



Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: [onlineapps@pkc.gov.uk](mailto: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 100688079-001

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:	Bidwells		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Mark	Building Name:	Broxden House
Last Name: *	Myles	Building Number:	
Telephone Number: *	07717 512203	Address 1 (Street): *	Lamberkine Drive
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Perth
Fax Number:		Country: *	Scotland
		Postcode: *	PH1 1RA
Email Address: *	mark.myles@bidwells.co.uk		

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

☒ Individual ☐ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="Ian"/>	Building Number: <input type="text"/>
Last Name: *	<input type="text" value="Carling"/>	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" value="THISTLEBRIDGE"/>
Address 2:	<input type="text" value="STANLEY"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="PERTH"/>
Post Code:	<input type="text" value="PH1 4PW"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="732060"/>	Easting	<input type="text" value="310660"/>
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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)

Erection of replacement dwellinghouse, garage and associated works at Thistlebridge, Stanley

## 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 refer to planning appeal statement attached and supporting planning statement that accompanied the planning application

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)

Planning application forms, refused drawings, ecology report, planning policy statement, emails between planning officer and architect, planning consultant and applicant, decision notice, and statement in support of appeal

## Application Details

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

24/00902/FLL

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

18/06/2024

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

25/09/2024

## 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)

A site inspection would allow the LRB to assess the constraints associated with the site of the existing dwelling and also the overall topography and landscape setting of the wider curtilage

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

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)



## 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 Mark Myles

Declaration Date: 09/10/2024

## **Notice of Review Appeal Statement**

### **Application Ref 24/00902/FLL – Erection of replacement dwellinghouse, garage and associated works at Thistlebridge, Stanley, PH1 4PW**

This statement should be read in conjunction with the Notice of Review Appeal submitted to PKC Local Review Body on behalf of Mr & Mrs I Carling for the erection of a replacement dwelling at Thistlebridge, located to the south of Stanley.

The site is currently occupied by an existing 'Dorran' type constructed bungalow which was erected on the site in the early 1950's. The entire red line site boundary forms the approved curtilage for the dwellinghouse. The site for the replacement house is therefore not on a greenfield site as it already constitutes part of the existing defined domestic curtilage of Thistlebridge.

'Dorran' type constructed dwellings are well known to have multiple concurrent structural and insulation defects of both a longstanding and ongoing nature. Extensive structural intervention would be required to bring the property up to a habitable standard, however obtaining a mortgage to undertake such work is extremely difficult. The design of the current bungalow is also considered to be of poor quality and not worthy of retention.

The Report of Handling accepts that the existing dwelling is not of any quality, and it is not contested that to improve the dwelling to bring it up to modern standards will be unviable financially. The principle of a replacement house on the site is therefore generally acceptable.

This planning application was a resubmission of a previous application (23/02027/FLL) with additional supporting information provided to specifically address the previous reasons for refusal and to further justify why the alternative site would create a better landscape fit i.e. ecology survey, topographical survey, existing and proposed site section details and a planning statement.

In assessing this revised application, the planning officer accepts that we had demonstrated that the vehicular access would not impact on wildlife, and the biodiversity interests have been fully considered and therefore this was no longer considered to be a reason for refusal of the proposal.

We would also ask the LRB to note that no objections were received from any other statutory consultee including the Community Council, and no third-party objections were received against the application.

As can also be seen from the copy emails with the planning officer from the architect, ourselves and the applicant, attempts were made to engage and meet on site with the planning officer to discuss his concerns and the further information and justification provided. Following the applicants email that was sent on 24<sup>th</sup> September to suggest a meeting on site to discuss a possible compromise, the planning application was then refused on the following day.

In response to the 1st reason for refusal, information submitted in support of the application shows that siting the proposed replacement house on the existing house footprint would require significant engineering works and platforming to be created in this landscape. Not only would the cost of this work be extremely prohibitive (as noted in our original planning statement) but the impact of creating tiers and retaining wall structures into the landscape to provide a level platform for the new house and useable areas of amenity/garden space for the house, would not be design features that are in keeping with the

character of the area and these would therefore be contrary to NPF4 Policy 17 a). The siting of the proposed replacement dwelling on a more level and usable part of the existing curtilage therefore offers greater benefits in terms of minimising disruption to the existing landform, greater opportunities for retention and enhancement of vegetation and biodiversity across the site, thus better respecting the existing landscape and visual setting of the site in proximity to the River Tay. The proposed site would also reduce noise and disturbance and increase safety for future residents rather than simply trying to make the proposal fit on the current constrained 'Dorran' bungalow position adjacent to the public road.

The council's Supplementary Guidance (SG) on Housing in the Countryside confirms that there is flexibility when seeking to erect replacement houses and they do not have to always be sited on the same site as the existing house. The SG states;

*'The siting of the new house should be similar to that of the existing building in terms of orientation and distance from the road, unless individual site conditions suggest that another position would create a better landscape fit.*

*If an alternative position is sought, or the proposed house is to be of a significantly different scale, this should be justified in a supporting planning and design statement.*

The SG also states that *'It is acknowledged that non-traditional houses, of poor quality or design, can have a negative effect on the countryside. Allowing the replacement of such houses can therefore in some cases have a positive impact and permission will be granted if the above criteria can be met.'*

All of the above points were therefore addressed in the supporting statement and drawings that accompanied the planning application and it's unclear why the planning officer considers that retaining the existing house position at the roadside, where substantial engineered platforms and retaining structures would be required to provide sufficient amenity space, would create the best landscape fit when a far more sensitive solution is proposed. Removal of the existing poor quality designed, and substandard constructed house must also surely be seen as having a positive impact on the countryside.

The proposal is therefore considered to comply with NPF4 Policy 17 a) viii which supports a one for one replacement of an existing permanent house such as this, as well as LDP2 Policy 19 (4) and the PKC SG on Housing in the Countryside. It should be noted that the council did not consider the proposal to be contrary to NPF4 Policy 17 a) viii.

In response to the 2<sup>nd</sup> reason for refusal, this could only be viewed as being a valid reason where it is considered that the proposal fails to meet with the policies set out in the paragraph above, and on previously undeveloped 'greenfield' sites.

The proposed siting for the replacement house is not considered to be a greenfield site as it forms part of the same curtilage/garden area of the existing house which it seeks to replace on a one for one basis. The council's SG also confirms that replacement house proposals are considered under the general heading of 'Brownfield sites'. By definition this cannot therefore be deemed a greenfield site proposal.

As the proposal does comply with NPF4 Policy 17 a) viii and LDP2 Policy 19 (4), the proposal is therefore also expressly supported by NPF 4 Policy 9 b) (even if the site was considered to be a greenfield site which it is not).

For the reasons set out in the supporting planning statement that accompanied the planning application and this statement in support of the appeal, it is respectfully requested that the LRB allow this appeal and grant planning permission for the demolition of the existing 'Dorran' bungalow and allow the erection of the new dwelling within the existing curtilage of the property, subject to any conditions considered necessary.



Mr Ian Carling  
c/o John Webster Architecture  
John Webster  
20 The Flour Mill  
Exchange Court  
Dundee  
DD1 3DE

Pullar House  
35 Kinnoull Street  
PERTH  
PH1 5GD

Date of Notice: **25th September 2024**

## **TOWN AND COUNTRY PLANNING (SCOTLAND) ACT**

Application Reference: **24/00902/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to **refuse** your application registered on 18th June 2024 for Planning Permission for **Erection of replacement dwellinghouse, garage and associated works Thistlebridge Stanley Perth PH1 4PW**

**David Littlejohn**  
**Strategic Lead (Economy, Development and Planning)**

### **Reasons for Refusal**

1. The location of the replacement dwelling does not respect the siting and location of the existing house in terms of its distance from the road or general locality, and limited justification for a substantial relocation has been brought proposed. The proposal is therefore contrary to the Council's Housing in the Countryside Policies as contained within the adopted Perth and Kinross Local Development Plan 2 (2019) (Policy 19) and its statutory supplementary guidance of 2020 (Housing in the Countryside). Both these policies seek to ensure that replacement houses respect the location and siting of the existing dwelling, unless there is proven justification why another location would create a better landscape fit.
2. As the proposal is not explicitly supported by policies contained within the adopted Perth and Kinross Local Development Plan 2 (2019), the proposal is contrary to Policy 9(b) (Brownfield, Vacant and Derelict Land and Empty Buildings) of the National Planning Framework 4 (2023), which only supports new development on greenfield land when it is supported by relevant Local Development Plan policies.

## **Justification**

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

## **Notes**

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

### Plan Reference

01

02

03

04

05

06

07

08

09

**From:** Ian Carling [REDACTED]  
**Date:** 24 September 2024 at 08:25:48 BST  
**To:** Andy Baxter [REDACTED]  
**Subject:** Re: 24/00902FLL

Hi Andy,

Thanks for your reply.

I was wondering if there is a compromise for the siting of the proposed house. The existing house sits on a small level part of the site. We won't have an area of useable garden because of the steep slope on the eastern side. We would like to move the house to the lower flatter area to give us a workable garden. If we were to reposition the proposed new house closer is that something you would be more comfortable with?

Regards,

Ian

**From:** Andy Baxter [REDACTED]  
**Date:** 23 September 2024 at 14:45:13 BST  
**To:** Ian Carling [REDACTED]  
**Subject:** RE: 24/00902FLL

Hello Ian,

Replacement dwelling normally have to be sited on the same location, or near to the existing. Moving the replacement some distance away does not really align with either our policies or that of the HITCG. The LRB may however come to a different view, and as I've said to Mark and John that is your best option I'm afraid. I have comments back from my bio-diversity colleague now, so I'll be issuing the decision very soon - which will then let you move to the LRB for them to consider the case.

Hope this helps,

Andy

-----Original Message-----

**From:** Ian Carling [REDACTED]  
**Sent:** Wednesday, September 11, 2024 11:27 AM  
**To:** Andy Baxter [REDACTED]  
**Subject:** Re: 24/00902FLL

Hi Andy,  
Is it possible we could have a quick meeting to discuss our application.  
Regards,  
Ian

On 29 Aug 2024, at 16:50, Ian Carling [REDACTED] wrote:

Hi, Andy,

I tried to call you earlier today but didn't get through and left you a short message.

I was wondering if we could have a chat over the phone or in your office regarding the application before a decision is made. I have read your responses to Mark and John's emails and you seem happy with the principle of replacing the house with the design we have but not the location.

I think it may help if we have a quick meeting to see if a compromise is possible.

Regards,

Ian

----- Forwarded message -----

**From:** Andy Baxter [REDACTED]  
**Date:** Thu, Aug 15, 2024 at 8:48 AM  
**Subject:** RE: Request for Site Meeting - Planning Application 24/00902/FLL  
**To:** John Webster [REDACTED]

Hello John,

Thanks for the email, and attachments.

I'm aware of the site having visited it many times over the years, and as part of the previous planning application so there would be little benefit in meeting. I'm currently awaiting comments from my tree/bio-diversity colleagues, and once I have them I'll be able to report on the application. Unfortunately, the principle of relocating the dwelling does not align with the Development Plan so it is very likely that the decision will be same as last time (regardless of the comments in relation to trees/ecology).

Hope this updates you.

Andy

**From:** John Webster [REDACTED]  
**Sent:** Monday, August 12, 2024 1:29 PM  
**To:** Andy Baxter [REDACTED]  
**Subject:** Re: Request for Site Meeting - Planning Application 24/00902/FLL

Dear Andy

Please find the original site plan attached, also photos of the existing site

The original 1950s site plan demonstrates that the proposed new house falls within the existing property's defined curtilage. This historical document confirms the established residential boundaries. Placing the new house within this pre-existing curtilage maintains consistency with the site's original approved layout while efficiently using the available land.

Kind Regards

John Webster

On Fri, Aug 9, 2024 at 9:54 AM John Webster [REDACTED] wrote:

Dear Andy,

I hope this email finds you well. I am writing regarding the above planning application currently under your review.

On behalf of my client, we would like to formally request a site meeting at this stage of the application process as certain elements of the design may be better appreciated when viewed in the context of the actual site, providing a more accurate representation of the proposed development's scale and appearance.

I look forward to hearing from you.

Kind regards John Webster



**From:** Andy Baxter [REDACTED]  
**Sent:** Thursday, August 8, 2024 11:50 AM  
**To:** Mark Myles [REDACTED]  
**Subject:** Re: 24/00902/FLL

Hello Mark,

I'm good thank you.

Paul (trees) and Joanna (bio-diversity) are still reviewing the supporting information in relation to both aspects, and I think they were onsite last week - so comments should be too far off.

I'll await their comments before recommending and finalising the report. However, even if they are happy or content with the tree / biodiversity position, I'm not sure the final recommendation will be any different from last time.

I will however look to determine the application as soon as I get their comments back, to allow Ian to move to the next stage - which will probably be the LRB I'm afraid.

Thanks,

Andy

Sent from [Outlook for iOS](#)

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**From:** Mark Myles [REDACTED]  
**Sent:** Wednesday, August 7, 2024 12:21:58 PM  
**To:** Andy Baxter [REDACTED]  
**Subject:** 24/00902/FLL

Hi Andy – trust you are well?

