



1.1 Location: **Denovan Village**

To mitigate the removal of diseased and damaged trees it is proposed to undertake the following new tree and shrub planting

Mitigation planting will be carried out during the planting season (January to March 2016).

A suggested specification from Principal Arboriculturalist Adam Reidi is; 20 x *Pinus sylvestris* (Scots pine), 20 x *Sorbus aucuparia* (rowan), 20 x *Acer campestre* (field maple), 20 x *Taxus baccata* (common yew), 20 x *Quercus robur* (common oak), 30 x *Corylus avellana* (hazel) and 20 x *Ilex x aquifolium* (common holly). A selection of native fruit bearing trees will also be included.

The trees will be planted as transplants with a minimum height of 20–50 cm.

The newly planted trees will have suitable staking, protection and mulching for at least the first 36 months after planting.

The plant selection, planting and aftercare will be carried out to the minimum standards defined in the British Standard 3936 Part 1 – ‘Specification for Trees and Shrubs’ and the Horticultural Trades Association – ‘National Plant Specification’ and ‘Handling and Establishing Landscape Plants’

Tending of the replacement trees will include, beating-up; formative pruning; weed control; irrigation (as required); fertilising (as required); adjustment of tree ties and removal of tree stakes.

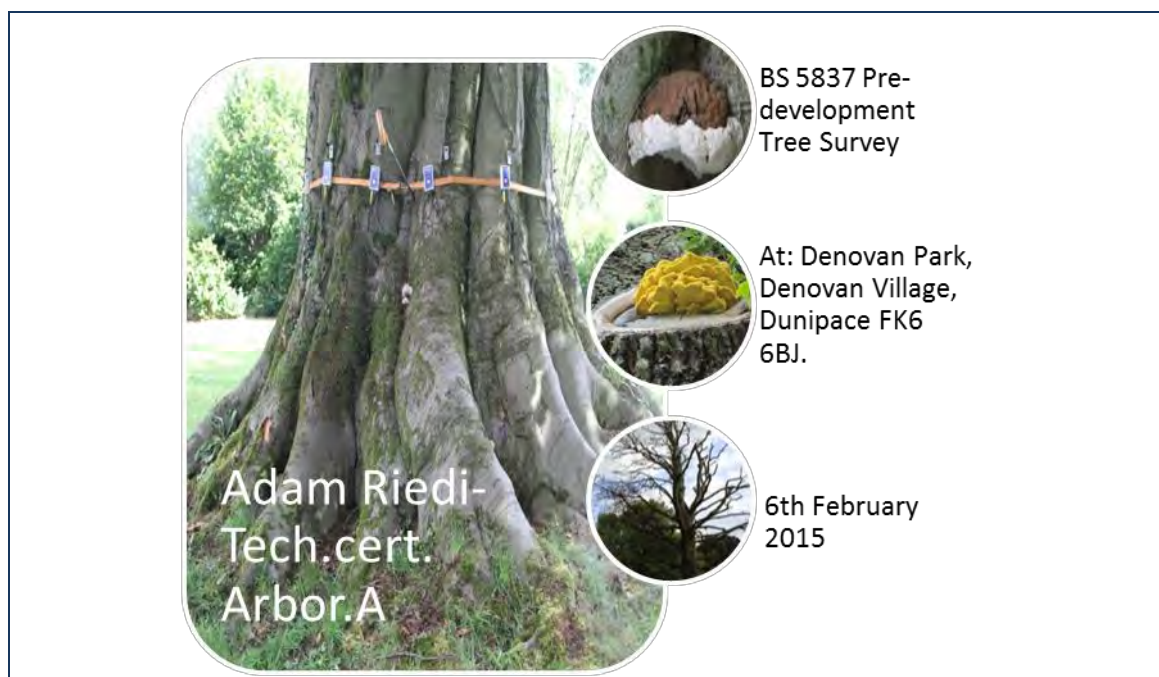
Irrigation will be by on-site water recovery and water saving initiatives.

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Client Brief

Colm Curran, Architect, contacted us to carry out a pre-development tree survey, in accordance with BSI 5837: 2012, *“Trees in relation to design, demolition and construction-Recommendations”*.

The purpose of the survey is to establish the constraints and opportunities in integrating building structures and services into the existing tree population.

