of construction, as part of the site foreman’s normal duties.

6 RECOMMENDATIONS CONTINUED

6.1 ARBORICULTURAL METHOD STATEMENT, CONTINUED

6.1.12 The site foreman should contact the appointed arborist prior to the removal of protective fencing or the impingement of any RPA.

6.1.13 The removal of, or pruning of, any trees should only happen with the written consent of the LPA. A careful record of any trees removed should be retained to educate appropriate mitigation of their loss. Such trees should be removed prior to any construction (or demolition) work and prior to the erection of the protective fencing. Tree removal should not be carried out by heavy machinery.

6.1.14 The loss of any trees should be mitigated by the planting of like-for-like replacement trees during the first planting season (November to March) after construction work is complete. Standard trees could be established within any proposed open areas.

6.1.15 The role of trees (existing & new) within the landscape design should be clarified/specified in the planning proposal.

6.1.16 “Facilitation pruning” should be carried to tree **75** prior to any vehicles accessing the site; please refer to section 6.2.

6.1.17 The recommended protective fence distance (construction exclusion zone (CEZ)) for each tree, group or hedge, is summarised below in Table 1:

TABLE 1:		
Tag/Ref No.	Initial retention classification	Protective Fence Distance (M)
14	C	6.2
15	C	3.1
16	C	2.3
17	C	2.4
18	B	8.6
19	A	8.9
20	B	6.4
21	A	7.3
22	C	3.2
23	C	2.9
24	B	4.1
25	C	3.0
26	B	3.7
27	C	4.5
28	B	4.7
29	U	N/A
30	C	3.4
31	C	2.2
32	C	5.4
33	C	2.3

6 RECOMMENDATIONS CONTINUED

6.1 ARBORICULTURAL METHOD STATEMENT, CONTINUED

TABLE 1:		
Tag/Ref No.	Initial retention classification	Protective Fence Distance (M)
34	B	5.4
35	B	10.6
36	C	2.5
37	C	1.4
38	C	2.4
39	C	2.3
40	C	1.4
41	B	3.2
42	C	4.0
43	C	1.6
44	C	1.7
45	B	3.2
46	C	3.4
47	B	3.1
48	C	1.9
49	C	2.2
50	C	4.4
51	C	7.0
52	C	2.0
53	B	4.3
54	C	1.4
55	B	2.9
56	B	3.7
57	B	3.0
58	B	2.4
59	C	3.8
60	C	1.4
61	C	2.3
62	B	2.8
63	C	3.9
64	B	5.6
65	C	1.9
66	C	2.2
67	C	2.3
68	B	5.2
69	C	1.6
70	B	2.9
71	B	2.5
72	C	2.0

6 RECOMMENDATIONS CONTINUED

6.1 ARBORICULTURAL METHOD STATEMENT, CONTINUED

TABLE 1:		
Tag/Ref No.	Initial retention classification	Protective Fence Distance (M)
73	C	1.9
74	B	3.0
75	C	5.3
76	C	2.3
77	C	4.8
78	B	6.0
79	B	5.5
80	A	5.6

6.1.18 The attached “Tree Constraints Plan” displays the above CEZs as circles, the default location. However, it is more effective and practical to erect Heras fencing that includes the above CEZs while acting as a barrier between the trees and the development only.

6.1.19 The retained trees would best be protected by erecting fencing to all cardinal points around the proposed development, with access restricted to the west (the existing driveway) only. The fencing should restrict access to all CEZs; access to the surrounding woodland should be prohibited during the entire construction process.

6.2 **ARBORICULTURAL IMPACT ASSESSMENT**

6.2.1 The proposed development impinges on the default root protection area of eight trees. These are trees **20 (B), 23 (C), 24 (B), 35 (B), 51 (C), 58 (B), 62 (B) & 64 (B)**.⁵

6.2.2. Each of these trees has unrestricted rooting areas and the impact of the development is not anticipated to be seriously detrimental to their physiological condition.

6.2.3 However, it would be preferable to take steps to reduce the impact on the surrounding soil structure and to avoid any physical damage to larger roots. With this in mind, the following “special engineering controls” are strongly recommended.

Special Engineering Measures:

- 1** Locate major woody tree roots (within any RPA) by careful hand excavation or by using a “root radar”; roots above 25mm diameter are suggested.
- 2** Backfill any excavations and clearly mark, with pegs, the location of the located roots.
- 3** Adopt a raised foundation (at least within the RPA) specification incorporating piling.
- 4** Piles to be of the smallest practical/possible diameter and located, where possible, to avoid damage to the identified structural roots.
- 5** Use the smallest/lightest piling rig possible.
- 6** Ensure the piling rig is only manoeuvred on appropriate temporary ground protection – wooden boards for example. Avoid soil compaction.
- 7** Bore holes must be sleeved with a geo-textile barrier capable of preventing seepage of concrete into the surrounding soil.
- 8** Great care must be taken during the pouring of the concrete to avoid contamination of the surrounding area – again the use of temporary ground protection may help.

6.2.4 Please refer to appendix 3 for clarification of the areas requiring “special engineering measures”.

6.2.5 The above-mentioned special engineering measures should be reviewed, and amended as appropriate, by a suitably qualified structural engineer.

6.2.6 While not essential, if the entire dwelling was erected using piling to create a “raised structure” this would be a sure way to minimise the impact on any of the surrounding trees, regardless of default RPA locations.

6.2.7 It will be extremely important that all building materials and equipment are not stored within the woodland. Fortunately there is ample open space to immediate north and the hard standing to the west will provide machinery access.

⁵ Initial retention categories (C or B)

6 RECOMMENDATIONS CONTINUED

6.3 GENERAL RECOMMENDATIONS

6.3.1 Assuming retention, and regardless of future development, all retained trees should be monitored by a competent arborist on a suitable cycle. This would help meet the landowner's/tree-owner's duty of care. A re-inspection frequency, for retained trees after construction is completed, of 18 months is recommended.

6.3.2 Informed Tree Services Ltd strongly recommends the use of a properly qualified and fully insured, reputable arboricultural contractor for all classes of tree surgery operations.

6.3.3 Assuming development of the site, the following trees should be removed (or coppiced):

TABLE 2:		
Tag/Ref No	Species Botanical (Common)	Preliminary Management Recommendations
29	<i>Betula pendula</i> (Silver Birch)	Remove to ground level within 6 months.

6.3.4 Again, assuming development, the following remedial measures should be carried out:

TABLE 3:		
Tag/Ref No	Species Botanical (Common)	Preliminary Management Recommendations
20	<i>Acer pseudoplatanus</i> (Sycamore)	Re-instate original soil levels within 1 year.
21	<i>Acer pseudoplatanus</i> (Sycamore)	Re-instate original soil levels within 1 year.
42	<i>Salix caprea</i> (Goat Willow)	Crown Clean (remove fractured limb back to parent stem) within 3 months.
72	<i>Betula pubescens</i> (Downy Birch)	Re-instate original soil levels within 1 year.
73	<i>Betula pubescens</i> (Downy Birch)	Re-instate original soil levels within 1 year.
74	<i>Betula pendula</i> (Silver Birch)	Re-instate original soil levels within 1 year.
75	<i>Salix caprea</i> (Goat Willow)	Facilitation Pruning (crown lift canopy over entrance to clear ground by 6 metres prior to construction).

6 RECOMMENDATIONS CONTINUED

6.3 GENERAL RECOMMENDATIONS

TABLE 3:		
Tag/Ref No	Species Botanical (Common)	Preliminary Management Recommendations
77	<i>Fagus sylvatica</i> (Beech)	Crown Clean (remove hanger) within 6 months.
78	<i>Pinus sylvestris</i> (Scots Pine)	Crown Clean (remove hanger) within 6 months.
79	<i>Pinus sylvestris</i> (Scots Pine)	Crown Clean (remove hanger) within 6 months.

6.3.5 If trees and shrubs are removed; all residues should be removed from site and, ideally, recycled. Burning on-site should be avoided but please refer to point 6.1.10.

6.3.6 The tree owner should approach the LPA, prior to any tree removal, and investigate if any legal restrictions, to the removal of trees or remedial work on trees, exist on this site; Tree Preservation Orders, Conservation Area status, planning consent conditions etc.

6.3.7 However, the removal of tree 29 should not require consent from the LPA; given its degraded condition. Even so, it would be appropriate to give the LPA 5 working days notice of your intention to removal this tree. Tree 29 should be removed regardless of whether the site is developed or not.

6.3.8 The woodland has some potential to provide habitat for protected species, birds in particular. Should removal of any trees or shrubs be required, expert advice should be sought from a suitably qualified conservationist. Destruction of wildlife habitat may be a contravention of “The Wildlife and Countryside (Scotland) Act 1981” and/or “The Nature Conservation (Scotland) Act 2004”.

7 **REFERENCES**

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ROBERTS. J, JACKSON. N, & SMITH. M. (2006)
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MATTHECK C. (1994)
Trees

**BS 5837 “Trees in relation to
design, demolition & construction -
Recommendations”.**

**BS 3998 “Tree Work -
Recommendations”.**

**“Guidelines for the planning,
installation and maintenance of
utility services in proximity to
trees” Volume 4, Issue 2**

Diagnosis of ill-health in trees.

**Tree Roots in the Built
Environment.**

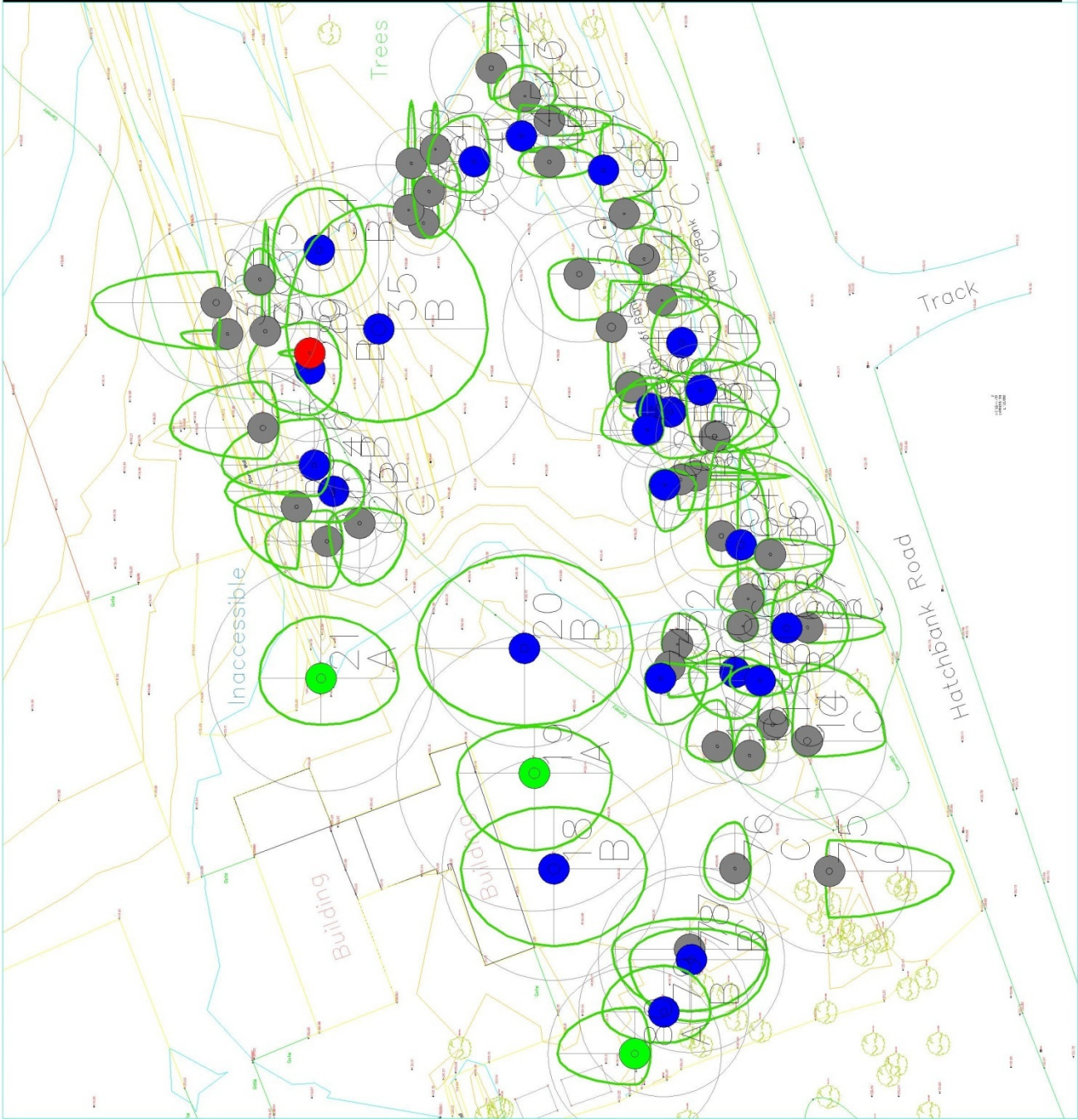
The Body Language of Trees.