I'm contacting you in respect of the above revised application for the replacement house at Thistlebridge, Stanley where we provided a supporting planning statement.

I know we are not the agent but Ian Carling has asked if I could contact you to see if you've had a chance to assess the proposal and consider your likely recommendation yet, or if you think that any further information will be required?

Many thanks

Kind regards

**Mark Myles**  
Partner, Head of Planning Scotland



Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: [onlineapps@pkc.gov.uk](mailto: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 100675075-001

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.

## Description of Proposal

Please describe accurately the work proposed: \* (Max 500 characters)

Erection of replacement dwellinghouse, garage and associated works Thistlebridge Stanley Perth PH1 4PW.

Has the work already been started and/ or completed? \*

☒ No ☐ Yes - Started ☐ Yes – Completed

## 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:	John Webster Architecture		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	john	Building Name:	
Last Name: *	webster	Building Number:	20
Telephone Number: *		Address 1 (Street): *	THE FLOUR MILL
Extension Number:		Address 2:	EXCHANGE COURT
Mobile Number:		Town/City: *	DUNDEE
Fax Number:		Country: *	SCOTLAND
		Postcode: *	DD1 3DE
Email Address: *			
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

## Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	IAN	Building Number:	
Last Name: *	CARLING	Address 1 (Street): *	
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	
Extension Number:		Country: *	
Mobile Number:		Postcode: *	
Fax Number:			
Email Address: *			

## Site Address Details

Planning Authority:

Perth and Kinross Council

Full postal address of the site (including postcode where available):

Address 1:

THISTLEBRIDGE

Address 2:

STANLEY

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

PERTH

Post Code:

PH1 4PW

Please identify/describe the location of the site or sites

Northing

732060

Easting

310660

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

☒ Yes ☐ No

## Pre-Application Discussion Details Cont.

In what format was the feedback given? \*

☐ Meeting ☐ Telephone ☒ Letter ☐ Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) \* (max 500 characters)

PLANNING APPLICATION REFUSED

Title:

Mr

Other title:

First Name:

IAN

Last Name:

CARLING

Correspondence Reference  
Number:

23/02027/FLL

Date (dd/mm/yyyy):

02/02/2024

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

## Trees

Are there any trees on or adjacent to the application site? \*

☒ Yes ☐ No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? \*

☒ Yes ☐ No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site? \*

1

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the total of existing and any new spaces or a reduced number of spaces)? \*

4

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycle spaces).

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

☐ Yes ☒ No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

☒ Yes ☐ No

Is any of the land part of an agricultural holding? \*

☐ Yes ☒ No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

# Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: john webster

On behalf of: Mr IAN CARLING

Date: 13/06/2024

☒ Please tick here to certify this Certificate. \*

## Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) Have you provided a written description of the development to which it relates?. \* ☒ Yes ☐ No

b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? \* ☒ Yes ☐ No

c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent.? \* ☒ Yes ☐ No

d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? \*. This should have a north point and be drawn to an identified scale. ☒ Yes ☐ No

e) Have you provided a certificate of ownership? \* ☒ Yes ☐ No

f) Have you provided the fee payable under the Fees Regulations? \* ☒ Yes ☐ No

g) Have you provided any other plans as necessary? \* ☒ Yes ☐ No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). \*

You can attach these electronic documents later in the process.

- ☒ Existing and Proposed elevations.
- ☒ Existing and proposed floor plans.
- ☒ Cross sections.
- ☒ Site layout plan/Block plans (including access).
- ☒ Roof plan.
- ☒ Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. ☒ Yes ☐ No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. \* ☒ Yes ☐ No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

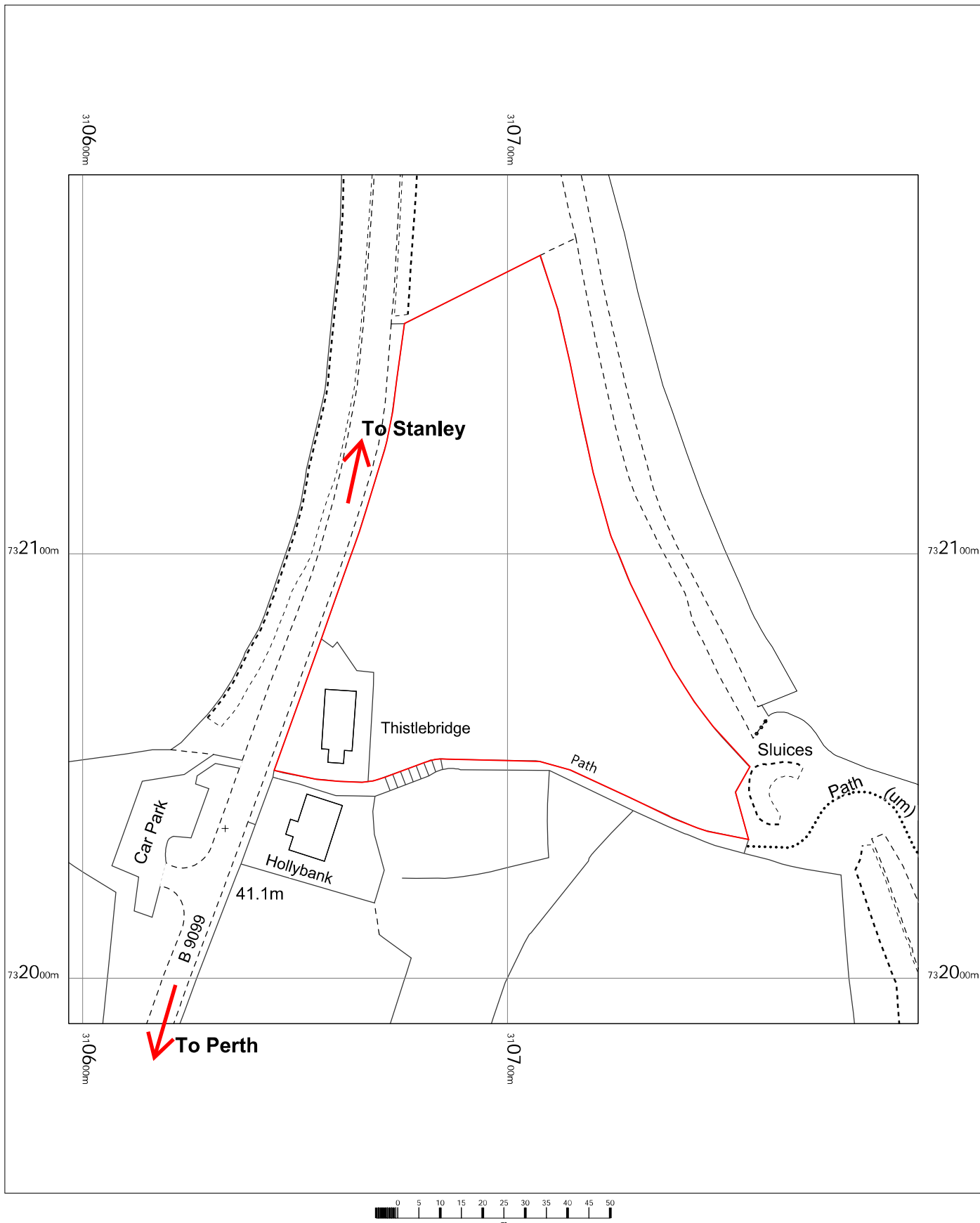
## Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr john webster

Declaration Date: 13/06/2024

# Thistlebridge, PH1 4PW

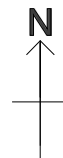


Thistlebridge  
Perth,  
Stanley,  
Perth And Kinross  
PH1 4PW

OS MasterMap 1250/2500/10000 scale  
Sunday, December 3, 2023, ID: MPMBW-01138842  
[www.blackwellmapping.co.uk](http://www.blackwellmapping.co.uk)

1:1250 scale print at A4, Centre: 310697 E, 732089 N

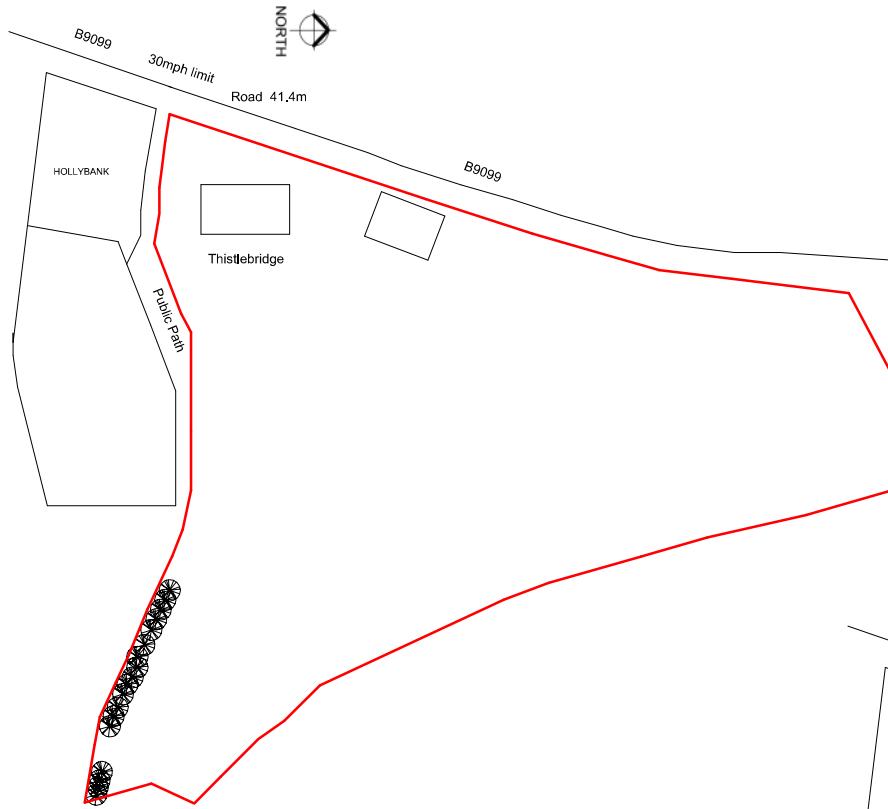
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EXISTING SITE PLAN  
1 : 500

#### Soakaway Specification

**1. Purpose:**  
The soakaway is intended for surface and stormwater dispersion, a key component of Sustainable Urban Drainage Systems (SUDS).

**2. Location:**  
The soakaway will be situated in a suitable area lower than the drainage source. It will be located at least 5 meters away from any building (BS 8301). The site will prevent saturating the foundations of any structure. The base of the soakaway will remain permanently above the water table.

**3. Site Investigation:**  
A trial pit will be excavated to determine the percolation rate (Vp) or depth to the water table. If water is present in the trial pit, the level will be measured from ground level for further calculations.

**4. Size Calculation:**  
The required soakaway size will be calculated using the formula:  
$$Vol = A \times (rainfall \text{ rate} / 3000)$$

Where Vol is the required volume, A is the area to be drained in square meters, and the rainfall rate is assumed to be 50mm/hr (in the UK).

**5. Construction:**  
Pre-fabricated circular or rectangular soakaway sections will be used. If required, a permeable geo-membrane will be wrapped around the exterior to prevent silt. Backfilling around the soakaway will consist of granular material. A suitable cover will be installed for access and inspection.

**6. Maintenance:**  
Periodic inspections will be carried out to check for silt or contamination. If significant silt occurs, manual removal during dry conditions will be undertaken. Rejuvenation may be considered for partially filled chambered soakaways.

**7. Compliance:**  
The construction and performance of the soakaway will comply with local regulations and standards.

Note: The specifications provided here are for reference and should be adapted to specific project requirements, site conditions, and local regulations. Consultation with a qualified engineer or drainage specialist is recommended for a comprehensive soakaway design tailored to your needs.

#### Product Name: Vortex Eco Electric Sewage Treatment Plant

**Description:** The Vortex Eco Electric Sewage Treatment Plant is a compact and efficient wastewater treatment solution designed for residential, commercial, or industrial use. It employs advanced technology to treat sewage and wastewater effectively, meeting environmental standards and ensuring safe disposal.

#### Specifications:

**Capacity:** - Model based on the required capacity to handle the sewage load.

**Technology:** Utilizes advanced vortex aeration and treatment processes to break down organic matter and pollutants.

**Material:** Constructed from durable and corrosion-resistant materials to ensure longevity.

**Power Source:** Operates on electricity, [specify voltage and phase requirements], making it energy-efficient and cost-effective.

**Treatment Process:** Incorporates biological treatment processes to efficiently break down solids and remove contaminants.