The Author – qualifications and experience

Adam Riedi holds the Arboricultural Association Technicians Certificate and the LANTRA Professional Tree Inspection Certificate. He has been working in the industry since 1995 as both a contracting and consulting arborist. As part of a continual professional development programme he is currently working towards the Royal Forestry Society Professional Diploma in Arboriculture.

Adam Riedi was the Secretary of the Scottish Branch of the Arboricultural Association for several years and has organised seminars in tree bio-mechanics and British Standards for tree work.

In 2011 he attended a visual tree assessment elite field training in Germany with Professor Claus Mattheck of the Institute of Materials Research, Karlsruhe University, Germany.

In 2012 Mr Riedi was asked to join an international research group researching trees, wood-decay fungi and ultrasound diagnostics with tree consultants and leading academics from the UK, Holland, Germany and Switzerland.

Trees and development

The purpose of this process is to identify the nature and quality of existing tree cover and highlight the opportunities and constraints to development activity and the resultant permanent structures.

Good quality and sustainable tree cover is an essential component of green infrastructure and confers many benefits to society and can have considerable landscape, ecological and cultural values. Equally, the tree population should not pose unacceptable risk or nuisance to home owners and their homes. Design and implementation of new structures should be realistic about what is achievable, leave no significant impact on the condition of retained trees and create new structures and spaces with good “liveability”.

The tree survey and tree constraints plan should therefore be regarded as a design tool for the project architect and engineers.

A project arboriculturalist who can advise, as well as specify and supervise works, is an essential part of any successful development team on sites where trees exist. A high level of communication between architects, contractors and an arboriculturalist should ensure a realistic and sustainable outcome for both living trees and new structures.

The tree survey should be carried out and considered prior to any detailed design work and should be submitted to the Local Planning Authority as part of the initial planning application. Trees on development sites should not be conditioned in the planning process as this undermines the role of trees in the process and is in breach of the statutory duty of the Local Planning Authority to consider tree protection and re-planting.

This tree survey should allow the design team, with the assistance of the project arboriculturalist, to reach a number of objectives.

- Present a tree retention/removal plan
- Present a strategic soft and hard landscaping design, including planting.
- Present an arboricultural impact assessment that quantifies direct and indirect effects of the proposed design on the tree population.

Reserved matters and meeting planning conditions

- Present plans and methods for the alignment of utilities.
- Present a tree protection plan that shows the position of root protection areas, protective barriers, ground protection and work exclusion zones.
- Present a detailed arboricultural method statement that details the precise method of tree protection to be used.
- Present a detailed hard and soft landscape design.

INTRODUCTION

- 1.1 Following an email requesting a tree survey from Mr Curran, a quotation for the cost of a tree survey was provided. The quotation was accepted by email on the 17th of February 2015 by the client.
- 1.2 It was agreed that Adam Riedi of Blebo Tree Surgery would carry out a Visual Tree Assessment (VTA Type 1, Mattheck and Breloer 1994) of the established trees.
- 1.3 It is understood the report is in support of a planning application. Therefore, measurements and calculations pertaining to and required by the British Standards Institute (BSI) publication BSI 5837: 2012, "*Trees in relation to design, demolition and construction-Recommendations*" have been taken.
- 1.4 The assessment was carried out on the 25^h February and the 6th of March 2015, with the aim of assessing the trees' short to medium-term health prospects and the trees' future suitability for the site. The possibility of future construction was taken into consideration while surveying the trees, (as per BS 5837: 2012).
- 1.5 **Thirty six** trees were surveyed as individuals. These trees were selected on the basis of those trees that were plotted in the original topographical survey. The surveyed trees have also been tagged. The survey begins with tag number 353 and ends with tag number 390. Tree tag number 354 and 361 were not used as they were lost or damaged.
- 1.6 No direct comment is made within this report upon the suitability of any development proposals and the likely impact of proposed development on the tree population of this site. This is because the pre-development tree survey is essentially an aid to design that highlights the opportunities for and constraints upon development posed by the tree population.