APPENDIX 1

TREE CONSTRAINTS PLAN

(Location of individual trees, groups, hedges and RPAs⁶)

⁶ Tree Constraints Plan also provided as PDF & DWG files. All scaling should be taken from the DWGs (electronic files).



Tree Constraints Plan

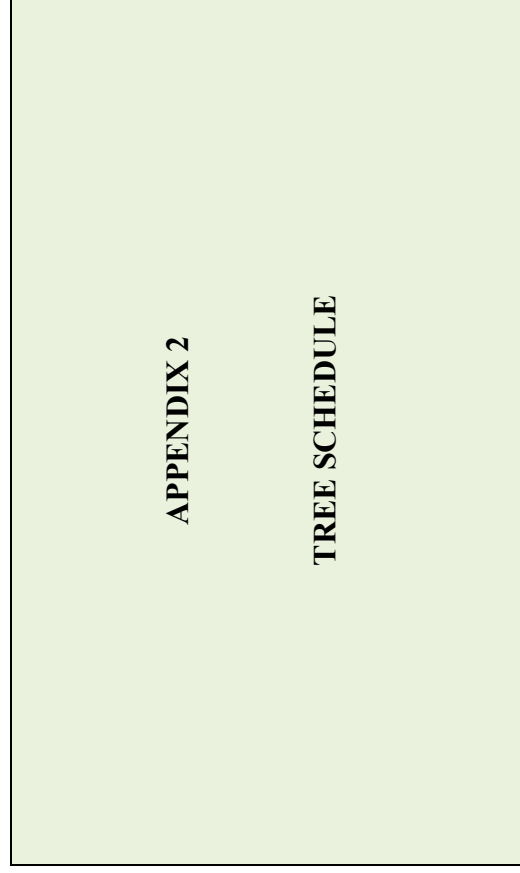
Land near,
Monega House,
Hatchbank Road.

Individual Tree positions and RPAs

DWG REF: AMA/TCP/29.03.19

Author: Chris Simpson
Date: 29/03/19
Scale: not to scale

- KEY:
- = Suggested RPA
/Location of Protective Fence
(assuming retention).
 - = Trees for removal
 - = Trees of high quality
 - = Trees of moderate quality
 - = Trees of low quality



TREE SCHEDULE AS PER BS 5837:2012 – Monega House 2019.

Tag No.	Species Botanical (Common)	Height (m)	Crown spread (m) N	Crown spread (m) S	Crown spread (m) E	Crown spread (m) W	Crown clearance (m)	Number of Stems from base	Dia @ 1.5 M (mm)	Age Class	Physiological condition	Structural Condition/description	Preliminary Management Recommendations	Expected Remaining Contribution (Years)	Retention Category	Sub Category 1,2 or 3	Protective Fence Distance (M)	RPA (M²)	NJUG Precautionary area (M)
14	Salix caprea (Goat Willow)	12	1	5	5	1	2	2	513	MA	N	Moderate. Restricted rooting zone to west. Multi-stemmed via compression unions. Canopy weighted towards road. Occluded fencing wire at 1 metre. Otherwise good condition. Normal vitality displayed for species. Diameters: 280, 430mm.	No work required (NWR)	10-20	C	3	6.2	119	6.4
15	Betula pendula (Silver Birch)	13	1	1	3	0	7	3	255	MA	N	Moderate. Undisturbed rooting zone. Three slender boles by 1 metre. High compact asymmetrical canopy develops. Diameters: 130, 160, 150mm.	NWR	10-20	C	3	3.1	29	3.2
16	Betula pendula (Silver Birch)	12	1	1	2	1	6	2	192	Y	N	Moderate. Restricted rooting zone to immediate west. Two slender upright boles form base. Largely defect free crown. Normal vitality displayed for species. Diameters: 120, 150mm.	NWR	20-40	C	3	2.3	17	2.4
17	Betula pendula (Silver Birch)	13	2	1	3	1	9	1	200	MA	N	Moderate. Restricted rooting zone to south. Numerous wounds on upright bole. Co-dominant by 2.5 metres. Canopy weighted to east.	NWR	10-20	C	3	2.4	18	2.5

Tag No.	Species Botanical (Common)	Height (m)	Crown spread (m) N	Crown spread (m) S	Crown spread (m) E	Crown spread (m) W	Crown clearance (m)	Number of Stems from base	Dia @ 1.5 M (mm)	Age Class	Physiological condition	Structural Condition/description	Preliminary Management Recommendations	Expected Remaining Contribution (Years)	Retention Category	Sub Category 1,2 or 3	Protective Fence Distance (M)	RPA (M²)	NJUG Precautinary area (M)
18	Acer pseudoplatanus (Sycamore)	19	6	6	4	5	4	2	718	M	N	Moderate. Restricted rooting zone o south and west by 3 metres. Stables to north. Two bole from ground level. Large wound at base of eastern bole - with no obvious decay yet. Lightly limbed canopy displays satisfactory condition. Diameters: 450, 560mm.	NWR	20-40	B	2	8.6	233	9.0
19	Pinus sylvestris (Scots Pine)	18	5	5	3	5	13	1	740	M	N	Good. Restricted rooting zone to east and south. Good clean bole has slight lean to south. Long clear bole supports high exposed canopy with some deadwood at base. Otherwise good condition. Normal vitality displayed for species.	NWR	40+	A	3	8.9	248	9.3
20	Acer pseudoplatanus (Sycamore)	17	7	7	6	5	4	1	530	MA	N	Good. Restricted rooting zone to west. Composting material to south. Good clean bole. Upright form. Balanced open canopy with limbs via tension unions. Normal vitality displayed for species.	Re-instate original soil levels within 1 year.	40+	B	2	6.4	127	6.7
21	Acer pseudoplatanus (Sycamore)	16	4	5	4	3	2	1	610	M	N	Good. Restricted rooting zone to west. Composting material against bole to north. Historic wounding at 0.5 metres to north. Defect free structure thereafter. Normal vitality displayed for species.	Re-instate original soil levels within 1 year.	40+	A	2	7.3	168	7.7
22	Acer pseudoplatanus (Sycamore)	15	4	1	2	3	2	1	270	Y	N	Good. Undisturbed rooting zone. Good clean bole. Upright form. Canopy weighted to north, away from development.	NWR	40+	C	2	3.2	33	3.4

Tag No.	Species Botanical (Common)	Height (m)	Crown spread (m) N	Crown spread (m) S	Crown spread (m) E	Crown spread (m) W	Crown clearance (m)	Number of Stems from base	Dia @ 1.5 M (mm)	Age Class	Physiological condition	Structural Condition/description	Preliminary Management Recommendations	Expected Remaining Contribution (Years)	Retention Category	Sub Category 1, 2 or 3	Protective Fence Distance (M)	RPA (M²)	NJUG Precautinary area (M)
23	Acer pseudoplatanus (Sycamore)	15	2	3	1	4	3	1	240	Y	N	Good. Undisturbed rooting zone. Contorted bole with slight lean to west. Canopy weighted to west also. Otherwise good condition.	NWR	40+	C	2	2.9	26	3.0
24	Acer pseudoplatanus (Sycamore)	16	7	2	2	2	4	1	340	Y	N	Good. Undisturbed rooting zone. Good clean bole. Slight lean to north. Long heavy laterals to north. Normal vitality displayed for species.	NWR	40+	B	2	4.1	52	4.3
25	Sorbus aucuparia (Rowan)	6	4	0	1	4	1	4	246	M	N	Moderate. Undisturbed rooting zone. Multi-stemmed suppressed specimen with one dead stem. Low limb to east creates asymmetry. Otherwise good condition. Diameters: 110, 120, 130, 130mm	NWR	10-20	C	3	3.0	27	3.1
26	Acer pseudoplatanus (Sycamore)	16	6	1	3	2	5	1	310	Y	N	Good. Undisturbed rooting zone. Good clean bole with sweeping and contorted form. Largely defect free crown but weighted to north - away from development. Normal vitality displayed for species.	NWR	40+	B	2	3.7	43	3.9
27	Acer pseudoplatanus (Sycamore)	16	6	1	3	2	3	2	372	Y	N	Moderate. Undisturbed rooting zone. Two boles from base via compression union. Smallest trunk has pronounced lean to north and largest trunk supports canopy weighted to north. Normal vitality displayed for species. Otherwise good condition. Diameters: 320, 190mm.	NWR	20-40	C	2	4.5	63	4.7

Tag No.	Species Botanical (Common)	Height (m)	Crown spread (m) N	Crown spread (m) S	Crown spread (m) E	Crown spread (m) W	Crown clearance (m)	Number of Stems from base	Dia @ 1.5 M (mm)	Age Class	Physiological condition	Structural Condition/description	Preliminary Management Recommendations	Expected Remaining Contribution (Years)	Retention Category	Sub Category 1, 2 or 3	Protective Fence Distance (M)	RPA (M ²)	NJUG Precautinary area (M)
28	Acer pseudoplatanus (Sycamore)	18	4	2	3	3	3	1	390	Y	N	Good. Undisturbed rooting zone. Good clean bole with generally upright form supports vigorous canopy, weighted to north.	NWR	40+	B	2	4.7	69	4.9
29	Betula pendula (Silver Birch)	12	2	0	0	0	10	1	220	MA	L	Very Poor. Standing deadwood with slight lean to north.	Remove to ground level within 6 months.	0	U	3	2.6	22	2.8
30	Betula pendula (Silver Birch)	14	0	0	7	0	5	1	280	MA	N	Poor. Undisturbed rooting zone but part blown specimen with raised root-plate. Has severe but stabilised lean to east, north-east. Large diameter pruning wound at base. 10% small diameter deadwood in low canopy.	NWR	10-20	C	3	3.4	35	3.5
31	Betula pubescens (Downy Birch)	7	3	0	0	1	3	1	180	Y	N	Moderate. Undisturbed rooting zone. Epicormic growth on bowing suppressed bole. Canopy weighted to north. Otherwise good condition.	NWR	20-40	C	3	2.2	15	2.3
32	Fraxinus excelsior (Common Ash)	14	8	0	2	3	2	1	450	MA	N	Moderate. Undisturbed rooting zone. Large diameter pruning wound at base to west. Bowing remaining bole develops long lateral limb by 4 metres that supports secondary branching over field. Normal vitality displayed for species.	NWR	10-20	C	3	5.4	92	5.7
33	Crataegus monogyna (Hawthorn)	8	1	1	2	1	1	1	190	MA	N	Good. Undisturbed rooting zone. Fluted bole leans to east. Compact vigorous canopy. Understory tree.	NWR	40+	C	3	2.3	16	2.4