**Effluent Quality:** Produces treated effluent compliant with local regulatory standards for safe discharge or reuse.

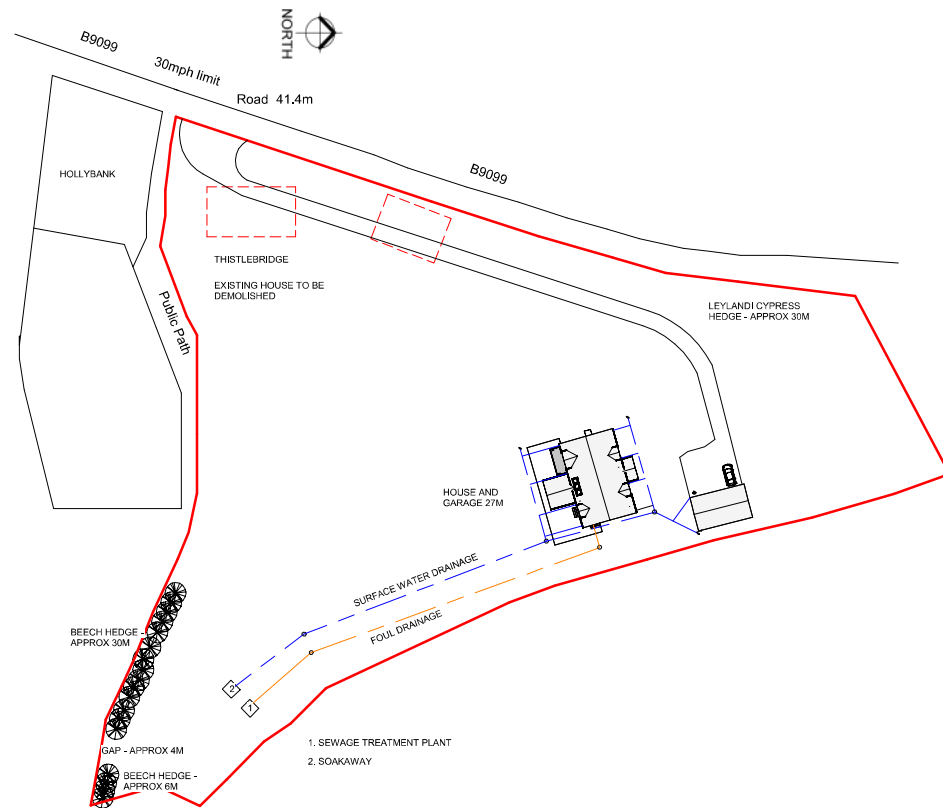
**Maintenance:** Low-maintenance system with periodic inspection and service requirements.

**Compliance:** Complies with all relevant environmental regulations and standards.

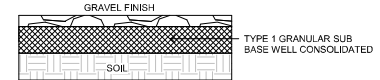
#### Installation and Commissioning:

Installation to be carried out by qualified personnel following manufacturer's guidelines. Commissioning to ensure the system operates optimally and meets required standards. Warranty.

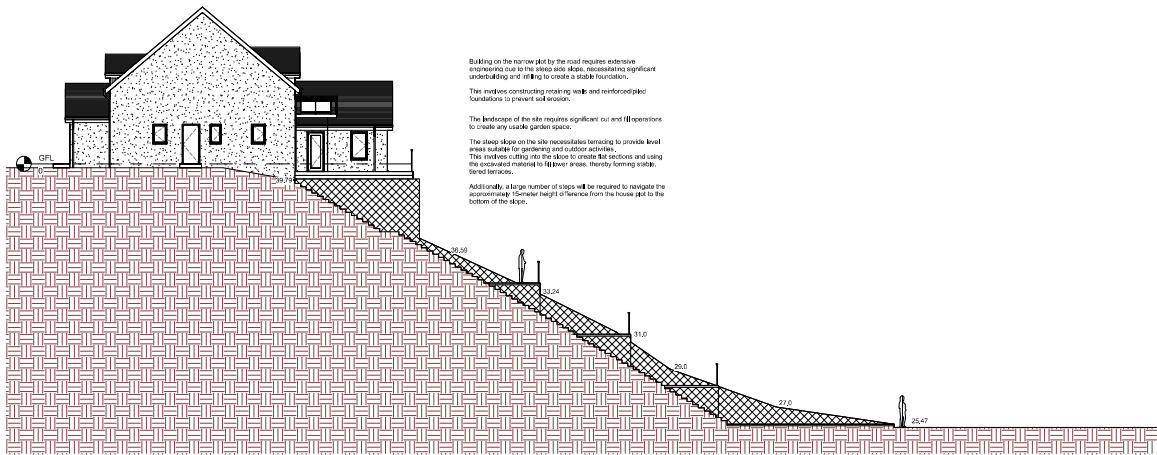
Note: This specification is intended as a general guideline. It is crucial to consult with the manufacturer or a certified distributor to select the specific Vortex Eco Electric Sewage Treatment Plant model that best suits the project's requirements and to ensure compliance with local regulations and standards.



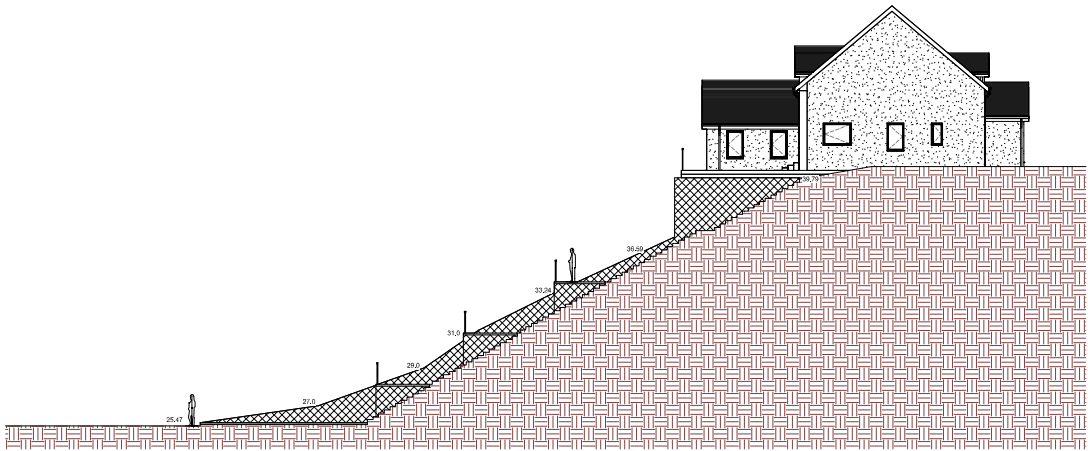
PROPOSED SITE PLAN  
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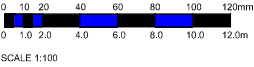
PROPOSED TRACK - SECTION  
1 : 10



WEST SITE SECTION - EXISTING SITE  
1 : 100



EAST SITE SECTION - EXISTING SITE  
1 : 100



SCALE 1:100

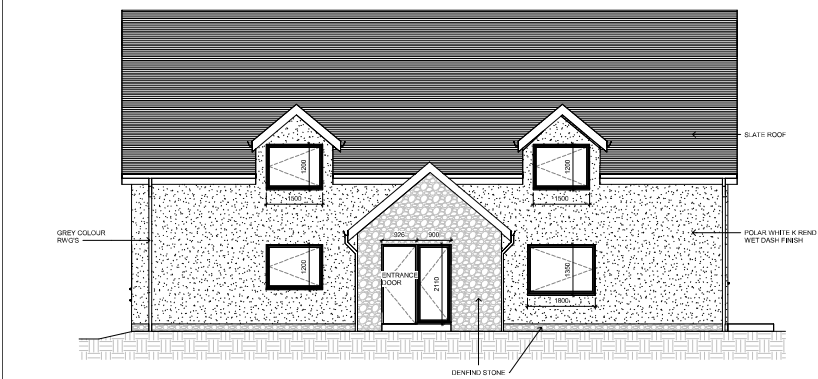


**SOUTH ELEVATION**  
1 : 50

**MATERIAL PALETTE:**  
ROOF - SLATE FINISH - 40 DEGREE ROOF PITCH  
3 NO VELLUX ROOF LIGHTS -  
TOP HUNG DOUBLE 3.115MM  
GREY COLOUR UPVC DOUBLE GLAZED WINDOWS  
FINISH - WET DASH RENDER - LIGHT CREAM COLOUR & DENFIND STONE  
(BASECOURSE, PORCH & SUN LOUNGE)  
BALCONY - GLAZED BALUSTRADE  
RAIN WATER GOODS UPVC - GREY COLOUR



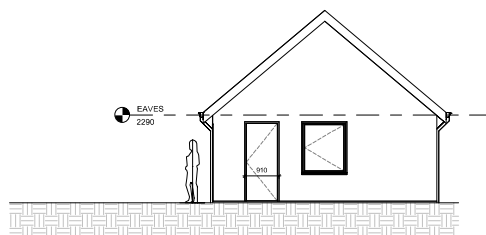
**WEST ELEVATION**  
1 : 50



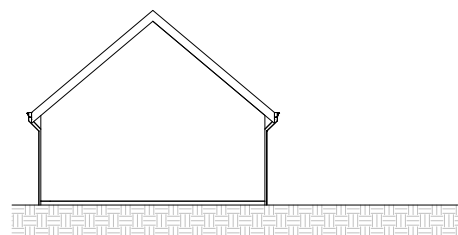
**NORTH ELEVATION**  
1 : 50



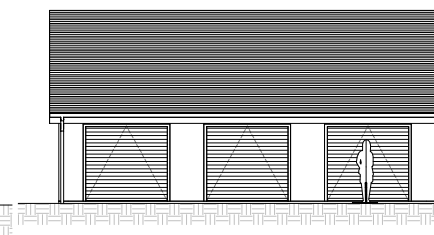
**EAST ELEVATION**  
1 : 50



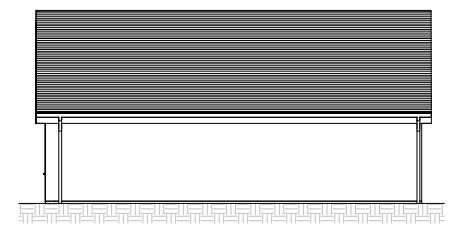
**GARAGE - SOUTH ELEVATION**  
1 : 50



**GARAGE - NORTH ELEVATION**  
1 : 50

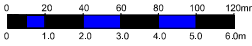


**GARAGE - WEST ELEVATION**  
1 : 50

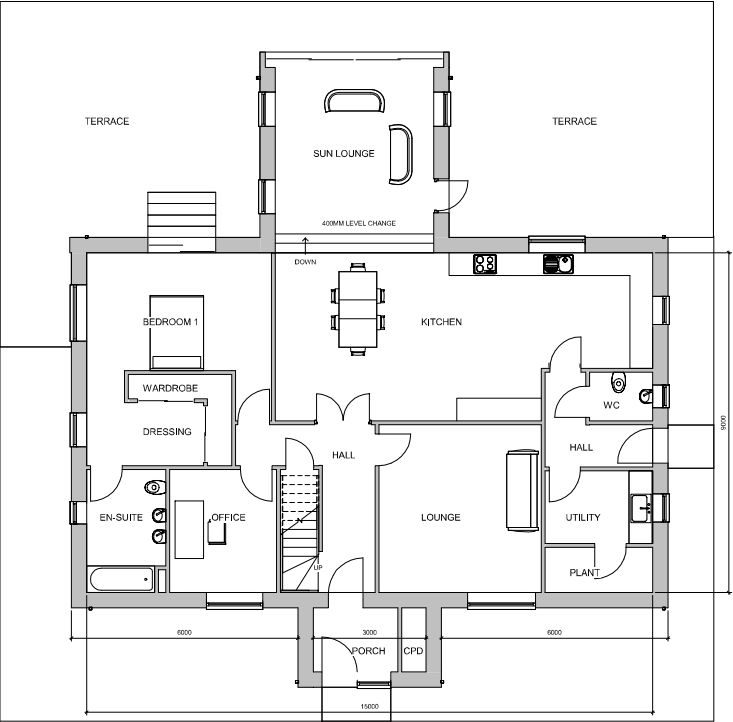


**GARAGE - EAST ELEVATION**  
1 : 50

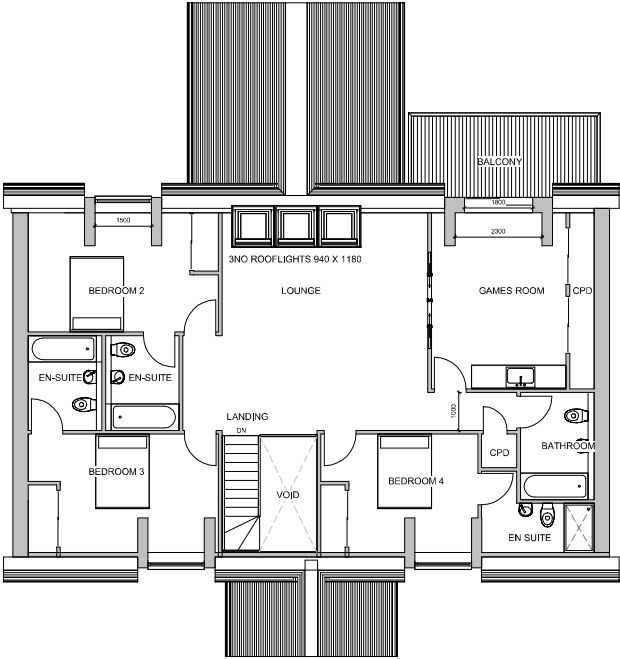
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SCALE 1:50