LIMITATIONS

- 2.1 All survey work was carried out from ground level as this is a preliminary report. Should further investigation be required this will be highlighted in the report recommendations.
- 2.2 No soil, foliage or root samples were taken for analysis. Should any further investigation be required, this will be highlighted in the report recommendations.
- 2.3 No decay measurements were taken. Should such investigation be required, this will be highlighted in the report recommendations.
- 2.4 Trees are living organisms and can decline in health rapidly due to biotic and abiotic influences. Therefore failure of intact trees can never be ruled out due to the laws and forces of nature.
- 2.5 No approach was made to the local planning authority (LPA) to ascertain whether any legal protection is afforded to the trees inspected/referred to in this report.
- 2.6 The tree assessment was made from the grounds of the site, or the public road, only.

PROPOSED AREA OF CONSTRUCTION

3.0 SUMMARY

3.1 **Thirty six** individual trees were surveyed.

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

3.2 In the event of any alteration to the site that brings people and property into the areas with trees the hazard posed by the trees must be re-quantified and appropriate recommendations made by a tree consultant.

3.3 A total of **2** trees are classed as retention category A “trees of high quality and value to be considered for retention”.

3.4 A total of **22** trees are classed as retention category B “trees of moderate quality and value to be considered for retention”.

3.5 A total of **5** trees are classed as retention category C “trees of low quality and value to be considered for retention”.

3.6 A total of **7** trees are classed as retention category **U**, “trees for removal”. This felling should be carried out within the stated time scales, (or before other site work commences), regardless of future developments.

3.7 **Some** require either felling or pruning to reduce the risk of harm to people and property in the current context. Should the site be developed or the target rating increases the risk from the trees should be revaluated.

Two trees (tag numbers 356 and 385) are so covered in epicormic growth that it is not possible to fully assess the structural condition. These trees should have the ivy and epicormic growth removed using hand tools and be visually re-assessed by a competent arboriculturalist within 6 months. The tree quality category given should be regarded as provisional until lower trunk condition is clarified.

- 3.8 The pruning or felling of trees should not proceed without written confirmation from the local planning authority (LPA). However, if full planning permission has been granted the felling work would be exempt from the requirement of a felling licence as administered by the Forestry Commission Scotland (FCS).
- 3.9 The loss of any trees could be mitigated by the planting, or transplanting, of trees during the first dormant season prior to construction.

4 **INVESTIGATION FINDINGS**

4.1 The investigation was carried out in reasonable working condition with good visibility. The wind speed was, on average, approximately 5 mph.

4.2 The proposed site is approximately 1.7 hectares in size. The tree population is comprised of broad-leaved trees that are both native and exotic in origin.

As part of the wider late Victorian planned landscape, the specimen trees are arrayed in semi-naturalistic ornamental planting. Growing close to the northern boundary is a more formal linear avenue planting.

The tree population includes some notable mature broadleaved trees including common lime (*Tilia x europaea*), common oak (*Quercus robur*), sycamore (*Acer pseudoplatanus*), horse chestnut (*Aesculus hippocastanum*) and common beech (*Fagus sylvatica*).

Sycamore (*Acer pseudoplatanus*), wych elm (*Ulmus glabra*) and elder (*Sambucus nigra*) have self-seeded and beginning to create elements of scrub woodland.

The woodland would greatly benefit at this stage from some new planting of new native trees. Gaps have appeared following storm damage and some of these may be suitable for planting of tree species, such as common oak, which will in time help to guarantee good quality tree cover at the site.

4.3 The area is constitutes areas of both tree cover and open ground. The site slopes to the south towards the public road. Towards the west this slope becomes more pronounced. There a very few areas of persistent high water table. The exposure to prevailing wind is moderate.

There have been little recent ground modifications aside from some work to upgrade the historic driveway.

4.4 The proposed site is bordered by areas of different land use. To the north is the historic drive way to the neighbouring house. To the south and west is the public road and neighbouring residential properties. To the east is a narrowing strip of policy woodland of similar character to that on the south of the proposed site.

4.5 The root protection area (RPA) of all retention category trees has been plotted on the tree constraints plan.

Some of the trees are growing close to the historic driveway. A compacted driveway is often an anaerobic environment. Consequently, the driveway may have effectively limited any root growth under its surface and the root plates are likely to be asymmetric due to the environment constraints.

4.6 Some of the trees require either felling or pruning to reduce the risk of harm to people and property in the current context. Should the site be developed or the target rating increases the risk from the trees should be revaluated.