Tag No.	Species Botanical (Common)	Height (m)	Crown spread (m) N	Crown spread (m) S	Crown spread (m) E	Crown spread (m) W	Crown clearance (m)	Number of Stems from base	Dia @ 1.5 M (mm)	Age Class	Physiological condition	Structural Condition/description	Preliminary Management Recommendations	Expected Remaining Contribution (Years)	Retention Category	Sub Category 1,2 or 3	Protective Fence Distance (M)	RPA (M²)	NJUG Precautionary area (M)
34	Acer pseudoplatanus (Sycamore)	18	3	3	4	3	2	2	449	MA	N	Good. Undisturbed rooting zone. Minor bole from base via compression union. Upright bole becomes co-dominant in upper half. Largely defect free crown. Normal vitality displayed for species. Diameters: 160, 420mm.	NWR	40+	B	2	5.4	91	5.6
35	Fagus sylvatica (Beech)	20	6	7	8	6	0	1	880	M	N	Moderate. Undisturbed rooting zone. Is actually co-dominant from near ground level but stems are so tightly positioned that they can't be measured separately. Wound free structure, other than were stems rub at 3 metres. Broad exposed canopy with long but small diameter high lateral limbs. Normal vitality displayed for species.	NWR	20-40	B	2	10.6	350	11.1
36	Betula pendula (Silver Birch)	13	1	1	3	0	7	3	212	Y	N	Moderate. Multi-stemmed from base with one severed and one dead. Whip-like remaining stems support high exposed canopy. Diameters: 170, 90, 90mm.	NWR	10-20	C	3	2.5	20	2.7
37	Betula pendula (Silver Birch)	12	0	0	4	0	10	1	120	Y	N	Moderate. Undisturbed rooting zone. Whip-like stem has severe lean to east. Otherwise good condition.	NWR	10-20	C	3	1.4	7	1.5
38	Fagus sylvatica (Beech)	10	1	2	3	3	0	1	200	Y	N	Good. Undisturbed rooting zone. Good clean bole. Largely defect free crown but being damaged by neighbouring stems. Normal vitality displayed for species.	NWR	40+	C	2	2.4	18	2.5

Tag No.	Species Botanical (Common)	Height (m)	Crown spread (m) N	Crown spread (m) S	Crown spread (m) E	Crown spread (m) W	Crown clearance (m)	Number of Stems from base	Dia @ 1.5 M (mm)	Age Class	Physiological condition	Structural Condition/description	Preliminary Management Recommendations	Expected Remaining Contribution (Years)	Retention Category	Sub Category 1, 2 or 3	Protective Fence Distance (M)	RPA (M²)	NJUG Precautinary area (M)
39	Salix caprea (Goat Willow)	12	0	0	4	0	8	1	190	Y	N	Moderate. Undisturbed rooting zone. Small Birch arises from base. Pruning wound at 1 metre. Pronounced lean to north. High asymmetrical canopy.	NWR	10-20	C	3	2.3	16	2.4
40	Betula pubescens (Downy Birch)	11	0	0	3	0	7	1	120	Y	N	Poor. Undisturbed rooting zone. Whip-like bole with wounding at circa 4 metres. Sparse canopy and pronounced lean to east.	NWR	0-10	C	3	1.4	7	1.5
41	Betula pendula (Silver Birch)	17	3	1	3	2	10	1	270	MA	N	Good. Undisturbed rooting zone. Sweeping wound free bole leans to east. Multi-stemmed in upper half via tension unions. Largely defect free crown. Normal vitality displayed for species.	NWR	20-40	B	3	3.2	33	3.4
42	Salix caprea (Goat Willow)	16	0	2	6	2	6	1	330	MA	N	Poor. Part-blown (uprooted) specimen becomes multi-stemmed by 2 metres. Eastern stem has fractured and rests on neighbouring tree to south-east. Otherwise good condition.	Crown Clean (remove fractured limb back to parent stem) within 3 months.	10-20	C	3	4.0	49	4.1
43	Sorbus intermedia (Swedish Whitebeam)	8	2	2	2	1	2	1	130	Y	N	Good. Undisturbed rooting zone. Good clean bole. Co-dominant by 1.5 metres. Leans to south. Normal vitality displayed for species.	NWR	20-40	C	2	1.6	8	1.6
44	Salix caprea (Goat Willow)	9	0	4	1	1	6	1	140	Y	N	Moderate. Undisturbed rooting zone. Large pruning wound at 0.5 metres. Severe lean to south. Off-set canopy develops. Normal vitality displayed for species.	NWR	10-20	C	3	1.7	9	1.8

Tag No.	Species Botanical (Common)	Height (m)	Crown spread (m) N	Crown spread (m) S	Crown spread (m) E	Crown spread (m) W	Crown clearance (m)	Number of Stems from base	Dia @ 1.5 M (mm)	Age Class	Physiological condition	Structural Condition/description	Preliminary Management Recommendations	Expected Remaining Contribution (Years)	Retention Category	Sub Category 1, 2 or 3	Protective Fence Distance (M)	RPA (M²)	NJUG Precautinary area (M)
45	Betula pendula (Silver Birch)	14	0	4	2	1	8	2	269	MA	N	Moderate. Undisturbed rooting zone. Co-dominant from base with both stems leaning to south. Broken hanging limb at 3 metres. Largely defect free crown otherwise. Diameters: 200, 180mm.	NWR	20-40	B	3	3.2	33	3.4
46	Acer platanoides (Norway Maple)	16	2	3	1	1	3	1	280	Y	N	Good. Undisturbed rooting zone. Pegs on lower bole - has been pruned. Contorted bole at 2 metres. Then slight lean to west. High exposed canopy.	NWR	20-40	C	2	3.4	35	3.5
47	Ulmus glabra (Wych Elm)	15	0	4	3	2	2	1	260	Y	N	Good. Undisturbed rooting zone. Good clean bole. Canopy weighted towards road. Otherwise good condition. Normal vitality displayed for species.	NWR	10-20	B	3	3.1	31	3.3
48	Prunus avium (Gean)	12	0	2	1	1	2	1	160	Y	L	Poor. Undisturbed rooting zone. Good clean bole supports asymmetrical sparse canopy - suppressed specimen in decline.	NWR	0-10	C	3	1.9	12	2.0
49	Prunus avium (Gean)	12	0	3	2	2	1	1	180	Y	N	Moderate. Undisturbed rooting zone. Bole with cankers and contorted form supports low canopy weighted towards road.	NWR	10-20	C	3	2.2	15	2.3
50	Salix caprea (Goat Willow)	16	2	4	1	3	10	1	370	MA	N	Moderate. Undisturbed rooting zone. Good clean bole but co-dominant by 1.5 metres via compression union. Whip-like stems supports canopy with 10% small diameter deadwood.	NWR	10-20	C	3	4.4	62	4.7

Tag No.	Species Botanical (Common)	Height (m)	Crown spread (m) N	Crown spread (m) S	Crown spread (m) E	Crown spread (m) W	Crown clearance (m)	Number of Stems from base	Dia @ 1.5 M (mm)	Age Class	Physiological condition	Structural Condition/description	Preliminary Management Recommendations	Expected Remaining Contribution (Years)	Retention Category	Sub Category 1, 2 or 3	Protective Fence Distance (M)	RPA (M²)	NJUG Precautionary area (M)
51	Salix caprea (Goat Willow)	17	0	7	3	4	6	1	580	M	N	Moderate. Undisturbed rooting zone. Bole with occluded fencing wire becomes multi-stemmed by 1.5 metres. Northern stem gas been removed at union and now developing decay. 15% deadwood, some large diameter in asymmetrical canopy.	NWR	10-20	C	3	7.0	152	7.3
52	Sorbus intermedia (Swedish Whitebeam)	6	0	3	1	1	2	1	170	Y	N	Moderate. Undisturbed rooting zone. Good clean bole with decayed stubs supports low suppressed canopy weighted toward road.	NWR	10-20	C	2	2.0	13	2.1
53	Acer platanoides (Norway Maple)	17	2	5	3	2	2	1	360	Y	N	Moderate. Undisturbed rooting zone. Sweeping lower bole then leans towards road. Long laterals developing to south. Otherwise good condition. Normal vitality displayed for species.	NWR	20-40	B	2	4.3	59	4.5
54	Betula pendula (Silver Birch)	16	1	1	1	1	14	1	120	Y	N	Moderate. Undisturbed rooting zone. Very slender long clear bole supports high compact canopy.	NWR	10-20	C	3	1.4	7	1.5
55	Betula pendula (Silver Birch)	18	2	2	2	1	10	1	240	MA	N	Good. Undisturbed rooting zone. Good clean bole. Upright form. High exposed and compact canopy. Otherwise good condition.	NWR	20-40	B	3	2.9	26	3.0
56	Acer platanoides (Norway Maple)	17	2	5	2	3	5	1	310	Y	N	Good. Undisturbed rooting zone. Good clean bole develops compression union at 7 metres. Slight lean to west. Otherwise good condition.	NWR	20-40	B	2	3.7	43	3.9
57	Prunus avium (Gean)	17	1	5	2	4	2	1	250	Y	N	Moderate. Undisturbed rooting zone. Good clean bole but with compression union at 0.5 metres. Contorted upper form. Canopy weighted towards road.	NWR	20-40	B	3	3.0	28	3.1

Tag No.	Species Botanical (Common)	Height (m)	Crown spread (m) N	Crown spread (m) S	Crown spread (m) E	Crown spread (m) W	Crown clearance (m)	Number of Stems from base	Dia @ 1.5 M (mm)	Age Class	Physiological condition	Structural Condition/description	Preliminary Management Recommendations	Expected Remaining Contribution (Years)	Retention Category	Sub Category 1, 2 or 3	Protective Fence Distance (M)	RPA (M²)	NJUG Precautinary area (M)
58	Betula pendula (Silver Birch)	18	3	1	3	1	11	1	200	Y	N	Good. Undisturbed rooting zone. Good clean bole. Upright form. Long clear stem supports high exposed but defect free canopy.	NWR	20-40	B	3	2.4	18	2.5
59	Sorbus intermedia (Swedish Whitebeam)	9	0	4	2	1	1	1	320	Y	N	Moderate. Undisturbed rooting zone. Good clean bole. Multi-stemmed low suppressed canopy, weighted towards road.	NWR	10-20	C	2	3.8	46	4.0
60	Fraxinus excelsior (Common Ash)	7	0	6	0	0	5	1	120	Y	N	Poor. Undisturbed rooting zone. Whip-like specimen with severe lean towards road.	NWR	10-20	C	3	1.4	7	1.5
61	Betula pubescens (Downy Birch)	18	0	5	1	2	11	1	190	Y	N	Moderate. Undisturbed rooting zone. Decayed stub at base of bole that leans towards road. High exposed canopy.	NWR	10-20	C	3	2.3	16	2.4
62	Betula pendula (Silver Birch)	18	1	2	1	3	7	1	230	MA	N	Good. Undisturbed rooting zone. Partly occluded wound at 0.5 metre to east. Upright form. Largely defect free crown. Normal vitality displayed for species.	NWR	20-40	B	3	2.8	24	2.9
63	Salix caprea (Goat Willow)	17	1	3	6	2	8	2	326	MA	N	Moderate. Undisturbed rooting zone. Two boles from base. Southern bole with pronounced lean to east. Largely defect free crown otherwise. Diameters: 250, 210mm.	NWR	20-40	C	3	3.9	48	4.1
64	Prunus avium (Gean)	17	0	6	6	4	1	1	470	MA	N	Moderate. Restricted rooting zone to south by 4 metres (road). Good clean bole becomes multi-stemmed at 1.5 metres. Poorly pruned lower limbs (roadside flail) and canopy weighted towards road. Normal vitality displayed for species.	NWR	20-40	B	3	5.6	100	5.9