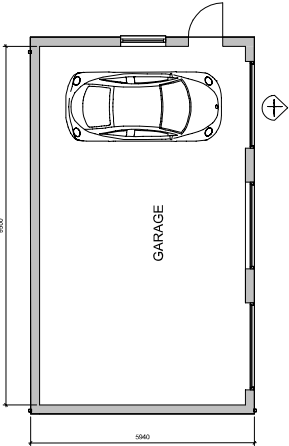
SCALE 1:50



GROUND FLOOR PLAN  
1 : 50



FIRST FLOOR PLAN  
1 : 50



GARAGE FLOOR PLAN



SECTION AA  
1 : 50



Title: Ian Carling  
Thistlebridge, Stanley  
Existing Ground Survey  
As at 20.2.23

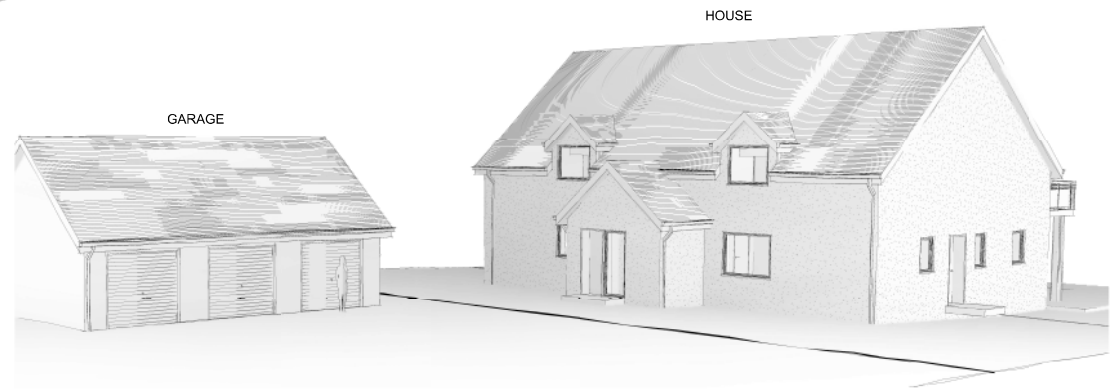
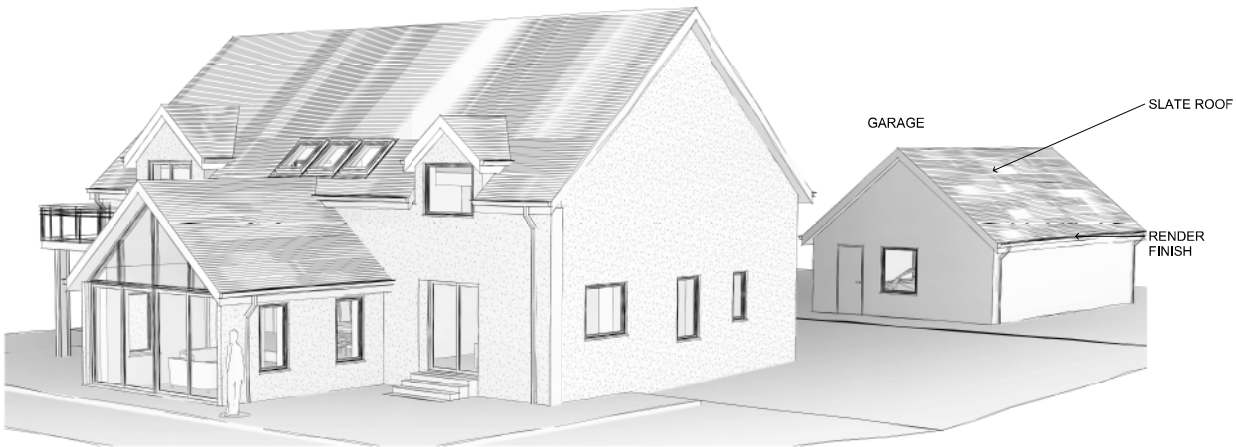
Date: 21.2.23

Scale: 1:500 @ A2 Drawing No.:

**IAN STOKES**  
SETTING OUT AND LAND SURVEYING

Grianach  
Cairneyhill Road  
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Thistlebridge, Stanley  
May 2024



# ERECTION OF REPLACEMENT HOUSE AT THISTLEBRIDGE, STANLEY PLANNING POLICY STATEMENT

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## 1.0 Introduction

- 1.1 This supporting planning statement should be read in conjunction with the planning application submitted to Perth and Kinross Council to erect a replacement dwellinghouse, garage and associated works at Thistlebridge by Stanley.
- 1.2 This planning application constitutes the resubmission of a previously refused application (23/02027/FLL) and addresses each of the 3 reasons for refusal set out in the decision notice.

## 2.0 Site Description

- 2.1 The 1 ha site is located approximately 200 metres to the south of the Stanley settlement boundary with access being taken from the main public road B9909.
- 2.2 The site currently occupied by an existing 'Dorran' type constructed bungalow which was erected on the site in the early 1950's.
- 2.3 The entire plot formed part of the approved curtilage for the dwellinghouse as shown on the approved 1950's site location plan. The site is therefore not a greenfield site as it already constitutes part of the existing defined domestic curtilage of Thistlebridge

## 3.0 Planning History

- 3.1 This planning application involves the resubmission of a proposal with additional supporting information in order to address the reasons for refusal of planning permission (23/02027/FLL) for the erection of a replacement dwellinghouse at Thistlebridge.
- 3.2 In response to concerns raised by the appointed officer this supporting statement, the ecological statement, as well as additional supporting plans are included within this revised application submission to help clarify why it is considered that the proposed replacement house on an alternative site within the same residential curtilage does comply the stated requirements of the policy.
- 3.3 'Dorran' type constructed dwellings are well known to have multiple concurrent structural and insulation defects of both a longstanding and ongoing nature. Extensive structural intervention would be required to bring the property up to a habitable standard, however obtaining a mortgage to undertake such work is extremely difficult. The design of the current bungalow is also considered to be of poor quality and not worthy of retention.
- 3.4 The Report of Handling on the previous application accepts that the existing dwelling is not of any quality, and it is not contested that to improve the dwelling to bring it up to modern standards will most likely be unviable financially. The principle of a replacement is therefore generally acceptable.

## 4.0 Development Plan

- 4.1 Section 25 of the Town & Country Planning (Scotland) Act 1997 (as amended) requires proposals to be determined in accordance with the provisions of the development plan unless material considerations indicate otherwise.
- 4.2 In this case, the Development Plan consists of the National Planning Framework 4 (adopted February 2023), and the Perth and Kinross Local Development Plan 2 (LDP2) (adopted November 2019).
- 4.3 In terms of other material considerations, the council's Supplementary Guidance on Housing in the Countryside Policy – 2020 is the most significant in terms of the detailed criteria it contains for assessing this type of proposal.
- 4.4 The principle of a house on the site is required to be considered under the terms of Policy 17 of NPF4, Policy 19: Housing in the Countryside of LDP2, and Category 4 of the Supplementary Guidance. As noted below the policies allow for the erection of individual houses in the countryside which fall into certain categories including brownfield land – replacement houses.
- 4.5 The council's placemaking policies (1A & 1B) from LDP2 are also relevant to the consideration of this proposal. Policy 1A – Placemaking states;
- Development must contribute positively to the quality of the surrounding built and natural environment, and the design, density and site of development should respect the character and amenity of the place including improvement to links within and where practical beyond the site. All development should be planned and designed with reference to climate change, mitigation and adaption.
- 4.6 Policy 1B – Placemaking states 'All proposals should meet all eight of the placemaking criteria.
- *Create a sense of identity by developing a coherent structure of streets, spaces, and buildings, safely accessible from its surroundings.*
  - *Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area.*
  - *The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.*
  - *Respect an existing building line where appropriate or establish one where none exists. Access, uses, and orientation of principal elevations should reinforce the street or open space.*
  - *All buildings, streets, and spaces (including green spaces) should create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport.*
  - *Buildings and spaces should be designed with future adaptability, climate change and resource efficiency in mind where possible.*
  - *Existing buildings, structures and natural features that contribute to the local townscape should be retained and sensitively integrated into proposals.*

- *Incorporate green infrastructure into new developments to promote active travel and make connections where possible to blue and green networks*
- *Provision of satisfactory arrangements for the storage and collection of refuse and recyclable materials (with consideration of communal facilities for major developments).*
- *Sustainable design and construction.*

- 4.7 In contrast to the existing house, the proposed replacement dwelling would be designed to a high standard with natural wet dash render and slate roofs. The current location for the bungalow is constrained by its relationship to the public road with very little useable garden space or vehicular turning space around the immediate vicinity of the property due to the sloping topography across much of the existing site (as can be seen on the topographical survey). In the Report of Handling on the previously refused application the planning officer confirmed that the proposal raises no issues in terms of its design, scale or layout.
- 4.8 This revised application is therefore supported by a plan that overlays the proposed replacement house over the existing house footprint. This aims to show that the footprint of the replacement house could not be accommodated on this upper part of the site and to do so would require significant land engineering and platforming to be created across the site. Even then any garden associated with the replacement house would require significant tiering and retaining wall structures with resultant significant impacts on the local landscape. It is estimated that this land engineering work alone would cost in the region of £50,000 - £60,000 and would therefore render the project unviable. The individual site conditions across this site therefore suggest that locating the replacement house on the flattest position on the site, would create a better landscape fit.
- 4.9 The application therefore proposes a sensitive re-siting of a replacement dwelling onto the lower part of the site, set within the existing mature landscape, resulting in a greater positive impact on the surrounding environment without the need for significant and costly engineering works across and also vastly improving the residential amenity for the residents. The proposed siting for the house on an alternative part of the same defined curtilage of the existing dwelling is not considered to be a substantial relocation.
- 4.10 The site has existing access which this proposal would utilise and would, be extended without any impact upon the root protection area of existing trees on the site.
- 4.11 The site is already well screened within the surrounding area and is positioned at a lower level than the existing property so less visible from the public road. The site has good connectivity to the Stanley settlement boundary which lies a short distance to the north, so also accords with the principles of 'local living and 20 minute neighbourhoods' in terms of sustainable transport and service provision requirements (NPF4 Policy 15).
- 4.12 NPF4 Policy 9 relates to Brownfield, vacant and derelict buildings and category b) states that proposal on greenfield sites will not be supported unless the site has been allocated for development or the proposal is explicitly supported by policies in the LDP. As noted above the replacement house is to be sited within the existing domestic curtilage of the existing house and therefore is not considered to be a greenfield site as development already exists and the proposal is to replace the existing house on a one for one basis. The council's own supplementary guidance also confirms that replacement house proposals are considered under the general heading of Brownfield sites. In any event where a proposal is supported by Policy 17 of NPF4 and LDP2 Policy 19, then by definition the proposal would also be supported by Policy 9b) of NPF4.

- 4.13 The external finishes for the proposed house and garage are a mixture of light cream wet dash render and slate roof. These materials fully respect the aesthetic qualities and character of the area and due to their recessive colours will help the dwelling blend into the surrounding landscape. The proposal is suitably scaled, sited and designed to be in keeping with the character of the area and is therefore considered to comply with Policy 1 of LDP2 and Policy 17a) of NPF4.

## 5.0 Rural Housing Policy and Replacement Houses

- 5.1 Policy 17 of NPF4 seeks to encourage, promote, and facilitate the delivery of more high quality, affordable and sustainable homes in the right locations. The policy states '*development proposals for new homes in rural areas will be supported where the development is **suitably scaled, sited and designed to be in keeping with the character of the area and the development.***

*viii. reinstates a former dwellinghouse or is a one for one replacement of an existing house.*

- 5.2 NPF4 offers no further guidance and for the reasons set out above the proposed re-siting of the replacement house on the lower part of the site is justified for technical reasons, amenity reasons and also on the basis that the proposal is suitably scaled, sited and designed to be in keeping with the character of the area.
- 5.3 This was not raised as a concern or a reason for refusal of the original application.
- 5.4 Policy 19 in LDP2 states that the Council '*will support proposals for the erection, or creation through conversion, of single houses and small groups of houses in the countryside which fall into at least one of the following categories:*
- (1) building groups;*
  - (2) infill sites;*
  - (3) new houses in the open countryside on defined categories of sites as set out in Section 3 of the Supplementary Guidance;*
  - (4) renovation or **replacement of houses;***
  - (5) conversion or replacement of redundant non-domestic buildings;*
  - (6) development on rural brownfield land*
- 5.5 Under the Replacement houses (category 4) of LDP2 policy 19, the council's Supplementary Guidance confirms that replacement houses fall under wider definition of Brownfield sites (page 19 of the guidance).
- 5.6 The guidance acknowledges that non-traditional houses (such as this) of poor quality or design, can have a negative effect in the countryside. Allowing the replacement of such houses can therefore in some cases have a positive impact. Permission will therefore be granted for the replacement of non-traditional houses where the following criteria can be met;
- The replacement house must be of a high quality design appropriate to its setting and surrounding area;
  - The scale of the new house will normally be similar to that of the existing building;

- The siting of the new house should be similar to that of the existing building in terms of orientation and distance from the road, unless individual site conditions suggest that another position would create a better landscape fit;
- If an alternative position is sought, or the proposed house is to be of a significantly different scale, this should be justified in a supporting planning and design statement.