5.0 ROOT PROTECTION AREAS

5.1.1 Based on the tree survey data, root protection areas (RPAs) have been given for every retained tree. The RPAs are designed to protect at least a functional minimum of tree root in order to ensure that the trees survive the construction process.

5.2 RESTRICTIONS WITHIN TREE PROTECTION AREAS

Inside the exclusion area of the fencing, the following should apply:

- No mechanical excavation whatsoever
- No excavation by any other means without arboricultural site supervision
- No hand digging without a written method statement having first been approved by the project arboriculturist
- No alteration of levels for any purpose (except the removal of grass sward using hand tools)
- No storage of plant or materials
- No vehicular access
- No storage or handling of any chemical including cement washings

Further precautionary measures are necessary adjacent to trees:

- No substances harmful to tree health, including fuels, oil, bitumen, cement (including cement washings), builders sand concrete mixing and other chemicals should be used or stored within the root protection area.
- No fire shall be lit that allows flames within 5 metres of tree foliage or within the root protection area.

5.4 GENERAL TREE PROTECTION RECOMMENDATIONS

The following considerations should be planned for:

- Plant and material delivery
- Landscaping
- Construction works
- Utility installation
- Demolition
- Soil stripping

Once constructed in situ, no tree protection measures will be removed or changed in any way without prior recommendation by the project arboriculturist and approval of the local planning authority.

Type 1 Tree protection barriers: This is suitable for areas of high intensity development, and should consist of interlocking weld-mesh panels, well braced to resist impacts by attachment to a scaffold framework that is set firmly into the ground.

Should an alternative method of barrier construction be requested, consultation with the project arboriculturist will be obtained to confirm the suitability of the revised design prior to informing the local planning authority and obtaining their consent.

Once the exclusion zone has been protected by barriers and/or ground protection, construction work may begin. All weather notices may be displayed on the barriers.

5.5 GROUND PROTECTION

All ground protection installed must be capable of supporting the expected loads as well as protecting against compaction, rutting or damage to the soil.

5.6 AVOIDING DAMAGE TO STEMS AND BRANCHES

Care shall be taken when planning site operations near to retained trees to ensure that wide or tall loads, or plant with booms, jibs and counterweights, operate without coming into contact with retained trees. If any such contact were to take place, serious injury to trees is risked which might make their safe retention impossible.

Therefore, any transit or traverse of plant near to trees shall be conducted under the supervision of a banksman, in order to ensure that the correct clearance from trees is at all times maintained. In some circumstances, it may be possible to achieve this without pruning work known as ‘access facilitation pruning’

Access facilitation pruning shall be kept to the absolute minimum necessary to allow development and shall be carried out in strict accordance with the guidance below (Tree Surgery). Under no circumstances shall construction personnel undertake any tree pruning operations.

5.7 TREE SURGERY

Given that tree surgery is required, it will be carried out in accordance with BS 3998:2010 *Recommendations for Tree Work*, industry best practice and in line with any works already agreed with the Council.

Proof of experience and insurance provision will be required. All work shall be undertaken at the appropriate time and with the consent and approval of the Site Agent.

If bats or other protected flora or fauna, are discovered during tree work, advice should be obtained from Scottish Natural Heritage or other qualified persons and recommendations adhered to.

The contractor shall seek consent from the arboricultural consultant for the chosen Tree Surgeon to be used. All work shall be undertaken at the appropriate time and with the consent of the Site Agent who shall approve a programme of work.

The stumps of any trees removed from within the Construction Exclusion Zone or the RPAs of retained trees will be either; cut flush to ground level and treated with eco-plug translocated herbicide or ground using a stump grinder. They will not be winched out.

All operations shall be carefully carried out to ensure that damage to any trees being treated or neighbouring trees is avoided. Under no circumstance should retained trees be used for anchorage or winching purposes.

All arisings should be removed from site (unless other arrangements have been made) and the site left clean and tidy.

5.8 GENERAL RECOMMENDATIONS

5.8.1 Assuming retention, all trees should be monitored by a competent arborist on a minimum one year cycle. This would help meet the landowner's duty of care, Occupier's Liability (Scotland) Act 1960.

5.8.2 Regardless of future developments, all trees with a stated recommendation for arboricultural remedial work should have this remedial work carried out with the stated time scales.