Tag No.	Species Botanical (Common)	Height (m)	Crown spread (m) N	Crown spread (m) S	Crown spread (m) E	Crown spread (m) W	Crown clearance (m)	Number of Stems from base	Dia @ 1.5 M (mm)	Age Class	Physiological condition	Structural Condition/description	Preliminary Management Recommendations	Expected Remaining Contribution (Years)	Retention Category	Sub Category 1, 2 or 3	Protective Fence Distance (M)	RPA (M²)	NJUG Precautinary area (M)
65	Fraxinus excelsior (Common Ash)	14	2	1	2	1	10	1	160	Y	N	Good. Undisturbed rooting zone. Good clean bole. Upright form. High compact exposed canopy.	NWR	10-20	C	3	1.9	12	2.0
66	Sorbus intermedia (Swedish Whitebeam)	9	1	4	1	1	1	1	180	Y	N	Moderate. Restricted rooting zone to south by 4 metres. Good clean bole. Low suppressed edge canopy is weighted towards road.	NWR	10-20	C	2	2.2	15	2.3
67	Fraxinus excelsior (Common Ash)	12	0	5	1	1	3	1	190	Y	N	Moderate. Restricted rooting zone to south by 4 metres. Contorted bole with pronounced lean towards road. Lower limbs have been flailed. Otherwise good condition.	NWR	10-20	C	3	2.3	16	2.4
68	Salix caprea (Goat Willow)	17	1	4	3	3	4	2	432	M	N	Moderate. Undisturbed rooting zone. Co-dominant via compression union by 0.5 metres. Multi-stemmed canopy is weighted towards road and with 20% small diameter deadwood. Diameters: 290, 320mm.	NWR	20-40	B	3	5.2	84	5.4
69	Betula pubescens (Downy Birch)	16	1	1	1	1	9	1	130	Y	N	Moderate. Undisturbed rooting zone. Whip-like exposed specimen with very small neighbour to east. High exposed compact canopy. Normal vitality displayed for species.	NWR	10-20	C	3	1.6	8	1.6
70	Sorbus intermedia (Swedish Whitebeam)	12	3	2	1	3	2	1	240	Y	N	good. Undisturbed rooting zone. Good clean bole. Co-dominant at 1.5 metres via compression union. Low defect free canopy develops.	NWR	20-40	B	2	2.9	26	3.0

Tag No.	Species Botanical (Common)	Height (m)	Crown spread (m) N	Crown spread (m) S	Crown spread (m) E	Crown spread (m) W	Crown clearance (m)	Number of Stems from base	Dia @ 1.5 M (mm)	Age Class	Physiological condition	Structural Condition/description	Preliminary Management Recommendations	Expected Remaining Contribution (Years)	Retention Category	Sub Category 1, 2 or 3	Protective Fence Distance (M)	RPA (M²)	NJUG Precautionary area (M)
71	Betula pendula (Silver Birch)	18	2	2	1	1	11	1	210	MA	N	Good. Restricted rooting zone to north. Good clean bole with slender form and slight lean to south. High exposed canopy with 10% small diameter deadwood.	NWR	20-40	B	3	2.5	20	2.6
72	Betula pubescens (Downy Birch)	15	1	2	2	1	7	1	170	Y	N	Good. Rubble at base. Good clean bole with slight lean to south. High exposed canopy is largely defect free. Normal vitality displayed for species.	Re-instate original soil levels within 1 year.	20-40	C	3	2.0	13	2.1
73	Betula pubescens (Downy Birch)	15	0	4	0	2	7	1	160	Y	N	Moderate. Rubble at base. Bole has pronounced lean to south-west and high asymmetrical canopy also. Otherwise good condition.	Re-instate original soil levels within 1 year.	10-20	C	3	1.9	12	2.0
74	Betula pendula (Silver Birch)	17	1	3	1	3	6	1	250	MA	N	Good. Rubble at base of upright bole. Largely defect free crown other than one small snapped lateral. Normal vitality displayed for species.	Re-instate original soil levels within 1 year.	20-40	B	3	3.0	28	3.1
75	Salix caprea (Goat Willow)	14	0	8	2	3	4	1	440	M	N	Moderate. Restricted rooting zone to east by 3 metres. Good clean bole becomes co-dominant at 1.5 metre. Suppressed edge canopy with limbs bowing towards road. Overhangs entrance to site.	Facilitation Pruning (crown lift canopy over entrance to clear ground by 6 metres prior to construction).	10-20	C	3	5.3	88	5.5
76	Betula pubescens (Downy Birch)	14	2	1	3	2	10	1	190	Y	N	Good. Restricted rooting zone to east. Historic wounding of bole at 2 metres. Co-dominant by 2.5 metres. Largely defect free crown. Normal vitality displayed for species.	NWR	10-20	C	3	2.3	16	2.4

Tag No.	Species Botanical (Common)	Height (m)	Crown spread (m) N	Crown spread (m) S	Crown spread (m) E	Crown spread (m) W	Crown clearance (m)	Number of Stems from base	Dia @ 1.5 M (mm)	Age Class	Physiological condition	Structural Condition/description	Preliminary Management Recommendations	Expected Remaining Contribution (Years)	Retention Category	Sub Category 1,2 or 3	Protective Fence Distance (M)	RPA (M²)	NJUG Precautionary area (M)
77	Fagus sylvatica (Beech)	16	5	5	2	4	3	1	400	MA	N	Moderate. Raised soil levels. Restricted rooting zone to east by 3 metres. Low limbs rub and wound neighbouring tree. Largely defect free crown otherwise. Though with large hanger to north.	Crown Clean (remove hanger) within 6 months.	20-40	C	2	4.8	72	5.0
78	Pinus sylvestris (Scots Pine)	24	4	5	2	4	17	1	500	M	N	Moderate. Raised soil levels (chips). Bole being wounded by rubbing neighbour. Upright form. High canopy with one large diameter hanger. Otherwise good condition. Normal vitality displayed for species.	Crown Clean (remove hanger) within 6 months.	20-40	B	3	6.0	113	6.3
58 79	Pinus sylvestris (Scots Pine)	22	4	3	3	2	16	1	460	M	N	Good. Undisturbed rooting zone. Good clean bole with generally upright form. Large hanger at circa 6 metres to north. Largely defect free crown thereafter. Normal vitality displayed for species.	Crown Clean (remove hanger) within 6 months.	20-40	B	3	5.5	96	5.8
80	Pinus sylvestris (Scots Pine)	22	5	1	3	2	14	1	470	M	N	Good. Undisturbed rooting zone. Good clean sweeping lower bole then leans to west. History of lower limb failures. Largely defect free crown otherwise.	NWR	40+	A	3	5.6	100	5.9

TREE SCHEDULE - AN EXPLANATION.

Heights are given to the nearest metre. Diameters are given in millimetres.

Age group abbreviations are as follows:

Y = Young (established up to one-third of ultimate height)

MA = Middle Aged (between one-third and two-thirds of expected height and or girth).

M = Mature (more or less full height, but still increasing in girth fairly rapidly)

LM = Late Maturity (more or less full height and girth increasing only slowly).

Physiological Condition Classes are as follows:

Normal (N) : Full healthy canopy. Free from major cavities, wounds, pests or diseases.

Low (L) : Overall sparse leafing or extensive deadwood. Well established decay organisms. Cavities and or large wounds. Structural features prone to failure.

Works required are highlighted in the recommendations section and use the following abbreviations:

No work required	=	No work required at this time (and in the tree's current context) to meet a duty of care.
Crown Clean	=	Remove deadwood as directed.
Facilitation pruning	=	Natural target pruning to be adopted to achieve specified clearance, assuming construction proceeds.
Remove	=	Remove tree to specified level.

Work Priority (as a way of qualifying the risk posed):

Minimum duration to meet a duty of care.	Risk Level
Work to be completed within 30 days	Very High
Work to be completed within 3 months	High
Work to completed within 6 months	Moderate
Work to be completed within 1 year	Low
Work to be completed within 1 year, if budget allows.	Very Low

TREE SCHEDULE - AN EXPLANATION CONTINUED.

Tree quality category definitions.

Category U = trees unsuitable for retention.

Category A = trees of high quality and value to be considered for retention.

Category B = trees of moderate quality and value to be considered for retention.

Category C = trees of low quality and value to be considered for retention.

Criteria for category (Subcategories).

- 1) Mainly arboricultural values.
- 2) Mainly landscape values.
- 3) Mainly cultural/conservation values.

NB: Retention classes are assessed in context of their current location/situation.

Estimated remaining contribution:

This is an estimate of the safe useful life expectancy of the tree, or how long it may be retained safely. It is not meant as a guide to normal life expectancy and would be reviewed during any subsequent inspections. Duration can even increase, after remedial work for example. The expected remaining contribution is the main factor considered when rating the tree's quality category.

- 0 = tree has no useful life expectancy.
- 0 -10 = less than ten years expected
- 10 - 20 = ten to twenty years expected.
- 20 – 40 = twenty to forty years expected.
- 40 + = over forty years expected.

RPA

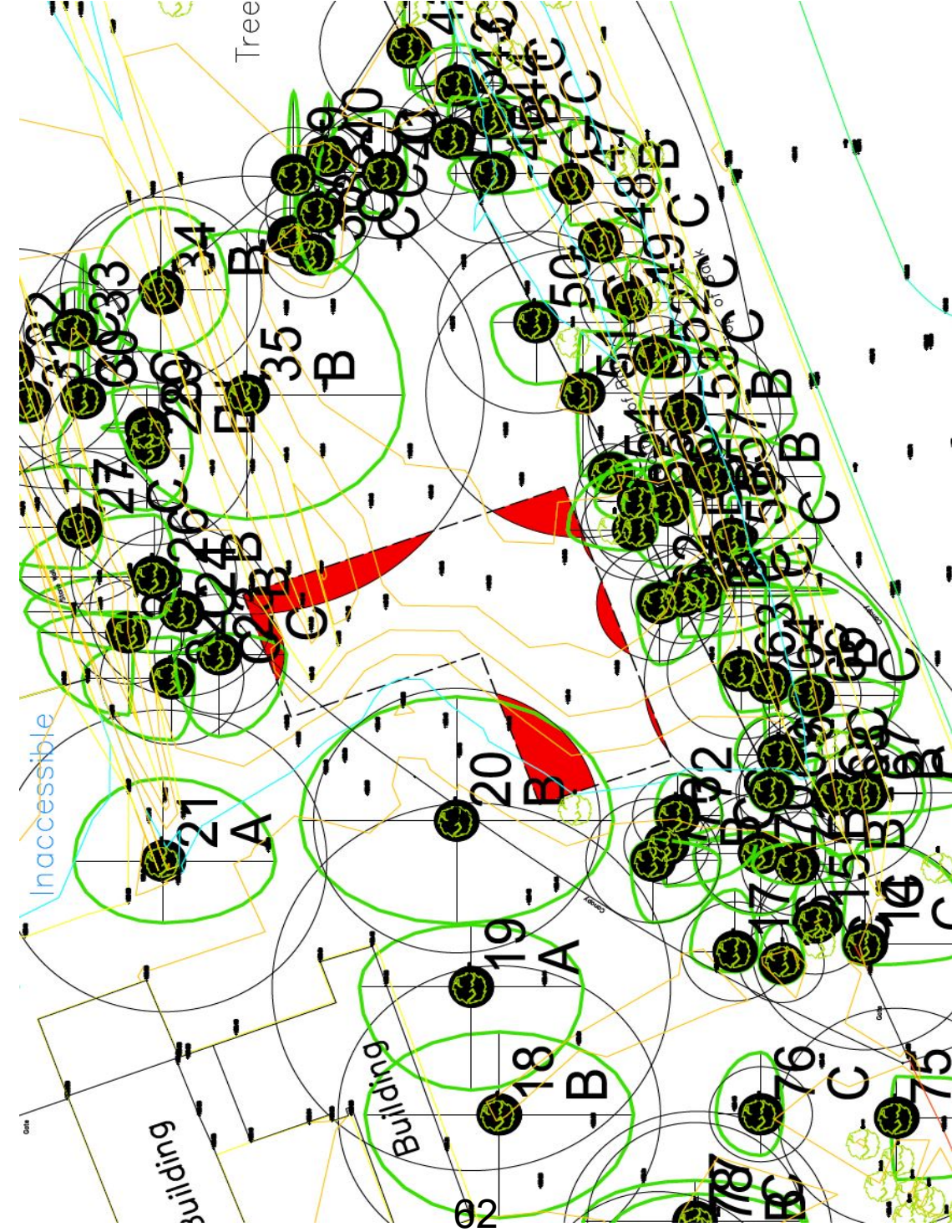
Root protection area in metres². This is the total area that should be protected during construction; the "Construction exclusion zone". It is a fluid area that is represented as a circle in the "Tree Constraints Plan" but may take any shape.