- 5.7 The footprint of the replacement house could not be accommodated on the upper part of the site and to do so would require significant land engineering and the creation of platforms across the site. Even then any garden ground associated with the replacement house would require significant tiering, retaining wall structures with resultant significant impacts on the local landscape. It is estimated that this land engineering work alone would cost in the region of £50,000 - £60,000 and would therefore render the project unviable. The topographical survey also highlights that the individual site conditions across this site suggest that locating the replacement house on the alternative flatter position on the site, would create a better landscape fit.
- 5.8 The replacement house is to be sited within the existing domestic curtilage of the existing house and therefore is not considered to be a greenfield site as development already exists and the proposal is to replace the existing house on a one for one basis. The council's own supplementary guidance also confirms that replacement house proposals are considered under the heading of Brownfield sites. In any event where a proposal is supported by Policy 17 of NPF4 and LDP2 Policy 19, then by definition the proposal would also be supported by Policy 9b) of NPF4. It's noted that in refusing the previous application the council did not refuse the application as being contrary to Policy 17 of NPF4.
- 5.9 In response to the 3<sup>rd</sup> reason for refusal of the previous application, an ecological appraisal has been prepared and is submitted in support of this revised application.
- 5.10 The ecological survey confirms that there will be no direct impact on the designated sites (River Tay SAC and Thistle Brig SSSI to the east and south east, with no direct loss of habitats or indirect impacts on habitats including trees, scrub and grassland. In addition, given the scale and location of the proposed development, the report concludes that it is unlikely that any indirect impact would be realised that would adversely affect the designated features (including otters and fish) associated with these designated sites.
- 5.11 The survey notes the presence of giant hogweed and Japanese knotweed on the site. Accordingly, a mitigation plan can be put in place as part of the proposed development that will ensure the species are eradicated to ensure that the proposed development does not spread the species to other zones.
- 5.12 Recommendations are also set out in the report in connection with biodiversity enhancement to include tree and hedge planting and management of the stands of invasive non-native species which is considered to represent an overall enhancement to the current value of the site.
- 5.13 The ecological survey submitted in support of this revised application therefore highlights that the proposal is considered to be consistent with the biodiversity enhancement requirements set out in Policy 3 of NPF4, Policy 41 of LDP2 and the council's non-statutory guidance. This therefore fully addresses the 3<sup>rd</sup> reason for refusal of the previous application.

## 6.0 Conclusions

- 6.1 Due to the historical prefabricated reinforced concrete construction system, it is not financially viable for the existing house to be renovated to a habitable standard. Structural issues associated with these types of properties make it difficult to obtain a mortgage. It is therefore, only feasible to develop a new dwelling on this site.
- 6.2 In this case the principle of a replacement house within the same residential curtilage is considered to meet with the stated requirements of Policy 17 viii) of NPF4 and category 3 of Policy 19 (Housing in the Countryside Policy) from LDP2.
- 6.3 This proposed dwelling would provide a suitable replacement for the current substandard house on this site. As per the council's Supplementary Guidance, the proposed replacement dwelling would be of a high-quality design and external finish and would be set more comfortably within the existing site curtilage and surrounding landscape compared to the current constrained position of the existing dwelling which provides limited private useable amenity space and where significant intrusions into the landscape would be required through major engineering works.
- 6.4 Information submitted in support of the application shows that siting the proposed replacement house on the existing footprint would require significant engineering works and platforms to be created in this landscape. Not only would the cost of this work be prohibitive but the impact of creating tiers and retaining walls into the landscape to provide a level platform for the new house and also useable areas of amenity space would not be design features that are in keeping with the character of the area and would therefore be contrary to NPF4 Policy 17. The siting of the proposed replacement dwelling on a more level and usable part of the existing curtilage therefore offers greater benefits in terms of respecting the landscape and visual setting of the site, and residential amenity, rather than simply replicating the current constrained bungalow position. This proposal demonstrates compliance with Policy 19 Housing in the Countryside, NPF4 Policy 17, as well as the council's Housing in the Countryside Supplementary Guidance.
- 6.5 The proposed siting is not considered to be a greenfield site as it forms part of the same curtilage as the existing house which it seeks to replace. However, as the proposal complies with NPF4 Policy 17 and LDP Policy 19, the proposal is also expressly supported by NPF 4 Policy 9.
- 6.6 The ecological survey report sets out appropriate biodiversity enhancement associated with the proposed development and therefore the proposal satisfies the relevant criteria of NPF4 Policy 3 and LDP2 Policy 41.
- 6.7 It is therefore kindly requested that Perth and Kinross Council consider the application favourably and seeks to grant planning permission for the demolition of the existing Dorran bungalow and allow the erection of a new dwelling within the existing garden of the property subject to any conditions considered necessary.





# **THISTLEBRIDGE, STANLEY, PERTH AND KINROSS**

## **Ecological Appraisal**



**Client: Cnoclee Ltd**

**Version: 00**

**Date: 10/05/2024**



## Document Reference

Report Prepared For	Cnoclee Ltd
Document Title	Thistlebridge, Stanley, Perth and Kinross – Ecological Appraisal
Version	Issue
Date	10/05/2024
Document Reference	252410/Thistlebridge EA/Ver01Rev0
Report Author	Simon Inger MCIEEM Principal Ecologist
On behalf of	Strathearn Ecology Ltd

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## 1. EXECUTIVE SUMMARY

Strathearn Ecology Ltd (SEL) were commissioned by Cnoclee Ltd to undertake an Ecological Appraisal (EA) in connection with the planning application for the erection of a replacement dwelling house, garage and associated works at Thistlebridge, Perth Road approximately 800m south of Stanley, Perth and Kinross.

There has been a previous application of the proposed development (PKC Planning Ref: 23/02027/FLL) which was refused in part as *"It has not been demonstrated that the engineered vehicular access would not impact on either local or protected wildlife, or what bio-diversity enhancement measures are required."*

This report provides the findings of the appraisal following a site visit completed in May 2024, and desk-based information searches. The survey aimed to identify presence and potentially suitable habitats within or adjacent to the Site to contain or support species or habitats protected under national or international legislation.

The nearest designated sites are the River Tay SAC and the Thistle Brig SSSI located along the eastern boundary and southeast corner boundary of the Site respectively.

Under current proposals there will be no direct impact on these designated sites as a result of the proposed development, with no direct loss of habitats or indirect impacts on habitats including trees, scrub and grassland.

Furthermore, given the scale and location of the proposed development, it is unlikely that any indirect impacts would be realised that would adversely affect the designated features (including otters and fish) associated with these designated sites.

It is however, recommended that mitigation is put in place to ensure that no site surface water runoff or materials would leave the Site and potentially enter the designated sites in line with standard construction best practice.

The final identified designated site, the Tay Bank Section SSSI, is considered to be sufficiently distant that no direct or indirect pathways have been identified and no further assessment or mitigation is considered necessary for this site.

The nearest area of ancient woodland is located along the northern boundary of the Site. No development is proposed to be undertaken within c. 20m of the woodland edge, and therefore there will be no loss of tree cover within the ancient woodland area. It should be ensured that measures are in place in order to have a suitable root protection zone from the woodland edge in accordance with BS 5837 (2012) or a minimum 20m. This will ensure no direct impacts on the trees and therefore no loss of woodland cover or impact on ancient woodland.

There are a range of different habitats across the Site all are deemed to be of importance to nature conservation at either a local or site level.

The site totals approximately 0.8 hectares, with only 11% of this being impacted by the proposed development. The main area to be impacted would be the areas of dense and scattered scrub, the existing building and hardstanding, with small impacts upon the areas

of neutral grassland. It is not anticipated that there would be any loss of woodland for trees in association with the proposed development.

It is considered that there are no specific mitigation measures required in regard to these habitats.

Areas of giant hogweed and Japanese knotweed have been identified within the Site during the survey. It is illegal under the WANE Act to cause the spread of species listed on Schedule 9 of the Wildlife and Countryside Act within the wild. Some of the areas of Giant Hogweed are located within the development area, and it is recommended that a plan is in place to manage / eradicate the species from this zone to ensure that the proposed development does not spread the species to other areas.

For other locations of giant hogweed and the areas of Japanese knotweed it is recommended a minimum 7m exclusion zone is erected around these areas to ensure the proposed development does not cause the spread of these species to further areas in the wild.

Though no active constraints were identified during the site walkover, suitable habitats for protected species including badger, bats and red squirrel are located within and/or close to the Site, with suitability for otter within 30m.

Standard general mitigations are recommended in addition to those specific recommendations given below, ensuring that any excavations are covered when not in attendance (or providing mammal ramps), sealing and safely storing any COSHH materials and minimising light spill, as part of any night-time works.

Furthermore, should any suspected ecological constraint be noted during the works, then works should cease in that location (within 30m) and the area made safe while a suitably qualified ecologist makes a determination on the status of any potential constraint and advise on mitigation and next steps.

Breeding birds were identified within the Site during the ecological surveys. The majority of these were within the woodland / tree areas of the Site and adjacent and will remain unaffected by the proposed development.

Should any vegetation clearance be required to facilitate the development this should be timed out with the nesting bird season (March – August inclusive) else a check undertaken by a suitably qualified ecologist. If nesting birds are located, suitable construction exclusion zones should be established around nest sites to avoid destruction of or disturbance to nests.

Recommendations have been provided in connection with biodiversity enhancement to include tree and hedge planting and management of the stands of invasive non-native species which is considered to represent an overall enhancement to the current value in term of biodiversity.

## **2. INTRODUCTION**

### **2.1. Background**

Strathearn Ecology Ltd (SEL) were commissioned by Cnoclee Ltd to undertake an Ecological Appraisal (EA) in connection with the planning application for the erection of a replacement dwelling house, garage and associated works at Thistlebridge, Perth Road approximately 800m south of Stanley, Perth and Kinross.

The proposed development is centred on British National Grid OS NO 1069 3208 hereafter referred to as the 'Site'. The location and extent of the Site is presented on Figure 1.

There has been a previous application of the proposed development (PKC Planning Ref: 23/02027/FLL) which was refused in part as *"It has not been demonstrated that the engineered vehicular access would not impact on either local or protected wildlife, or what bio-diversity enhancement measures are required. The proposal is therefore contrary to a) Policy 3 (Biodiversity) of National Planning Page 1 of 3 Framework 4 (2023), b) Policy 41 (Bio-diversity) of the adopted Perth and Kinross Local Development Plan 2 (2019) and c) the Council's non-statutory planning guidance on Planning and Nature (2020), as bio-diversity interests have not been fully considered as part of the development proposals."*

### **2.2. Objectives of the Report**

This report provides the results and conclusions following a site walkover and survey of land covering the Site as shown on Figure 1. The survey aimed to identify presence and potentially suitable habitats within or adjacent to the Site to contain or support species or habitats protected under national or international legislation. This is undertaken with due reference to best practice guidance (CIEEM, 2017).

This report details the findings of the survey (both desk and field based), evaluation of the Site and considers the impacts of the proposed development on identified receptors, species or habitats. This information is used to provide recommendations on protecting ecological features (including mitigations) and providing biodiversity enhancement.

## **3. METHODS**

### **3.1. Desk Study and Data Consultation**

No consultation with the Local Biological Records Centre was undertaken as part of this appraisal as no centre currently covers the location of the Site. Perth Museum/Perth Council hold some historical biological data but do not offer the services of local records centre. The NBN Atlas was used in order to provide a likely scope of potential constraints based on geographical coverage and biological records within 1km of the Site from the last ten years.

The interactive mapping sites, MAGIC and NatureScot SiteLink was used to identify designated sites within the Site and to a distance of 2km, with the downloadable shapefiles from NatureScot used to highlight areas of ancient woodland up to 1km from the Site.

The information gained from the desk study exercise is presented in the relevant sections below.

### 3.2. Ecological Walkover Survey

An ecological walkover was undertaken by Simon Inger (MCIEEM) on the 7<sup>th</sup> May 2024.

The survey involved a site walkover and assessment of habitats, land use and ecological features, focusing on areas that could be impacted (directly and indirectly) by the proposed development.

#### 3.2.1. **Habitat and Flora Survey**

A phase 1 habitat survey (JNCC,2010) was completed for the Site mapping habitat types and general habitat descriptions. Non-native and invasive species such as Japanese knotweed (*Fallopia japonica*) and giant hogweed (*Heracleum mantegazzianum*) were identified and mapped, as well as other non-native plant species relevant to the Wildlife and Natural Environment (Scotland) Act (WANE) 2011.

#### 3.2.2. **Protected Species Survey**

The habitats within the Site were assessed in terms of their suitability for protected species including, but not limited to badger (*Meles meles*), bats, birds, otter (*Lutra lutra*), red squirrel (*Sciurus vulgaris*), reptiles and water vole (*Arvicola amphibius*) to record and document evidence of presence or potential present of these species.

The survey was extended to at least 50m buffer beyond the Site where access was available and potentially suitable habitat existed for use by protected / important species. Private ground and fenced off areas were not accessed.