5.8.3 Replacement tree planting should be implemented to off-set the impact of any tree losses during development. The decision of what species to plant should be left until the impact of the development on the local hydrology and topography is apparent.

5.9 RECOMMENDATIONS

BS 5837: 2005 – Table 1 ROOT PROTECTION AREAS (RPA) and ROOT PROTECTION RADIUS (RPR)

Tree ID	Height (m)	Height and direction of first significant branch (m)	Number of Stems	Stem 1 (mm) Enter average diameter for trees with more than 5 stems	Stem 2 (mm)	Spread - N (m)	Spread - E (m)	Spread - S (m)	Spread - W (m)	Root Protection Radius (metres)	Root Protection Area (metres ²)
353	20	4	1	810		6	7	6	6	9.7	297
355	22	6	1	1120		6	6	6	7	13.4	568
356	21	1	1	700		5	6	5	6	8.4	222
357	20	6	1	770		5	5	5	4	9.2	268
358	16	6	2	300	320	2	3	3	3	5.3	87.0
359	18	7	1	500		2	5	4	2	6.0	113
360	20	2	1	630		4	3	4	3	7.6	180
362	18	1	1	430		2	2	3	5	5.2	84
363	21	3	1	600		5	4	5	5	7.2	163
364	22	7	1	780		4	4	4	4	9.4	275
365	21	1	1	760		3	4	3	3	9.1	261
366	21	1	1	730		3	4	3	3	8.8	241
367	19	7	1	510		4	5	2	3	6.1	118
368	20	16	1	540		5	4	5	5	6.5	132
369	23	6	1	750		5	6	4	7	9.0	255
370	19	6	1	570		7	7	5	2	6.8	147
371	22	5	1	650		5	5	5	6	7.8	191
372	19	6	1	610		5	5	6	4	7.3	168
373	25	4	1	1500		5	7	7	7	18.0	1018
374	18	5	1	570		5	6	6	5	6.8	147
375	22	11	1	1180		5	5	6	5	14.2	630
376	22	6	1	1260		8	8	7	7	15.1	718
377	19	6	1	630		5	5	5	3	7.6	180
378	20	3	1	620		6	5	5	6	7.4	174
379	19		1	580		5	5	5	5	7.0	152
380	19	5	1	690		4	4	5	4	8.3	215
381	20	5	1	710		7	5	7	6	8.5	228
382	19	7	1	700		6	4	6	5	8.4	222
383	17	4	1	1010		6	7	7	7	12.1	462
384	20	5	1	780		5	3	4	5	9.4	275
384	19	4	1	740		5	5	5	5	8.9	248
385	21	4	1	770		5	5	4	5	9.2	268
387	20	6	1	700		5	4	5	5	8.4	222
388	20	3	1	810		6	6	6	6	9.7	297
389	16	3	1	600		4	4	4	4	7.2	163
390	22	7	1	920		7	6	6	6	11.0	383

6. REFERENCES

BRITISH STANDARDS INSTITUTION (2012)

BSI, 2 Park Street, London

BS 5837:2012 “*Trees in relation to design, demolition and construction-Recommendations*”.

BRITISH STANDARDS INSTITUTION (2010)

BSI, 2 Park Street, London

BS 3998:2010 “*Recommendations for Tree Work*”

STROUTS, R.G. & WINTER, T.G. (2006)

TSO Publications, London

Diagnosis of ill-health in trees

ROBERTS, J. JACKSON, N. & SMITH, M. (2006)

TSO Publications, London

Tree Roots in the Built Environment

MATTHECK, C. & BRELOER, H. (1994)