NJUG precautionary area.

The distance from the main stem (as calculated in the "*National Joint Utilities Group*" guidelines set forth in "*Guidelines for the planning, installation and maintenance of utility services in proximity to trees*" Volume 4, Issue 2 [2007]) that special precautions must be taken if excavation should take place. Please refer to section 6.1.

APPENDIX 3

ARBORICULTURAL IMPACT ASSESSMENT (PLAN).



Arboricultural Impact Assessment (AIA)

Land near,
Monega House,
Hatchbank Road.

Individual Tree positions and RPAs

DWG REF: *AMA/AIA/08.04.19*

Author: Chris Simpson
Date: 08/04/19
Scale: not to scale

KEY:

= Areas requiring special
engineering measures.
Please refer to Arboricultural
Method Statement

APPENDIX 4

SUPPORTING PHOTOGRAPHIC EVIDENCE.

Picture 1:



Above: View of woodland edge to north of Hatchbank Road. A narrow belt of young trees has been established between the proposed development site and the public road. They consist of a high proportion of non-native species and have been severely (and poorly) reduced along the roadside by a flail.

Picture 2:



Above: The proposed development site as viewed from the existing driveway to the west. The site is devoid of established trees. A number of stumps display early-stage adventitious shoots.

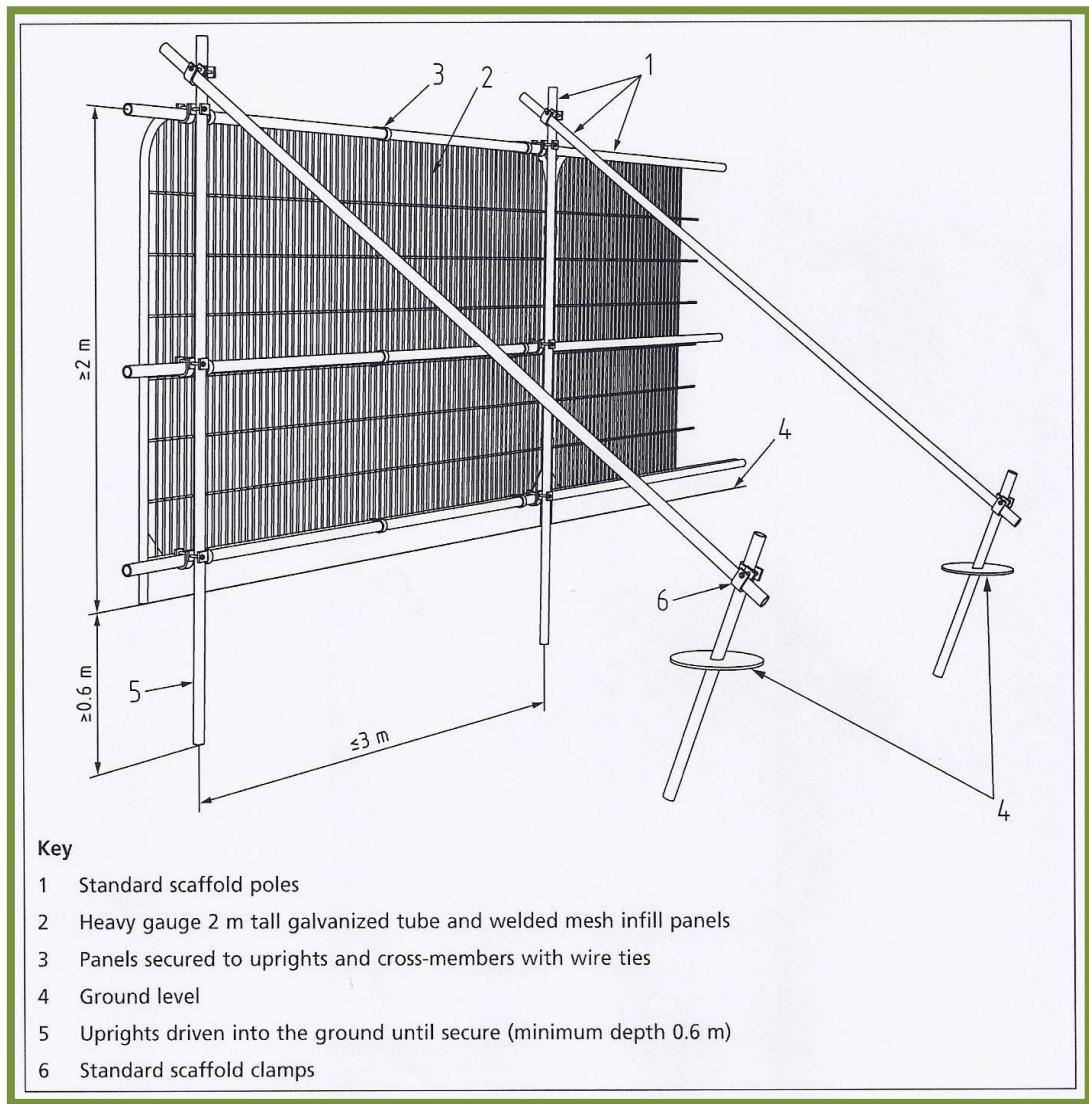
Picture 3:



Above: The same area viewed from the east; from the woodland's eastern boundary.

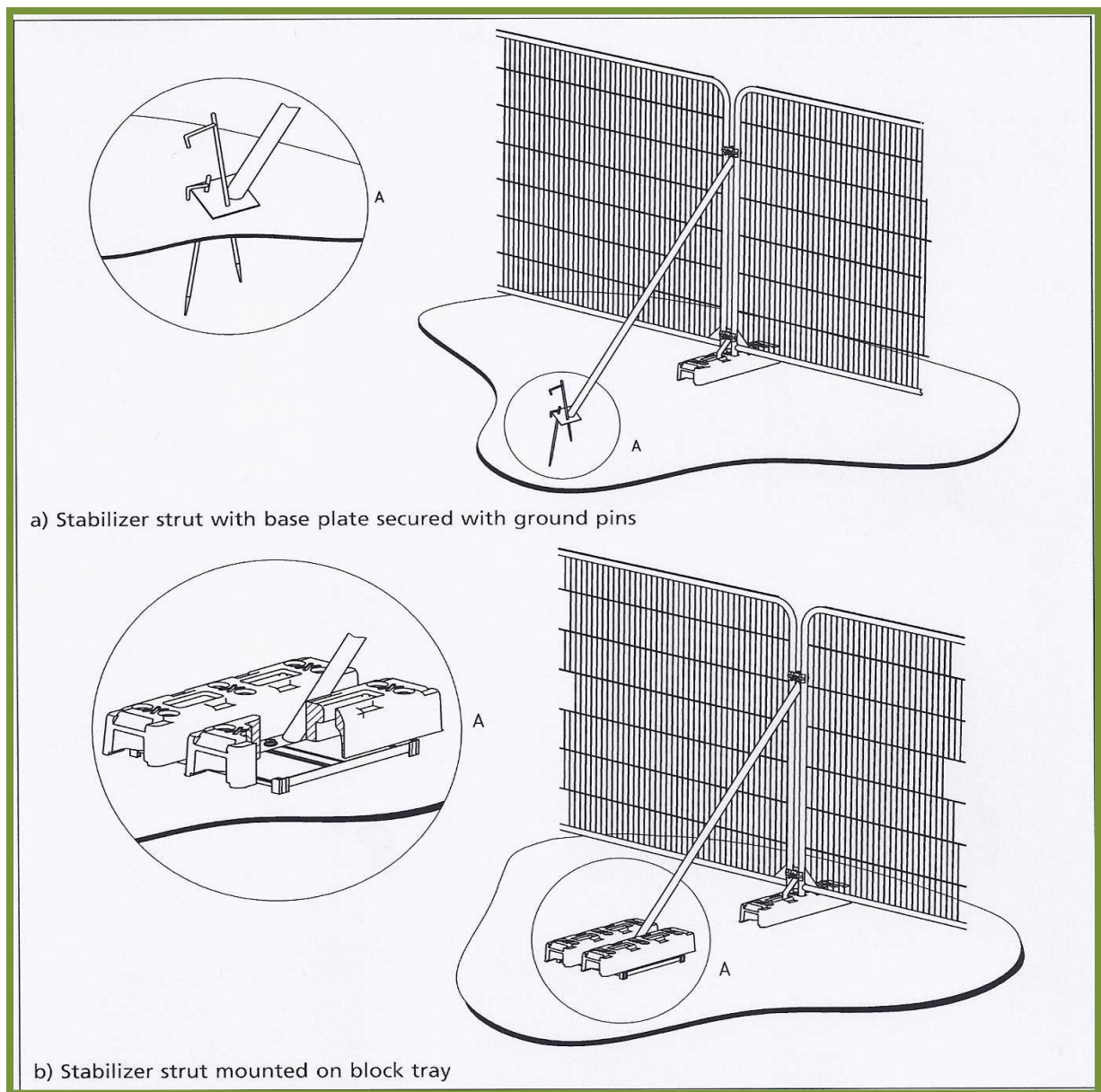
APPENDIX 5

**Protective Fencing Specification,
as per BS 5837: 2012 Figure 2.**



**Above: standard fence specification.
Below: suggested “Keep out” sign format.**





Above: specification for stabilizing protective fencing, when poles can't (practically) be driven into the ground.