Any structures or mature trees were assessed in terms of potential suitability to support roosting bats within the Site and to a distance of up to 30m where access was available. These features were scrutinised with binoculars. Any signs of roosting bats such as staining, and droppings were recorded. Each building where potential direct or indirect impacts were envisaged were assigned a qualitative rating of Negligible, Low, Moderate or High potential for supporting roosting bats according to the Bat Conservation Trust guidelines (Collins, 2023). For trees, they were assessed as either presenting Potential Roost Features (PRF) for individuals / very low numbers (PRF-I) or PRFs to support multiple bats (PRF-M). Only features with a deemed greater than Negligible potential for structures and PRF-M for trees were subject to detailed target notes.

In terms of great crested newt, the species may use suitable terrestrial habitat up to 500m from a breeding pond, and measured where there are significant optimal linear features to allow this migration. However, there is a notable decrease in great crested newt abundance beyond a distance of 250m from a breeding pond (English Nature, 2004) and as such 250m was taken as the area considered in terms of identification of potential breeding ponds within and from the Site.

#### 3.2.3. **Bat Emergence Survey**

A nocturnal bat emergence survey undertaken on the 9<sup>th</sup> May 2024 led by an experienced and licenced bat ecologist. Survey details including date and weather information is shown in Table 1 below, with survey positions on the west and east sides of the building cover all potential emergence points.

Nocturnal surveys were undertaken following current best practice guidance (Collins, 2023) with the use of Wildlife Acoustics Echometer Touch 2 Pro detectors attached to tablets and IR cameras (Sony Camcorder with Nightshot capability and IR light rigs and Nightfox Whisker IR Camera).

The survey commenced c. 15 minutes before sunset until 1.5 hours after sunset. Bat activity, including passes, foraging, roosting locations and species type were recorded, along with other incidental bat activity observed on site.

All recordings and footage were also analysed on completion to check for any emerging bats potentially missed from the building and to confirm species identification.

**Table 1: Bat Activity Surveys**

Date / Time	Survey Type and Sunset Time	Lead Surveyor and Licence Number	Air Temperature at start	General Conditions
9 <sup>th</sup> May 2024	Dusk Emergence  Sunset: 2111	Simon Inger (MCIEEM)  Nature Scot Licence: 153824	14°C	Dry, no wind, 6/8 cloud cover.

### 3.3. Assumptions and Limitations

This PEA provides a snapshot of ecological conditions at the time of the site visit and does not aim to record and assess the presence and impact of all plants or animals that may be present at the Site at different times of the year. Where required, further specific surveys or monitoring has been recommended where it is considered necessary to inform a detailed impact assessment.

The site visit was undertaken in May, which is generally within the optimal period for undertaking detailed ecological surveys. Further PEA surveys can be undertaken at any time of year, with recommendations made for further assessment where this is considered necessary.

The bat emergence survey was completed in line with best practice guidance, and it is considered that the assessment was fit for purpose.

It is considered that findings of the appraisal are valid up to 12 months from the date of survey, though it cannot be guaranteed that there would not be a change in ecological baseline during this time period.



## 4. BASELINE CONDITION

### 4.1. Desk Study

The following statutory designated sites have been identified within 5km of the Site and presented on Figure 2, with areas of ancient woodland identified within 1km of the Site presented on Figure 3.

**Table 2: Statutory Designated Sites**

Site Name and Designation	Summary of Designated Features	Distance and Direction
River Tay Special Area of Conservation (SAC)	<p>The River Tay SAC is designated as a Natura 2000 site for Atlantic salmon, sea lamprey, river lamprey, brook lamprey, clear-water lochs and otters. It is also important for freshwater pearl mussel which is a protected species.</p> <p>At the last condition assessment these features were assessed as:</p> <ul style="list-style-type: none"> <li>• Atlantic salmon – Favourable Maintained (2011)</li> <li>• Brook lamprey – Favourable Maintained (2007)</li> <li>• Clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels– Favourable Maintained (2009)</li> <li>• Otter – Favourable Maintained (2012)</li> <li>• River lamprey – Favourable Maintained (2007)</li> <li>• Sea lamprey – Favourable Maintained (2007)</li> </ul>	Adjacent to east
Thistle Brig Site of Special Scientific Interest (SSSI)	<p>The Thistle Brig SSSI lies on the west bank of the River Tay mid-way between Luncarty and Stanley, to the east of the A9. The site is notable for being a fragment of species-rich lowland neutral grassland that contains a wide variety of locally rare and scarce plants.</p> <p>The banks of the river Tay support important areas of unimproved grassland. At Thistle Brig, though a relatively small area, the grassland is very species-rich, and includes indicators of upland hay meadow such as wood cranesbill <i>Geranium sylvaticum</i> and lady's-mantle <i>Alchemilla glabra</i>. Of the 170 different plants recorded at the site, maiden pink <i>Dianthus deltoides</i> and yellow star of Bethlehem <i>Gagea lutea</i> are nationally scarce, while wild liquorice <i>Astragalus glycyphyllos</i> and trailing tormentil <i>Potentilla anglica</i> are very rare in Perth &amp; Kinross. A number of further higher plant species found at Thistle Brig are classed as rare within the area.</p> <p>At the last condition assessment (2014) the lowland neutral grassland was assessed as being in Favourable Declining condition.</p>	Adjacent to southeast
Tay Bank Section SSSI	Tay Bank Section SSSI is a geological site designated for its non-marine Devonian interests, which lies on the east bank of the River Tay 1km north-west of Guildtown. This is the best exposure of the Stanley Limestone, a marker-horizon, used to define the boundary between the Garvock and Strathmore groups of the Lower Old Red Sandstone in the Midland Valley. At the last condition assessment	1.6km northeast

Site Name and Designation	Summary of Designated Features	Distance and Direction
	(2000) the site was assessed as being in Favourable Maintained condition.	

There are five areas of ancient woodland located within 1km of the Site as shown on Figure 3:

- Area of ancient woodland of semi-natural origin located along the northern boundary of the Site
- Area of long-established woodland of plantation origin 130m east of the Site
- Area of ancient woodland of semi-natural origin 200m northeast of the Site
- Area of ancient woodland of semi-natural origin 550m north of the Site
- Area of long-established woodland of plantation origin 580m southeast of the Site

Given the designation status of the above, the features associated with the SAC is considered to be of international importance, the SSSIs to be of national importance, with the ancient woodland area considered to be of regional importance.

#### 4.2. Habitats

The Site (Figure 4) comprises a total area of 0.77ha and is made up of a range of habitats that have been heavily influenced by current and past land use. Summary descriptions of each habitat is provided below and total areas in brackets.

##### 4.2.1. A1.1.1 – Broadleaved Semi-natural Woodland (0.04ha / 6%)

Along the northern and eastern boundaries of the Site, Stands areas on margins of broadly semi natural woodland, comprising of pedunculate oak (*Quercus robur*), beech (*Fagus sylvatica*) and ash (*Fraxinus excelsior*), a hazel (*Corylus avellana*) and wych elm (*Ulmus glabra*) understory and grass and ground elder (*Aegopodium podagraria*) dominated ground flora.

The examples on Site are typical examples of broadleaved woodland which show signs of human management in the past and impacted in terms of ground flora from close human habitation. Broadleaved woodland is an important habitat and is listed on the Scottish Biodiversity List and Tayside LBAP. Given the extent within the Site and species composition, the woodland habitat is considered to be of Local importance to nature conservation.

##### 4.2.2. A1.1.2 – Broadleaved Woodland – Plantation (0.04ha / 6%)

In the southeastern corner of the site, the woodland appears to be of plantation origin, although comprising of the same species as the semi-natural woodland above, but with planting in lines along the boundary of the Site. Within this area there is also a single stand of *Rhododendron ponticum*, discussed below. Given the similar make of species and

featuring on the Scottish Biodiversity List and Tayside LBAP, the stand of plantation broadleaved woodland is considered to be of Local importance to nature conservation.

**4.2.3. A1.2.2 – Coniferous Woodland – Plantation (0.01ha / 1%)**

In the northwest corner along the western boundary and there is a small stand of planted non-native conifers.

Given the extent, origins and non-native species composition of the woodland, it is considered that the coniferous plantation woodland within the Site is of importance to nature conservation at a Site level only.

**4.2.4. A2.1 / A2.2 – Scrub – Dense and Scattered (0.36ha / 46%)**

The main portion of the site comprises dense and scattered scrub, with broom and gorse being the dominant components, with other species including dog rose and bramble.

The stands of scrub within the Site are typical examples comprising of common and widespread species, considered to be of importance to nature conservation at a Site level only.

**4.2.5. B2.2 – Neutral Grassland – Semi-improved (0.2ha / 27%)**

Around the margins of the scrub are areas of semi improved neutral grassland. This habitat is dominated by grasses of Yorkshire fog (*Holcus lanatus*), cock's-foot (*Dactylis glomerata*) with some areas of creeping bent (*Agrostis stolonifera*) close to the woodland edges. Other species include creeping buttercup (*Ranunculus repens*), creeping thistle (*Cirsium arvense*), broadleaved dock (*Rumex obtusifolius*), comfrey (*Symphytum officinale*), cuckoo flower (*Cardamine pratensis*), spear thistle (*Cirsium vulgare*) and tutsan (*Hypericum androsaemum*).

Areas of neutral grassland within the site of typical examples and show signs of general improvement a dominance of coarse grass species, and limited associated flora. The areas of semi-improved neutral grassland within the Site are typical examples comprising of common and widespread species, considered to be of importance to nature conservation at a Site level only.

**4.2.6. B6 – Poor Semi-Improved Grassland (0.04ha / 6%)**

To the east of the existing house is an area of poor, semi-improved grassland. This comprises a similar species makeup to that above, but is obviously derived from greater nutrient enrichment, with a lush growth of the grasses and associated forbs, and a decrease in the overall diversity of those species.

Given the above and the typical example of the species poor grassland, this habitat is considered of importance to nature conservation at a Site level only.

**4.2.7. J3.6 – Buildings (0.01ha / 2%)**

There is a single structure located in the southwest of the Site. This feature is discussed further in the bat section below (section 4.4.3). No associated flora. This is considered to be of Negligible importance to nature conservation in terms of habitats.

#### 4.2.8. J4 – Hard Standing (0.05ha / 7%)

Surrounding the house are areas of crushed stone and tarmac, with no associated flora, and as such is considered to be of importance to nature conservation at a Site level only.

#### 4.3. Invasive and Non-Native Species

Two areas of giant hogweed and two single stands of Japanese knotweed was identified within the Site during the survey. In addition, an area of *Rhododendron ponticum* was also recorded in the southeast corner of the Site, with details provided below.

**Table 3: Invasive Non-Native Species**

Target Note reference	Location	Details
1	NO 10715 32097	Area of giant hogweed c. 10m x 8m with both mature plants which may flower this year, and seedlings.
2	NO 10698 32108	Scattered area of immature giant hogweed plants c. 5mx5m.
3	NO 10672 32122	Two small stands (1mx1m) of Japanese knotweed on boundary embankment. No signs of past treatment
4	NO 10661 32060	Single stand of <i>Rhododendron ponticum</i> in corner of the Site. Other noted stands outwith the site boundary.

#### 4.4. Protected Species

##### 4.4.1. Amphibians (including Great Crested Newt)

There are no records of great crested newt within 1km of the Site. No ponds were identified within the Site or to a distance of 500m. The lade adjacent to the River Tay was dry in many area with some pools. It was noted however that these were full of fish and with a lack of vegetation considered unsuitable.

Given the above it is considered that great crested newt are not a likely receptor to the Site and will not be considered further in this appraisal.

##### 4.4.2. Badger

Badgers are distributed across Scotland, with records throughout the region, though with no records within 1km of the Site at greater than 10km resolution.

No evidence of badger was recorded within the study area during the site visit. The Site does provide some suitable habitats for foraging and potentially sett creation.

##### 4.4.3. Bats

###### 4.4.3a. Roosting Opportunities - Building / Structures

There is a single building within the Site (B1, Figure 5) which is the current dwelling. The bungalow is of non-standard Dorran construction (concrete panel) which has been more recently clad in fyfestone style block around the entire structure. Generally, the blockwork is in good condition with no obvious gaps or cracks noted. The bargeboards along the sides of the house are well sealed with no obvious gaps.

The roof is a single pitch, tile roof laid over a membrane and board. The ridgeline is in good condition with no gaps noted, as was the chimney stack. The tiles on the western side of the house were generally intact, but large gaps were noted on the eastern side of the house with raised slates and a sunken part of the roof.

At the northern gable there were missing mortar areas along the tiles but were shallow and considered unsuitable for roosting bats. On the southern gable there was a small conservatory considered unsuitable for most roosting bats. At the northwest corner the soffit edge was partially missing, and an old bird nest was noted.

Though there are gaps in the roof tiles, the membrane and board appears to be intact. Therefore, potential for roosting bats is limited to areas underneath any loose / raised tiles and the examples presented on this building are unlikely to provide shelter as a regular roost but could be used opportunistically. Is therefore considered that building B1 presents Low bat roosting potential.

#### *4.4.3b. Emergence Survey*

No evidence of roosting bats was recorded during the emergence survey. Soprano pipistrelle and common pipistrelle bats were recorded during the survey, with the first bat (soprano pipistrelle) identified at 2121 10 minutes after dusk. The bat came from the south over the fence and foraged around the scrub. A second bat joined the first and then both were noted to head towards the River Tay. Foraging activity by soprano pipistrelle was noted over the scrub and trees to the east of the building and to the west on the opposite side of the road. From 2147 there was a mixture of common pipistrelle and soprano pipistrelle foraging around the Site and adjacent. Activity continued until the end of the survey.