APPENDIX 6

Glossary of arboricultural terms

Glossary of Terms:

Adventitious growth	A shoot arising from a non-meristematic area.
Amenity	Tangible and intangible benefits to the public.
Cavity	Void created by decay.
Decay	Partly degraded woody material (degraded by fungal pathogen).
Epicormic growth	Advantageous growth that develops commonly at the base of the bole. Can be an indication of physiological stress but is normal in some species, such as Lime.
Good clean bole	Trunks free of wounds, cavities, debris or decay fungi fructifications.
Large diameter deadwood	Dysfunctional/dead limbs above 50mm diameter.
Restricted rooting zone	A predictable barrier to normal root spread and development exists.
Riparian	Habitat by the edges of water-courses.
Rooting zone	Area where majority of feeding and structural roots would be expected to be located.
Small diameter deadwood	Dysfunctional/dead limbs below 50mm diameter.
Undisturbed rooting zone	No soil excavation, compaction or contamination observed within the predictable rooting area of the tree.
Wound	Area of exposed sapwood, open to colonisation by pathogens.

PERTH AND KINROSS COUNCIL

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Date 14th August 2019

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **19/01129/IPL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 6th July 2019 for permission for **Erection of a dwellinghouse (in principle) Land 80 Metres North East Of The Stables Hatchbank** for the reasons undernoted.

Head of Planning and Development

Reasons for Refusal

1. The proposal is contrary to Policy RD3 'Housing in the Countryside' of the Perth and Kinross Local Development Plan 2014 and 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.
2. The proposal is contrary to Policy PM1B 'Placemaking', criterion (a) of the Perth and Kinross Local Development Plan 2014, as the proposal fails to create a sense of identity and erodes the character of the countryside.
3. The proposal is contrary to Policy PM1B 'Placemaking', criterion (b) of the Perth and Kinross Local Development Plan 2014, as the siting of dwellinghouse would erode and dilute the areas landscape character.

4. The proposal is contrary to Policy ER6 'Managing Future Landscape Change to Conserve and Enhance the Diversity of the Area's Landscape' of the Perth and Kinross Local Development Plan 2014, as the loss of agricultural land to a residential use in this rural location will erode the local distinctiveness, diversity and quality of Perth and Kinross's landscape character whilst being of detriment to the visual and scenic qualities of the landscape.

Justification

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

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

Plan Reference

19/01129/1

19/01129/2

19/01129/3

19/01129/4

19/01129/5

19/01129/6

REPORT OF HANDLING

DELEGATED REPORT

Ref No	19/01129/IPL	
Ward No	P8- Kinross-shire	
Due Determination Date	05.09.2019	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Erection of a dwellinghouse (in principle).

LOCATION: Land 80 Metres North East of The Stables, Hatchbank, Kinross.

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: 31st July 2019

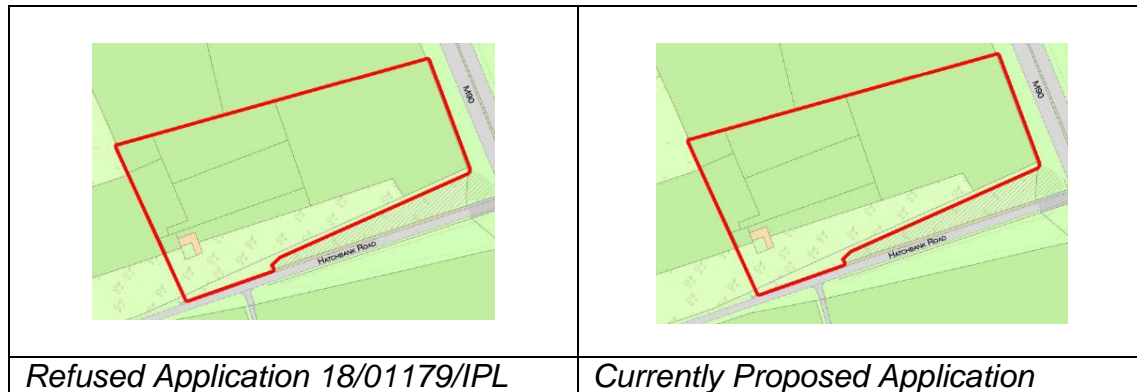
SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

The application site is on land 80metres North East of The Stables, Hatchbank, by Kinross. The application seeks planning permission in principle for a single dwellinghouse. The proposed site in full is approximately 21,000m² and is currently utilised for equestrian use, where there is a small stable building and arena present. Part of the site is also designated as Ancient Woodland. The site is bound to the south by the designated Ancient Woodland and to the north, east, and west by low level wooden fencing / post

and wire fencing. The application forms the re-submission of application 18/01179/IPL which was refused for a number of reasons including the principle of development. This resubmission now includes an indicative site plan, a topographical survey, a tree report and an updated design statement. The site boundaries remain the same as seen below.



It is worth noting that the immediately neighbouring site to the west was also refused planning permission in 2017 for the erection of a dwellinghouse as the principle of the development was also considered to be unacceptable (refer to application 17/00691/FLL).

SITE HISTORY

11/00824/FLL: Erection of stables, formation of access and associated parking (part in retrospect) – Application Approved

18/01179/IPL - Erection of a dwellinghouse (in principle) 15 August 2018: Application Refused

PRE-APPLICATION CONSULTATION

No formal pre-application consultation undertaken.

NATIONAL POLICY AND GUIDANCE

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

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 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 PM2 - Design Statements

Design Statements should normally accompany a planning application if the development comprises 5 or more dwellings, is a non-residential use which exceeds 0.5 ha or if the development affects the character or appearance of a Conservation Area, Historic Garden, Designed Landscape or the setting of a Listed Building or Scheduled Monument.

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 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 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 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 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.

Policy EP7A - Drainage within the Loch Leven Catchment

Total phosphorus from development must not exceed the current level permitted by the discharge consents for Kinross and Milnathort waste water treatment works together with the current contribution from built development within the rural area of the catchment.

Policy EP7B - Drainage within the Loch Leven Catchment

Developments within the Loch Leven Catchment Area will be required to connect to a publicly maintained drainage system incorporating phosphorus reduction measures. Exceptions will only be permitted where they are in accordance with criteria set out.

Policy EP7C - Drainage within the Loch Leven Catchment

Where EP7A and EP7B cannot be satisfied, proposals will be refused unless they are capable of removing 125% of the phosphorus likely to be generated by the development from the catchment.

Proposed Perth and Kinross Local Development Plan 2 (LDP2)

The Proposed LDP2 2017 represents Perth & Kinross Council's settled view in relation to land use planning and is a material consideration in determining planning applications. The Proposed LDP2 is considered consistent with the Strategic Development Plan (TAYplan) and Scottish Planning Policy (SPP) 2014. It is now the subject of an Examination Report (published 11 July 2019). This includes the Reporter's consideration of issues and recommended

modifications to the Plan, which are largely binding on the Council. It is therefore anticipated that they will become part of the adopted Plan; however, this is subject to formal confirmation. The Council is progressing the Proposed Plan (as so modified) towards adoption which will require approval by the Council and thereafter submission to the Scottish Ministers. It is expected that LDP2 will be adopted by 31 October 2019. The Proposed LDP2, its policies and proposals are referred to within this report where they are material to the recommendation or decision.

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.

Loch Leven SPA and Ramsar Site Supplementary Guidance

The Loch Leven SPA and Ramsar Site guidance relates specifically to water quality of Loch Leven SPA and phosphorus entering the loch's catchment. This Guidance relates to the Local Development Plan Policy EP7 'Drainage within the Loch Leven Catchment Area'.

CONSULTATION RESPONSES

Development Negotiations Officer:

No objection to the proposed development, subject to conditional control regarding education contributions.

Environmental Health (Private Water):

No objection to the proposed development, subject to conditional control regarding private water supplies.

Transport Planning:
No objection to the proposed development.

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
Report on Impact or Potential Impact eg Flood Risk Assessment	Submitted (Tree Report)

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

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. This policy applies to this proposal as the site is not located within a designated settlement boundary.

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 agent has indicated through the provided Design Statement that the application should be considered under criterion (c), new houses in the open countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance. This will be discussed further below:

Criterion (c) New houses in the open countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance.

This category would require the Council to be satisfied that there is an **established** need for the proposed dwellinghouse for accommodation for key workers. Where the dwellinghouse is to be associated with a proposed economic activity, construction of the house will not be permitted in advance of the development of the business. On reviewing the updated Design Statement, the same concerns remain as that of application 18/01179/IPL as it is not considered that there is suitable justification for a dwellinghouse on this site. The equestrian business mentioned does not currently require a dwellinghouse on site due to its small scale. Whilst it is appreciated that the applicant wishes to grow this business, dwellinghouses will not be permitted in advance of the development of the business. The proposal is therefore contrary to the above policy. Furthermore, even if a dwellinghouse was considered to be justified to oversee the business, it is noted that the applicant currently lives only approximately 230metres to the east of the site, therefore it is not accepted that the dwellinghouse is essential.

Notwithstanding the above, even if the proposal was accepted under category c, the proposal would still have to comply with the siting criteria. In this instance, the proposed application site is extremely large at approximately 21,000m² and the majority of the site is exposed with little landscape containment. Whilst the indicative site plan is noted which shows the dwellinghouse to be located in the woodland area, the whole site must be assessed against the siting criteria. The entirety of the site is not considered to be definable and any house in this location would not blend in sympathetically with the existing landform. The woodland area only defines the boundary to the south. The boundaries to the north, east and west are only post and wire/ low level wooden fencing, which are not accepted as definable boundaries. Furthermore, the siting of a dwellinghouse in this

location would set a precedent for future ribbon development at Hatchbank joining the 2 small settlements nearby.

It is therefore considered that the proposal for a dwellinghouse does not comply with any of the relevant criterion as set by the Housing in the Countryside Policy and thus is contrary to policy.

Design and Layout

As this application is simply seeking to establish the principle of a residential development on the site, there is no requirement for the submission of any detailed plans relating to the design or layout of the proposed units. All matters in relation to Design and Layout will be considered under a detailed application. An indicative site plan has been submitted however which indicates that an acceptable layout may be achieved.

Landscape and Visual Amenity

The submitted indicative site plan shows that the dwellinghouse will be located within the woodland area of the site. However, as the application site boundary extends far beyond the woodland and into the neighbouring agricultural land it is therefore appropriate to assess the entirety of the site for a residential use.

The site is on a relatively exposed piece of land and therefore highly visible from the surrounding area. The site is prominent when viewed from the M90 motorway and therefore it is highly important that this route is protected from development which could have a negative impact upon the landscape character and visual amenity of the area. Consistent to the previously refused application, the existing definability of the site and lack of established boundary treatments is not considered sufficient screening to suitably accommodate a dwellinghouse without having a significant impact upon the landscape qualities of the area.

In this case, due to the exposure of the site from the lack of a definable site and the proposed siting of the plot being highly visible upon the landscape, it is therefore considered that the development of this site into a residential development could negatively impact upon the landscape character of the area. As this application is in principle only and full details have not been submitted, I am unable to comment on the complete visual impact of the proposal. Nevertheless, consistent to the previous refusal on the site, this will be added as a reason for refusal.

Residential Amenity

It is considered that the site is large enough to accommodate a modest dwellinghouse without detrimental impact upon existing residential amenity. The site is also large enough for ample private amenity space to be provided for the proposed dwellinghouse.

The formation of a residential development does however have the potential to result in overlooking and overshadowing to neighbouring dwellinghouses and garden ground. There is a need to secure privacy for all the parties to the development including those who would live in the new dwellings and those that live in the existing houses. Planning control has a duty to future occupiers not to create situations of potential conflict between neighbours.

As this is a planning in principle application, the exact impact upon existing amenity and also the proposed residential amenity of future occupiers of the proposed dwellinghouses cannot be fully determined. However it is considered that an acceptable scheme could be achieved which would not compromise the amenity of existing residential properties and will equally provide a suitable level of residential amenity for future occupiers of the dwellinghouse.

Roads and Access

As this application is in principle, full details of the proposed roads and access have not been submitted, although the Design Statement indicates that the existing access and parking arrangements will be utilised. It is considered that an acceptable scheme could be achieved on this site. Furthermore, Transport Planning was consulted as part of this application and has no objection to the proposed development.

Drainage and Flooding

The site is not within an area known to flooding and as such it is therefore considered that there are no flooding implications associated with this proposal. All matters in relation to drainage would be considered under a detailed application.

Biodiversity and Trees

The site is identified by Scottish Natural Heritage (SNH) as Ancient Woodland. This means woodland has been present here for certain since c1860 when it was shown on maps of the area. Many of these sites have developed semi-natural characteristics, especially the oldest ones, which may be as rich as Ancient semi-natural woodland. National planning policy determines that ancient woodland sites are not suitable locations for development.

The Scottish Government's Policy on Woodland Removal signals a strong presumption in favour of protecting Scotland's Woodland resources. The Scottish Forestry Strategy 2006 identifies seven key themes for Scotland's woodlands which are reiterated in the National Planning Framework, while this highlights a need to plan proactively for the expansion of woodland cover it also confirms that existing woodland should be protected and that its removal should only be permitted where it will achieve significant and clearly defined additional public benefits.

Policy NE2B 'Forestry, Woodland and Trees', of the Perth and Kinross Local Development Plan 2014 states that where there are existing trees on a development site, any application should be accompanied by a tree survey. The previous application (18/01179/IPL) did not include a tree survey and as such reasons 5 and 6 for refusal of the application were as follows:

- *(Reason 5) The proposal is contrary to the Scottish Government's Policy on Woodland Removal, the Scottish Forest Strategy, the National Planning Framework as well as policy NE2A and NE2B of the Perth and Kinross Local Development Plan 2014 as there are no clear public benefits associated with the removal of the woodland.*
- *(Reason 6) The proposal is contrary to Policies NE2B - Forestry, Woodland and Trees, and NE3 – Biodiversity, of the Perth and Kinross Local Development Plan 2014, as there are a large number of mature trees present on the application site and no tree survey or biodiversity surveys have been submitted to ascertain the impacts of the proposed development.*

This current application now includes a tree report and an indicative site plan which shows that a dwellinghouse could be erected without the significant felling of trees. I therefore do not consider it appropriate to now include these reasons for refusal as it has been demonstrated that a suitable development can be accommodated without being of detrimental harm to the existing woodland. This will also help to protect the biodiversity merit of the site as the woodland is to be retained.

Conservation Considerations

The site is not in close proximity to any listed building, conservation area or any other designated site of historical interest. It is therefore considered that the proposed development will have no adverse impact upon the historic environment.

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 at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.

This proposal is within the catchment of Kinross Primary School, where there are currently capacity issues.

The Development Negotiations Officer was consulted as part of this application and recommended a condition to be added to any consent granted requiring education contributions at detailed application stage.

Economic Impact

The development of this site would account for short term economic investment through the 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.

Reasons for Recommendation

- 1 The proposal is contrary to Policy RD3 '*Housing in the Countryside*' of the Perth and Kinross Local Development Plan 2014 and 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.
- 2 The proposal is contrary to Policy PM1B '*Placemaking*', criterion (a) of the Perth and Kinross Local Development Plan 2014, as the proposal fails to create a sense of identity and erodes the character of the countryside.

- 3 The proposal is contrary to Policy PM1B '*Placemaking*', criterion (b) of the Perth and Kinross Local Development Plan 2014, as the siting of dwellinghouse would erode and dilute the areas landscape character.
- 4 The proposal is contrary to Policy ER6 '*Managing Future Landscape Change to Conserve and Enhance the Diversity of the Area's Landscape*' of the Perth and Kinross Local Development Plan 2014, as the loss of agricultural land to a residential use in this rural location will erode the local distinctiveness, diversity and quality of Perth and Kinross's landscape character whilst being of detriment to the visual and scenic qualities of the landscape.

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

19/01129/1
19/01129/2
19/01129/3
19/01129/4
19/01129/5
19/01129/6

Date of Report 14th August 2019

Design Statement

Application for Planning Permission in Principle for the Erection of a Dwelling with Associated Infrastructure to Land 150m East of Monega House, Hatchbank Road, Gairney Bank (Resubmission of a Previously Refused Planning Permission in Principle Application (18/01179/IPL))

Date: May 2019



1.0 Introduction

1.1 This Design Statement has been prepared by Andrew Megginson Architecture, on behalf of Lee Scammacca (daughter) and Ann Harley (mother), for planning permission in principle for a dwelling on land 150m East of Monega House, Hatchbank Road, Gairney Bank (Fig 1).

1.2 The application site is comprised of a large area of varying types of land, measuring 1.97 Ha, which runs parallel to Hatchbank Road. (hereafter referred to as the 'site').

1.3 The purpose of this statement is to provide an overview of the proposal and an assessment of the proposal's conformity with the relevant national and local planning policies in which any residential development in Perth and Kinross should be considered against.



Figure 1 – Site Aerial

1.4 This document is structured as follows:

- It describes the site and its context (Section 2),
- It provides details on the development proposals (Section 3),
- It discusses the reasons for refusal of the previous application and appraises planning policies and the material considerations against which the planning application should be judged (Section 4),
- It reaches conclusions in relation to the acceptability of the planning application in the context of the Development Plan and other material considerations (Section 5).



2.0 The Site & Surrounding Area

2.1 Hatchbank Road, Gairney Bank is situated in a rural location, between Kinross and Keltly, within the county of Perth and Kinross. It runs over the M90, to which it has a link in close proximity to the site. There is also public transport, in the form of bus links, located at the end of Hatchbank Road where it joins to the B996. The Gairney Bank settlement boundary is designated in the Kinross Area Local Plan 2004 along the B996 and up part of Hatchbank Road (Fig 2).

2.2 The application site measures circa 1.97 Ha, it has a wooded backdrop to the south and is open to the wider countryside to the north. The open land to The North is used primarily for equestrian purposes and is made up of a mixture of surface finishes. The site is relatively flat with a very low West to East gradient towards the M90. It mostly lies at a lower level to Hatchbank Road, which creates a steep bund to the site as it gradually rises to bridge over the M90.

2.3 The site is defined by a mixture of generally agricultural land out with the client's ownership, Hatchbank Road and the M90 and post and wire and timber fencing. It has a lot of trees and shrubs located within and to it's boundary with Hatchbank Road, along with some areas of hard standing located around the existing single storey stable block within the site. There is an existing access from Hatchbank Road which takes one into the site where there is also a parking area.



Figure 2 – Gairney Bank Settlement Boundary (showing part of the site across the M90)





Figure 3 – Site Aerial

3.0 Proposals

3.1 This application is for planning permission in principle (PPP) for a 3 bedroom dwelling on land 150m East of Monega House, Hatchbank Road, Gairney Bank.

3.2 The proposed dwelling house would be located East of the existing stable block within a natural clearing in the woodland area (see drawing 1053-LOC-01). At present there are no residential properties immediately adjacent to the site but there are several groups located down Hatchbank Road to the West. The site is served by an existing access driveway which adjoins the public road to the South. It is proposed that the access to the new house will also be taken from this existing driveway which already contains provision for parking. The existing entrance is over 3m wide and there is reasonable visibility at the junction for both pedestrians and road traffic when exiting the site onto the 30mph Hatchbank Road.

3.3 Currently the site overall is used for equestrian purposes with the stables being fully functioning and located within the woodland area. At this stage, we propose that the siting, layout and design of the proposed dwelling house would be respectful to the existing woodland area and take cognisance of the built form and other surroundings in this collection.



3.4 The proposed dwelling location provides the opportunity for the area of the site around the stables be designed to integrate built form, utilising high quality natural materials, and landscaping, resulting in an overriding benefit in terms of visual improvement. The development will be of a density which represents the most efficient use of the site while respecting its environs, specifically the surrounding trees.

3.5 The design, scale and massing of the house will be influenced by the existing built form and aspiration to cause as little impact to the setting as possible. Namely the scale and form of the adjoining stables will be used to inform the height of the proposed house, in which the overall height of the proposals will be predominantly single storey. Lowly slanted flat roofs will be used to minimise floor to ceiling heights and keep the overall height low, with an informal layout that will help to reduce the overall massing. In order to create a high-quality development that will have a minimal impact on the setting, timber will be largely used to allow the dwelling to blend into the site. There will be a subtle introduction of other materials, such as weathering steel in chosen locations to create richness and variety. The elevational treatment will be kept simple, clean and elegant and will adopt a fabric first construction as well as renewable technologies to reduce the environmental impact. The house will have its own private water supply, have private drainage arrangements, designed so as to not affect Loch Leven, and will produce it's own heating and electricity.

3.6 The construction of the house will minimise its impact on the existing woodland and biodiversity. Rather than the footprint of the building infilling the floor of the woodland, a post and beam structure is proposed which will be fully designed in line with the recommendations of the arborticultural method statement, to allow it to leave the woodland floor largely untouched and avoid any adverse effects on trees. The building will also be largely prefabricated off site to cause as little disruption to the woodland also.



Figure 4 – Precedent, High Horse Ranch by Kieran Timberlake, uses low lying built form to have minimal impact in the setting

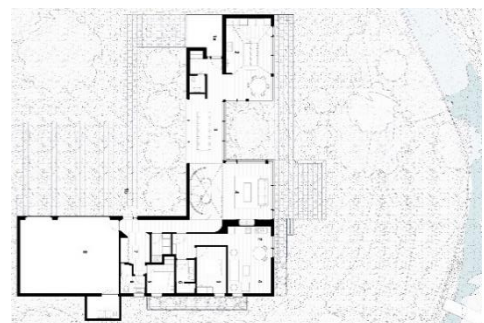


Figure 5 – Precedent, Dwelling by Williamson Williamson, uses an informal layout which works with the existing trees to create informal courtyards



4.0 Planning Policy

4.1 Principle National, regional and local planning guidance will be examined in this section of the statement to justify the proposal for the dwelling house in principle. As this is a resubmission of a previous planning in principle application that was refused, the reasons for refusal will also be examined against the proposals and additional information put forward.

Refusal of Planning in Principal Application 18/01179/IPL

4.2 The previous application was refused for the following reasons;

1 The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 and 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.

2 The proposal is contrary to Policy PM1B, criterion (a) of the Perth and Kinross Local Development Plan 2014, as the proposal fails to create a sense of identity and erodes the character of the countryside.

3 The proposal is contrary to Policy PM1B, criterion (b) of the Perth and Kinross Local Development Plan 2014, as the removal of the woodland and the siting of dwellinghouse would erode and dilute the areas landscape character.

4 The proposal is contrary to Policy ER6 of the Perth and Kinross Local Development Plan 2014 as it erodes local distinctiveness, diversity and quality of Perth and Kinross's landscape character, visual, scenic qualities of the landscape and the quality of landscape experience through the removal of part of the woodland/tree belt to accommodate the development.

5 The proposal is contrary to the Scottish Government's Policy on Woodland Removal, the Scottish Forest Strategy, the National Planning Framework as well as policy NE2A and NE2B of the Perth and Kinross Local Development Plan 2014 as there are no clear public benefits associated with the removal of the woodland.

6 The proposal is contrary to policies NE2B – Forestry, Woodland and Trees, and NE3 – Biodiversity, of the Perth and Kinross Local Development Plan 2014, as there are a large number of mature trees present on the application site and no tree survey or biodiversity surveys have been submitted to ascertain the impacts of the proposed development.