#### *4.4.3c. Roosting Opportunities – Trees*

There are a number of trees located along the boundaries of the Site. In general, the trees were noted to be in good condition with little opportunities for roosting bats beyond individual bats (PRF-I) with small cracks and fissures noted. However, along the northern boundary the mature oak trees were noted to present many opportunities with cracks, holes and fissures across many of the trees making them potentially suitable to support multiple roosting bats (PRF-M).

#### *4.4.3d. Commuting / Foraging Habitats*

The Site is generally open with areas of scrub, but bordered by mature trees and woodland, with the River Tay close to the east. The Site therefore may present foraging opportunities used by the local bat population.

#### 4.4.4. **Birds**

The site visit was undertaken in May and offers an array of potential nesting opportunities for a range of species. During the site visit the following bird species were recorded.

**Table 4: Bird Species Recorded**

Common Name	Scientific Name	Conservation Status*	Location
Woodpigeon	<i>Columba palumbus</i>	Least Concern	Boundary of Site
Blue Tit	<i>Cyanistes caeruleus</i>	Least Concern	Boundary of Site
Willow Warbler	<i>Phylloscopus trochilus</i>	Amber	Off Site
Chiffchaff	<i>Phylloscopus collybita</i>	Least Concern	Boundary of Site
Blackcap	<i>Sylvia atricapilla</i>	Least Concern	On Site
Blackbird	<i>Turdus merula</i>	Least Concern	On Site
Robin	<i>Erithacus rubecula</i>	Least Concern	On Site
Chaffinch	<i>Fringilla coelebs</i>	Least Concern	Boundary of Site
Long-tailed tit	<i>Aegithalos caudatus</i>	Least Concern	Boundary of Site
Great tit	<i>Parus major</i>	Least Concern	Boundary of Site

\* Based on conservation status according to Birds of Conservation Concern 5 (Standbury *et al*, 2021)

The majority of the birds noted were located along the boundaries of the site, within the mature trees and woodland. However, it was noted that two potential pairs of blackcap were holding territory within the scrub areas in the centre of the site.

An old nest was noted within the building on Site located at the northwest corner, but no active nests were recorded.

#### 4.4.5. **Otter**

Otters are widely distributed across Scotland, including across the Perthshire region, with records within 1km of the Site from the last 10 years.

No evidence of otter was recorded during the site visit. Within the Site there are no connecting burns or waterways to the River Tay, which is known to support otter and it is unlikely that the Site supports habitats that could be utilised for foraging and shelter given the opportunities along the river and adjacent riparian habitats. No potential places of shelter were identified within the study area during the site visit.

#### 4.4.6. **Red Squirrel**

Records of red squirrel (*Sciurus vulgaris*) are known throughout the region, with records located to the north and southwest of the Site, but none within 500m. There are however records of grey squirrel (*Sciurus carolinensis*) located at the Site.

No evidence of red squirrel was recorded during the site visit. The Site interior generally holds no suitable habitat for dreys, although the boundaries do support area of woodland which would be capable of supporting the species.

#### **4.4.7. Reptiles**

There are records of common lizard (*Zootoca vivipara*) and slow worm (*Anguis fragilis*) from the last ten years, and only at 10km resolution. The Site is generally considered to be sub-optimal for common reptiles with areas of thick grassland and scrub but with a lack of connecting habitat corridors allowing migration to the Site. As such and given the lack of close records it is considered common reptiles are not a likely receptor to the scheme and will not be considered further in this appraisal.

#### **4.4.8. Water Vole**

There are no records of water vole (*Arvicola amphibius*) within 1km of the Site, with a general lack of records in the local area.

No suitable habitat was identified within the Site during the site visit, with no connecting habitat corridors identified. As such is considered water vole are not a likely receptor to the scheme and will not be considered further in this appraisal.

## **5. MITIGATION AND RECOMMENDATIONS**

### **5.1. Introduction**

The information presented below provides mitigation and recommendations with regards to protecting or avoiding ecological features recorded as part of the appraisal. It should be assumed that until the recommendations are undertaken that a constraint is present within the Site and works could therefore result in a breach of legislation or ecological best practice.

### **5.2. Designated Sites**

The nearest designated sites are the River Tay SAC and the Thistle Brig SSSI located along the eastern boundary and southeast corner boundary of the Site respectively.

Under current proposals these will be no direct impact on these designated sites as a result of the proposed development, with no direct loss of habitats or indirect impacts on habitats including trees, scrub and grassland.

Furthermore, given the scale and location of the proposed development, it is unlikely that any indirect impacts would be realised that would adversely affect the designated features (including otters and fish) associated with these designated sites.

It is however, recommended that mitigation is put in place to ensure that no site surface water runoff or materials would leave the Site and potentially enter the designated sites in line with standard construction best practice.

The final identified designated site, the Tay Bank Section SSSI, is considered to be sufficiently distant that no direct or indirect pathways have been identified and no further assessment or mitigation is considered necessary for this site.

The nearest area of ancient woodland is located along the northern boundary of the Site. No development is proposed to be undertaken within c. 20m of the woodland edge, and therefore there will be no loss of tree cover within the ancient woodland area. It should be ensured that measures are in place in order to have a suitable root protection zone from the woodland edge in accordance with BS 5837 (2012) or a minimum 20m. This will ensure no direct impacts on the trees and therefore no loss of woodland cover or impact on ancient woodland.

### **5.3. Habitats**

There are a range of different habitats across the Site all are deemed to be of importance to nature conservation at either a local or site level.

The site totals approximately 0.8 hectares, with only 11% of this being impacted by the proposed development. The main area to be impacted would be the areas of dense and scattered scrub, the existing building and hardstanding, with small impacts upon the areas of neutral grassland. It is not anticipated that there would be any loss of woodland for trees in association with the proposed development.

It is considered that there are no specific mitigation measures required in regard to these habitats.



Recommendations have been made in Section 6 in terms of biodiversity enhancements for the proposed development.

#### **5.4. Invasive Non-Native Species**

Areas of giant hogweed and Japanese knotweed have been identified within the Site during the survey. It is illegal under the WANE Act to cause the spread of species listed on Schedule 9 of the Wildlife and Countryside Act within the wild. Some of the areas of Giant Hogweed are located within the development area, and it is recommended that a plan is in place to manage / eradicate the species from this zone to ensure that the proposed development does not spread the species to other areas.

For other locations of giant hogweed and the areas of Japanese knotweed it is recommended a minimum 7m exclusion zone is erected around these areas to ensure the proposed development does not cause the spread of these species to further areas in the wild.

#### **5.5. Protected Species**

##### **5.5.1. General Mitigation**

Though no active constraints were identified during the site walkover, suitable habitats for protected species including badger, bats and red squirrel are located within and/or close to the Site, with suitability for otter within 30m.

Standard general mitigations are recommended in addition to those specific recommendations given below, ensuring that any excavations are covered when not in attendance (or providing mammal ramps), sealing and safely storing any COSHH materials and minimising light spill, as part of any night-time works.

Furthermore, should any suspected ecological constraint be noted during the works, then works should cease in that location (within 30m) and the area made safe while a suitably qualified ecologist makes a determination on the status of any potential constraint and advise on mitigation and next steps.

##### **5.5.2. Nesting Birds**

Breeding birds were identified within the Site during the ecological surveys. The majority of these were within the woodland / tree areas of the Site and adjacent and will remain unaffected by the proposed development.

Blackcap was noted to be holding territory within the areas of dense scrub but located to the northwest of the proposed development area. The proposed development will result in less than 20% of the scrub areas being lost and therefore it is considered there would be no significant impact on the breeding bird potential for the Site as a result of the proposed development. Other species may breed within these areas of scrub and potentially grassland, but the loss of the small portion of these areas will not result in a significant impact on the potential use of the Site by breeding birds.

Should any vegetation clearance be required to facilitate the development this should be timed out with the nesting bird season (March – August inclusive) else a check undertaken by a suitably qualified ecologist. If nesting birds are located, suitable construction exclusion

zones should be established around nest sites to avoid destruction of or disturbance to nests.

## **6. BIODIVERSITY ENHANCEMENT RECOMMENDATIONS**

### **6.1. Introduction**

The following provides information in relation to potential enhancements that could be made within the Site in connection with biodiversity.

The Fourth National Planning Framework (NPF4) sets out new requirements for development to deliver positive effects on biodiversity through Policy 3.

Policy 3 states that a) Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.

Furthermore, part c) states proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development.

This requirement is also detailed through Policy 41 of the Perth and Kinross Council Local Development Plan 2 Council will seek to protect, enhance or wildlife and wildlife habitats, whether formally designated, protected or not, and taken into account the ecosystems and natural processes in the area.

### **6.2. Impacted Habitats**

The application boundary totals 0.77ha and only 11% of these area impacted by the proposed development. It is understood that there will be no impact of the trees and woodland, with areas of scrub, neutral grassland and the building / hardstanding being impacted.

### **6.3. Biodiversity Enhancement Recommendations**

Based on the current layout and proposals the following enhancements could be considered as part of any diversity enhancement for the Site and area.

#### **6.3.1. Hedgerow Planting**

It is recommended that a mixed species hedgerow should be planted along the eastern boundary. Species should be native and may include a mixture:

- Hawthorn (*Crataegus monogyna*)
- Blackthorn (*Prunus spinosa*)
- Elder (*Sambucus nigra*)
- Holly (*Ilex aquafolium*)
- Dogrose (*Rosa canina*)
- Wych elm (*Ulmus glabra*)

Protection measures such as fencing, or tubes maybe required during the establishment years of the hedgerow.

### 6.3.2. **Tree Planting**

In the northern part of the Site adjacent the existing woodland further tree planting could be carried out to increase the overall area of woodland cover. Species used should be native and suited to the local environment. This could include species such as:

- Oak (*Quercus robur* / *Quercus petraea*)
- Alder (*Alnus glutinosa*)
- Birch (*Betula pendula* / *Betula pubescens*)
- Scots pine (*Pinus sylvestris*)
- Aspen (*Populus tremula*)
- Wych elm (*Ulmus glabra*)
- Hazel (*Corylus avellana*)
- Wild cherry (*Prunus avium*)
- Holly (*Ilex aquafolium*)
- Juniper (*Juniperus communis*)

Ash (*Fraxinus excelsior*) should not be used due to ash die back disease.

Tree tubes would be required for the tree planting to prevent mammal grazing of the young trees.

### 6.3.3. **Invasive Non-Native Species Management**

The presence of invasive, non-native species such as giant hogweed and Japanese knotweed presents a significant negative factor for the Site. Where possible, the eradication or significant management of these species would represent by itself a biodiversity enhancement for the Site and potential knock-on to the wider area by not allowing further spread of this species. Specialist advice should be sought in order to ensure the most appropriate methods are used to manage these features.

## 6.4. **Summary of Proposals**

The above is intended to result in providing a more varied range of habitats and increased diversity in comparison to the existing baseline, with the management of negative features currently present. The implementation of these measure will therefore result in an enhancement in biodiversity, and therefore in keeping with the requirements of Policy 3 of NPF4 and PKC Policy 41.

## 6.5. **Ongoing Management**

Monitoring of the establishment of the trees and hedgerow and management of the INNS population will be required to ensure sufficient coverage, growth, and development of desirable species, whilst removing invasive species. This should be done at least twice

during the growing season in the first summer post planting or seeding and then annually or as required to ensure establishment.

This maintenance should replace any plants that have died and to ensure any protection measures remain fit for purpose, with the management of invasive non-native species where encountered.

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## **APPENDIX 1: PHOTOGRAPHS**



Photo 1 – View looking northeast towards development area with gorse and broom scrub.



Photo 2 – Example of gorse and broom scrub looking north towards Building 1.





Photo 3 – South side of Building 1 showing poor semi-improved grassland.



Photo 4 – Southern elevation of Building 1.



Photo 5 – Eastern elevation of Building 1.



Photo 6 – Example area of mature giant hogweed plants. Target notes 1 and 2



Photo 7 – Example of giant hogweed seedlings. Target notes 1 and 2.



Photo 8 – Japanese knotweed along eastern boundary. Target note 3.





Photo 9 – Example of minor burn going across the existing track



Photo 10 – Southeast corner with *Rhododendron ponticum* in centre. Target note 4



Photo 11 – Northern boundaary and areas of woodland

## **APPENDIX 2: FIGURES**

Figure 1 – Site Location Extent

Figure 2 – Designated Sites

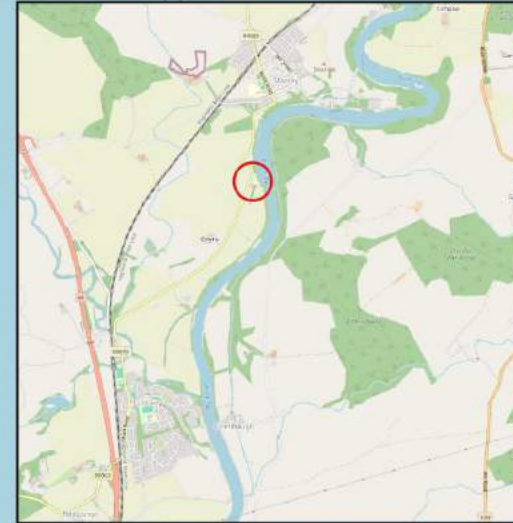
Figure 3 – Ancient Woodland

Figure 4 – Phase 1 Habitat Survey

Figure 5 – Target Notes



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# Figure 1 - Site Location

## Legend

- Site Boundary
- Site Location (Inset)
- Development Area

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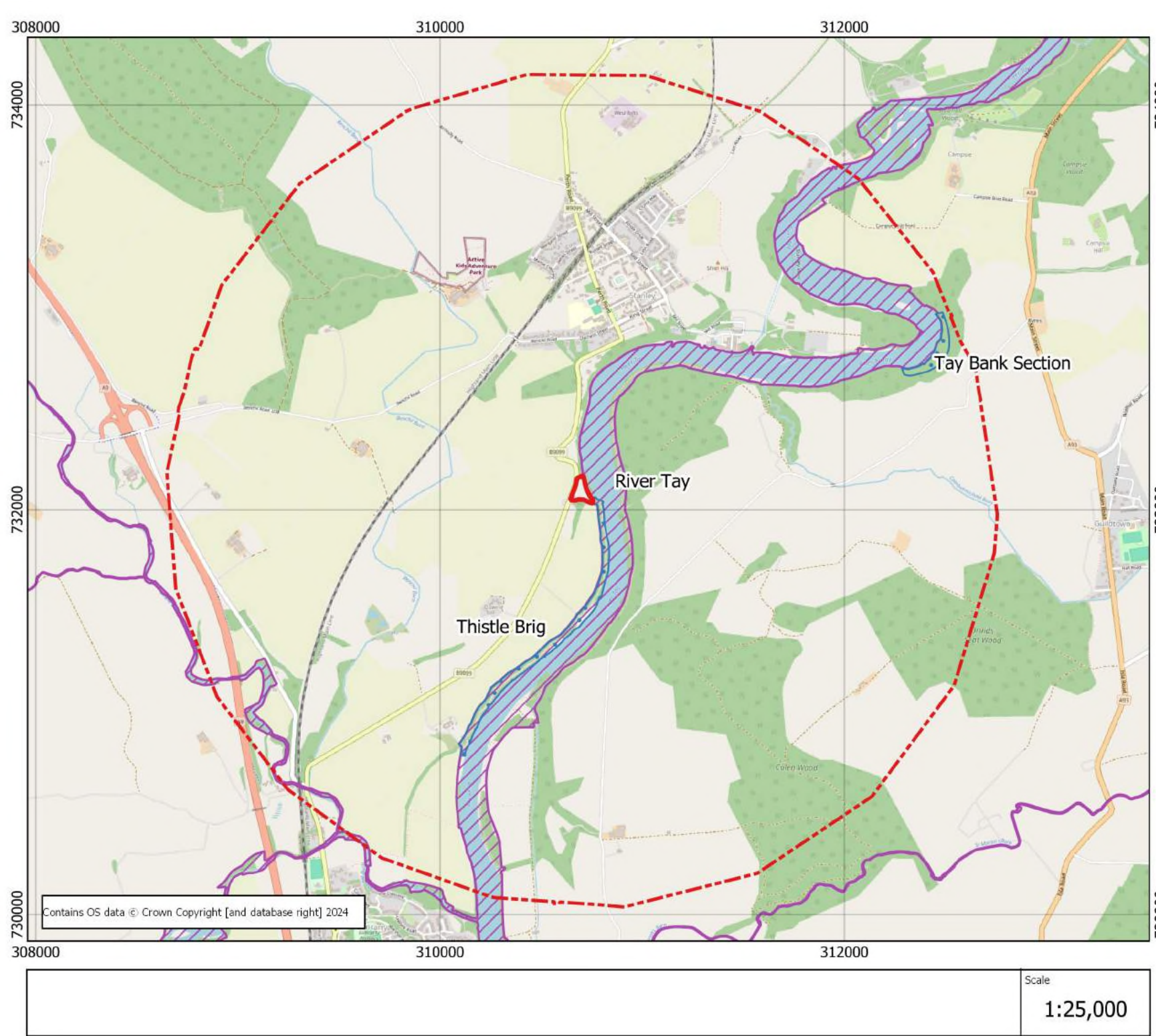
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Scale

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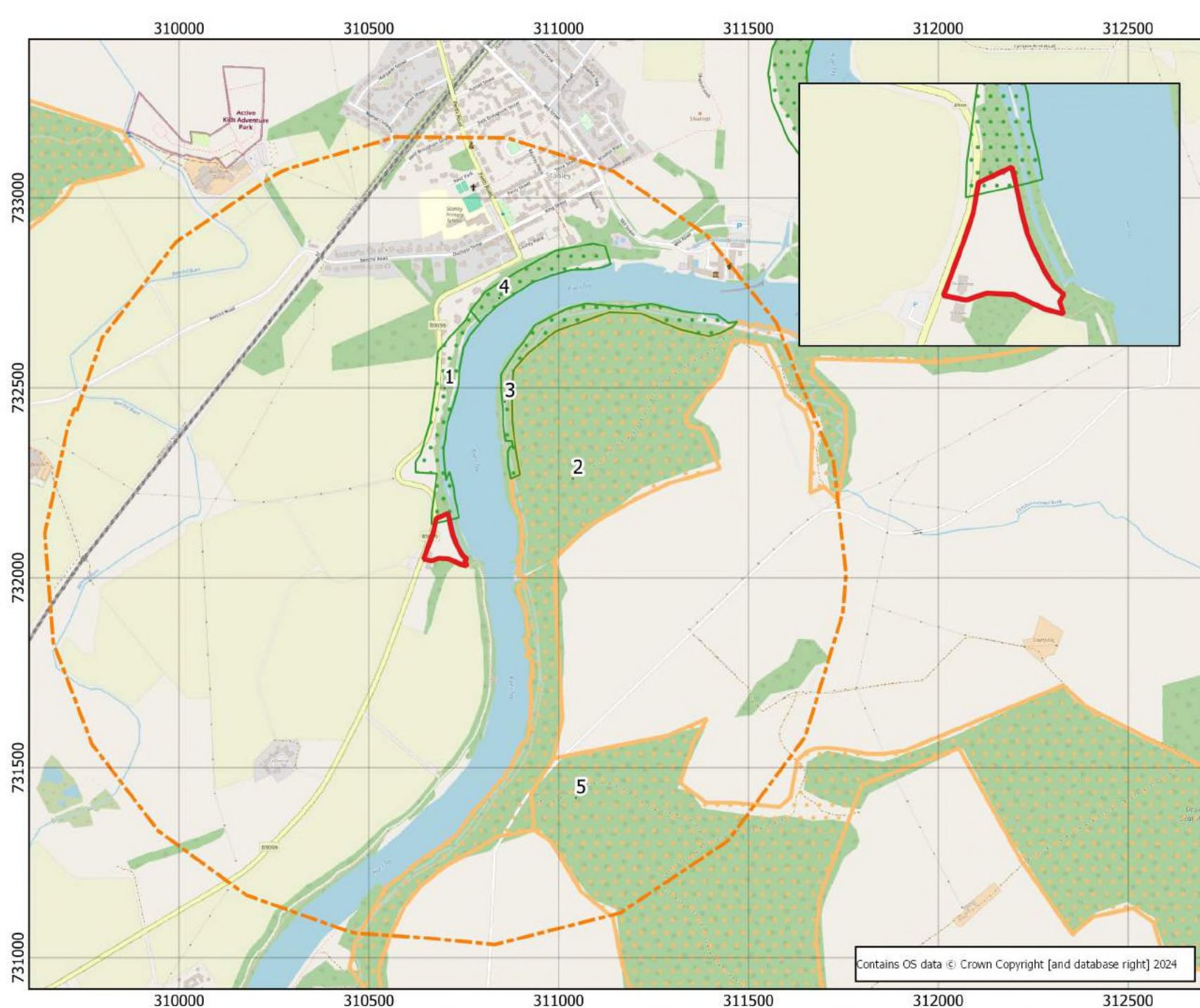


**Figure 2 - Designated Sites**

- Legend**
- Site Boundary
  - 2km Buffer
  - Special Areas of Conservation
  - Sites of Special Scientific Interest

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**Figure 3 - Ancient Woodland**

**Legend**

- Site Boundary
- 1km Buffer
- Ancient Woodland**
  - Ancient (of semi-natural origin)
  - Long-Established (of plantation origin)
  - Other (on Roy map)

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

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## Figure 4 - Phase 1 Habitat Survey

### Legend

-  Site Boundary
-  A1.1.1 - Broadleaved woodland  
- semi-natural
-  A1.1.2 - Broadleaved woodland  
- plantation
-  A1.2.2 - Coniferous woodland  
- plantation
-  A2.1 - Scrub - dense
-  A2.2 - Scrub - scattered
-  B2.2 - Neutral grassland  
- semi-improved
-  B6 - Poor semi-improved  
grassland
-  J3.6 - Buildings
-  J4 - Bare ground

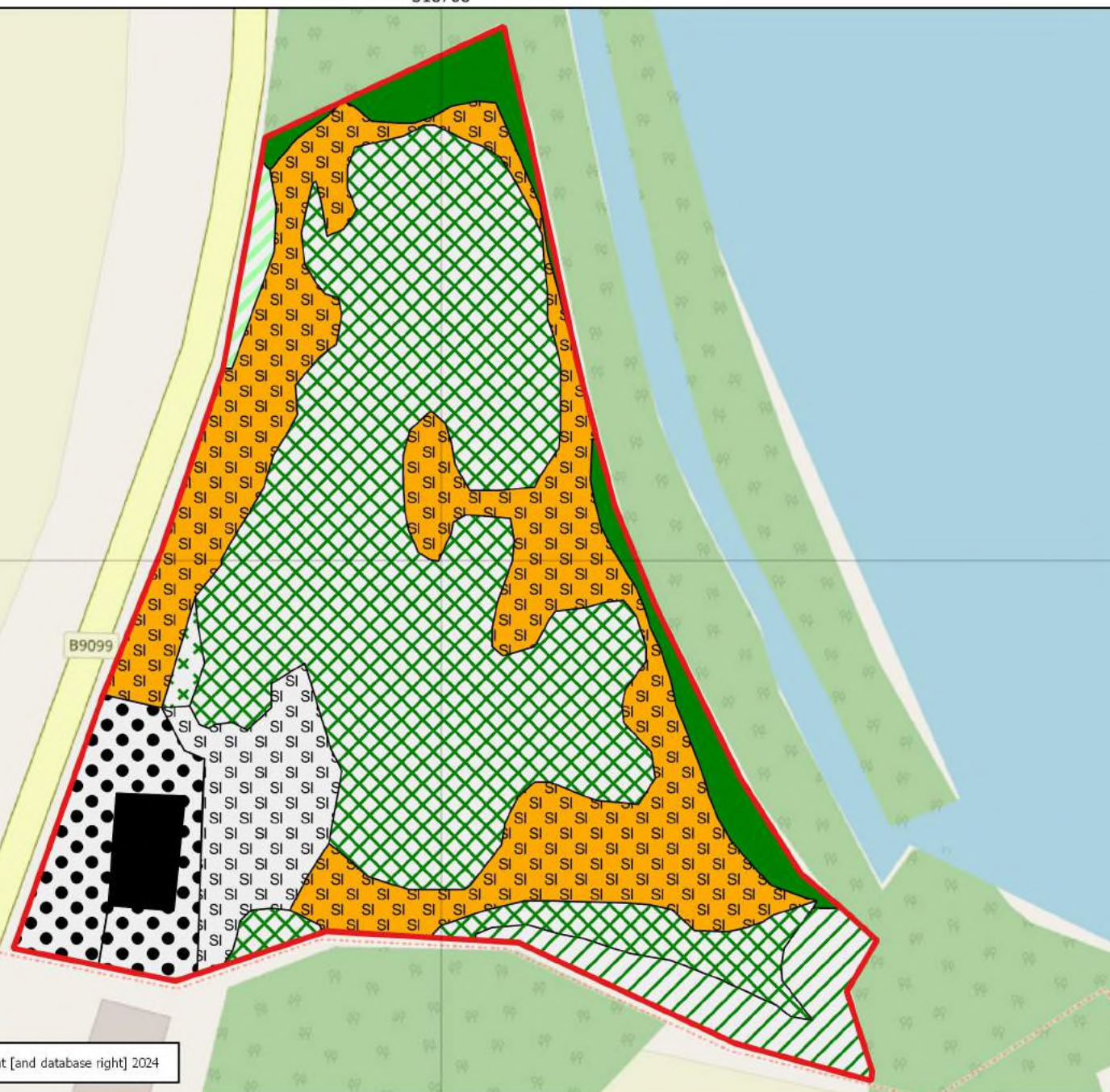
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## Figure 5 - Target Notes

### Legend

- Site Boundary
- Development Area
- Target Note

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