Scottish Planning Policy

4.3 SPP confirms that the planning system should encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality.

4.4 SPP promotes a pattern of development that is appropriate to the character of the particular rural area and the challenges it faces (Para 75).



4.5 SPP also encourages “provision for small-scale housing and other development which supports sustainable economic growth in a range of locations”. It also encourages “sustainable development that will provide employment” (Para 83).

4.6 In relation to specialist housing provision and other specific needs SPP states that “As part of the HNDA, local authorities are required to consider the need for specialist provision that covers accessible and adapted housing, wheelchair housing and supported accommodation, including care homes and sheltered housing. This supports independent living for elderly people and those with a disability. Where a need is identified, planning authorities should prepare policies to support the delivery of appropriate housing and consider allocating specific sites (Para 132).

4.7 The aim of the SPP is to ensure that development and changes in land use occur in suitable locations and are sustainable. The planning system must also provide protection from inappropriate development. Its primary objectives are:

- to set the land use framework for promoting sustainable economic development;
- to encourage and support regeneration; and
- to maintain and enhance the quality of the natural heritage and built environment.

4.8 Planning policies and decisions should not prevent or inhibit development unless there are sound reasons otherwise. The planning system guides the future development and use of land in cities, towns and rural areas in the long term public interest.

Perth and Kinross Local Development Plan

4.9 The application site is covered by the Perth and Kinross Local Development Plan. The principle of the new dwelling house on the proposed application site needs to be considered against the following Local Plan policies:

Policy ED3: Rural Business and Diversification

Policy PM1B: Placemaking

Policy NE2A/B: Forestry, Woodland and Trees

Policy NE3: Biodiversity

Policy RD3: Housing in the Countryside

Policy RD6: Particular Needs Housing Accommodation

Policy TA1: Transport Standards and Accessibility Requirements

Policy ED3: Rural Business and Diversification



4.10 The policy states that “favourable consideration will be given to the expansion of existing businesses and the creation of new ones in rural areas.” It also states that there is “preference that this will generally be within or adjacent to existing settlements.”

4.11 At present the site is predominantly used for equestrian purposes but also for a small amount of horse breeding. The owner, whom is one of the applicants (Lee Scammacca), of the stables is looking to expand the horse breeding element of the existing economic activity, whilst continuing the equestrian element, where in any such growth it would be required that the owner is present a majority of the time at the stables whilst carrying out this activity, especially through the birthing process, in which there are many risks.

4.12 As an expansion of an existing business the land is compatible with the existing use and is satisfactorily accommodated on the site. The expansion would also allow for the creation of employment over time as it grows.

Policy RD3: Housing in the Countryside

4.13 Policy RD3 states that “New houses in the open countryside on defined categories of sites as set out in section 3 of the Supplementary Guidance.” Within the supplementary guidance, sections 3.3 and 3.4 respectively states favourable consideration will be given if a new house falls within the following categories, “A house or group of houses is required either on site or in the locality for a local or key worker associated with either a consented or an established economic activity. The applicant must demonstrate to the satisfaction of the Council that there is a need for the house(s). Where the house is to be associated with a proposed economic activity, construction of the house will not be permitted in advance of the development of the business. Permission may be restricted by an occupancy condition to remain as essential worker housing when the employment use is no longer required.” and “A house is required for a local applicant who has lived and/or worked in the area for at least three years, and is currently inadequately housed.”. This policy also states the new house must then fall into the siting criteria at the end of this section.

4.14 As per section 4.10, it is discussed that the applicant is looking to develop their existing and established business and that it would require full on-site attention for the business to grow, whilst also keeping animal welfare and safety in mind. It was stated alongside the reasons for refusal that, in line with section 3.4 of policy RD3, a dwellinghouse would not be permitted in advance of the development of the business. Where the development and prosperity of the business relies upon full on-site attention, the specific wording of the policy prevents development and in turn business growth which is contradictory to the aims of the SPP on



encouraging rural development that supports prosperous and sustainable businesses where it specifically states support for “provision for small-scale housing and other development which supports sustainable economic growth in a range of locations”. The SPP also states “Planning policies and decisions should not prevent or inhibit development unless there are sound reasons otherwise.”. As the business is existing/ established and with the dwellinghouse acting as a catalyst for the business to grow we do not believe this is a sound reason not to support the proposals.

4.15 As per the section below discussing policy RD6, the house will also accommodate Ann who has lived locally for over 3 years and is currently inadequately housed. We will be submitting with the application a letter from an advisor carer to Ann which confirms the current situation. This aspect of policy RD3 was not taken into consideration in the previous application but means that the proposals are in line with policy RD3 in two aspects.

4.16 The house meets the siting criteria at the end of the section in that it;

- blends sympathetically with landform, through use of materials that will integrate it into the surroundings,
- it uses natural features to provide a backdrop.
- the boundaries provide existing, natural screening and define the site well.
- Sitting within the woodland and utilising existing natural screening will mean it does not have a detrimental impact on the surrounding landscape.

4.17 It was raised that the whole site is “exposed with little landscape containment. The site is not considered to be definable and any house in this location would not blend in sympathetically with the existing landform. The woodland area only defines the boundary to the south.”. We agree that the site has little landscape containment holistically, but the site is very large with the proposals only taking up a very small proportion of the site area. As can be seen in drawing 1053-LOC-01, the house is located within the woodland area in a natural clearing. Rather than looking at the site holistically the containment issues should be evaluated more locally to the proposals where the existing trees around the house and bund to Hatchbank Road will form their own local landscape containment and boundary to the dwelling. As no trees are being felled this will not erode any of the existing woodland area and the development will be adequately screened from Hatchbank Road, the M90 and other areas around the site.

4.18 The siting of the house is also in an area where there are groups of houses already exist nearby. Setting the house into the woodland will make it less obvious than other houses in the area and will not contribute to ribbon development.



Policy RD6: Particular Needs Housing Accommodation

4.19 Along with the house being for Lee Scammacca in regard to the economic activity, Ann whom is Lee's elderly mother, is registered as disabled, will also share the proposed house, as the house which she currently occupies is not suitable for her special needs. The proposed house will be designed with her special needs in mind to provide a better quality of life.

Policy TA1: Transport Standards and Accessibility Requirements

4.20 Policy TA1 aims to provide a framework for the shift to more sustainable modes of transport, thereby assisting in reducing emissions from transport sources, and create satisfactory road safety and traffic management standards for all road users including pedestrians, cyclists, children and the elderly.

4.21 The proposed development aims to use the existing road infrastructure in place and make use of the existing access point of the stables to provide accessibility to the application site. The site has good accessibility to public transport network with bus networks within walking distance.

4.22 The additional traffic created by the addition of the dwelling house would be negligible and we therefore believe that the existing road network can comfortably accommodate the addition of the dwelling house without impacting upon the road safety within the area.

4.23 Off street car parking spaces are provided as existing for the stables and these would be utilised for the proposed house.

Policy NE2A/B: Forestry, Woodland and Trees & Policy NE3: Biodiversity

4.24 In the previous application the layout of the house within the site was not shown, nor was a tree report carried out to show the impact of the development on the surrounding woodland, we have now provided this with this application. The proposed layout shows that no trees will be felled as a result of the dwelling and that where the footprint of the dwelling overlaps root areas special engineering measures, consisting most likely of cantilevering the building over these areas so as to not touch the ground, will be applied. Full details of the construction method will be submitted with the full planning application. Unlike some of the



adjacent developments where large areas of trees of the woodland area have been felled to make way for development, these proposals do not fell a single tree.

5.0 Conclusions

5.1 It is considered that the proposals are acceptable in terms of the relevant policies within the Perth and Kinross Local Development Plan. The principle of the dwelling house in the proposed location is acceptable without prejudicing any local amenity or landscaping for the following reasons:

- The proposed dwelling is mainly to allow an existing and established business, adjacent to a settlement boundary, to expand through the need of on-site attendance and attention, as well as provide a better dwelling a local applicant who is currently inadequately housed.
- As the equestrian business grows, employment opportunities will be created.
- The proposed house will be of a high design quality, will use renewable technologies and be a benchmark for any new houses built within the area.
- The defined site local to where the proposed dwelling is positioned, formed by existing topography and landscape features, provides a natural setting in which the proposed house will fit within without any negative impact on the landscape. Existing boundary vegetation will also be enhanced for the amenity of the house and to screen the development from the road.
- The siting, density, scale and massing will be informed by the site's existing attributes, meaning that the new house will fit in respectfully with the existing building and woodland taking into account all features, namely the trees. It will also protect and enhance the environmental quality.
- The existing access and parking allows the scheme to adhere to Perth and Kinross Council's Transportation Guidelines.

5.2 It is acceptable in all other respects and there are no material considerations that are considered to outweigh these conclusions and we therefore respectfully request that the Council support this application.



TCP/11/16(619) – 19/01129/IPL – Erection of a dwellinghouse (in principle), land 80 metres north east of The Stables, Hatchbank

PLANNING DECISION NOTICE *(included in applicant's submission, pages 73-74)*

REPORT OF HANDLING *(included in applicant's submission, pages 75-86)*

REFERENCE DOCUMENTS *(part included in applicant's submission, pages 19, 20, 23, 25-72 and 87-97)*



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TCP/11/16(619) – 19/01129/IPL – Erection of a dwellinghouse (in principle), land 80 metres north east of The Stables, Hatchbank

REPRESENTATIONS

Memorandum

To Development Quality Manager

From Regulatory Service Manager

Your ref 19/01129/IPL

Our ref ALS

Date 30/07/2019

Tel No

The Environment Service

Pullar House, 35 Kinnoull Street, Perth PH1 5GD

Consultation on an Application for Planning Permission

RE: Erection of a dwellinghouse (in principle) Land 80 Metres North East Of The Stables Hatchbank for Lee Scammacca And Ann Harley

I refer to your letter dated 17/07/2019 in connection with the above application and have the following comments to make.

Water (assessment date – 30/07/2019)

Recommendation

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

Comments

The development is for a dwelling house in a hamlet with private water supplies believed to serve properties in the vicinity. To ensure the new development has an adequate and consistently wholesome supply of water please note the following informative. No public objections relating to the water supply were noted at the date above.

PWS - Informative 2

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

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	19/01129/IPL	Comments provided by	Euan McLaughlin
Service/Section	Strategy & Policy	Contact Details	Development Negotiations Officer: Euan McLaughlin [REDACTED] [REDACTED]
Description of Proposal	Erection of a dwellinghouse (in principle)		
Address of site	Land 80 Metres North East Of The Stables, Hatchbank		
Comments on the proposal	<p>Primary Education</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 at over 80% and is likely to be operating following completion of the proposed development, extant planning permissions and Local Development Plan allocations, at or above 100% of total capacity.</p> <p>This proposal is within the catchment of Kinross Primary School.</p>		
Recommended planning condition(s)	<p>Primary Education</p> <p>CO01 The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2016 in line with Policy PM3: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2014 with particular regard to primary education infrastructure or such replacement Guidance and Policy which may replace these.</p> <p>RCO00 Reason – To ensure that the development approved makes a contribution towards increasing primary school provision, in accordance with Development Plan Policy and Supplementary Guidance.</p>		
Recommended informative(s) for applicant	N/A		
Date comments returned	07 August 2019		

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	19/01129/IPL	Comments provided by	Dean Salman Development Engineer
Service/Section	Transport Planning	Contact Details	
Description of Proposal	Erection of a dwellinghouse (in principle)		
Address of site	Land 80 Metres North East Of The Stables, Hatchbank		
Comments on the proposal	Insofar as the Roads matters are concerned I have no objections to this proposal.		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	09 August 2019		