TSO Publication, London

The Body Language of Trees

APPENDIX 1

TREE SCHEDULE

Abbreviation	Explanation
TN	Tree number: sequential numbering of inspected trees and groups.
Tag	Tag number: refers to the number on the tag attached to the tree.
Species	Tree species: Common English name (Botanical name)
H	Tree height: measured to nearest metre for trees over 10 m, or nearest 0.5 metres for trees up to 10 metres in height.
D	Tree diameter: measured at 1.5 metres above ground, in millimetres, rounded to the nearest 10 mm..
CS	Crown spread: lateral distance from the tree centre to the canopy extent at the four cardinal points (north, east, west, south), or to a specific pertinent point; measured to the nearest half metre (or nearest metre if more than 10 metres).
B1	Height (in metres) and position (cardinal point) of the first branch on the tree.
CC	Crown clearance: distance from ground to lowest part of the main crown, measured to the nearest half metre (or nearest metre if more than 10 metres).
AC	Age Class: Y = Young (up to the first 1/3rd of expected height), EM = Early-Mature (1/3rd to 2/3rds of expected height), M = Mature (close to expected ultimate height with rapid girth expansion), OM = Over-Mature (a senescing tree), V = Veteran (a valued tree surviving beyond the typical age for the species), D = Dead.
Observations	General observations, particularly of structural and/or physiological condition (e.g. the presence of decay and physical defect).
Recommendations	Preliminary management recommendations for each tree. NWR = No work required. TBD = To be determined. FI = Further inspection required.
ERC	Estimated remaining contribution of the tree (in years): <10 (less than 10 years); 10+ (10-20 years); 20+ (20-40 years); 40+ (more than 40 years).
Cat	Retention category: as per BS5837 (2012). Please refer to appendix 4 for further explanation.

Tag Number	Species	Maturity	Vigour	Condition	Recommendation	Category
353	Tilia x europaea (common lime)	Mature	Normal-fair	MODERATE Trunk with 5 degrees lean to north east. Localised decay with good wound wood formation. Largely defect free asymmetric crown.	NWR	A
355	Fagus sylvatica (common beech)	Mature	Normal-fair	VERY POOR Trunk decay and xylem dysfunction. Large un-occluded pruning wounds. Multiple compression forks in upper crown with poor adaptive growth.	FELL Fell to ground level within 6 months.	U
356	Tilia x europaea (common lime)	Mature	Normal-fair	MODERATE Very extensive basal epicormic. Reasonable trunk supporting largely defect free asymmetric crown.	FURTHER INSPECTION Remove basal epicormic growth with hand tools and visually re-inspect.	A
357	Aesculus hippocastanum (horse chestnut)	Mature	Normal	MODERATE Minor basal cavity with good wound wood formation. Reasonable trunk with distorted upper form supporting largely defect free asymmetric crown.	NWR	B
358	Acer pseudoplatanus (sycamore)	Early Mature	Fair	VERY POOR Co-dominant compression fork with poor adaptive growth. Extensive squirrel damage.	FELL Fell to ground level within 6 months.	U
359	Acer pseudoplatanus (sycamore)	Mature	Normal	MODERATE Minor basal cavity with good wound wood formation. Reasonable trunk with distorted upper form supporting largely defect free asymmetric crown.	NWR	B
360	Tilia x europaea (common lime)	Mature	Normal-fair	MODERATE Sloping rooting zone. Reasonable trunk with 5 degrees lean to north supporting largely defect free asymmetric crown.	NWR	B
362	Acer pseudoplatanus (sycamore)	Early Mature	Fair	MODERATE POOR Sloping rooting zone. Significant basal cavity with good wound wood formation. Suppressed form.	NWR	C
363	Tilia x europaea (common lime)	Mature	Normal-fair	MODERATE Sloping rooting zone. Reasonable trunk with 5 degrees lean to north supporting largely defect free asymmetric crown.	NWR	B
364	Tilia x europaea (common lime)	Mature	Normal-fair	MODERATE Sloping rooting zone. Reasonable lower trunk. Co-dominant trunks arising from 2 metres from ground level. Largely defect free asymmetric crown.	NWR	B
365	Tilia x europaea (common lime)	Mature	Normal-fair	MODERATE Sloping rooting zone. Reasonable lower trunk. Co-dominant trunks arising from 5 metres from ground level. Largely defect free asymmetric crown.	NWR	B
366	Tilia x europaea (common lime)	Mature	Normal-fair	MODERATE Reasonable intact trunk with distorted upper form supporting largely defect free asymmetric crown.	NWR	B
367	Acer pseudoplatanus (sycamore)	Mature	Normal	MODERATE Sloping rooting zone. Reasonable intact trunk with distorted upper form supporting largely defect free asymmetric crown.	NWR	B
368	Tilia x europaea (common lime)	Mature	Normal-fair	MODERATE POOR Basal cavity with good wound wood formation. Sloping rooting zone. Reasonable intact trunk with distorted upper form supporting largely defect free asymmetric crown.	NWR	B

Tag Number	Species	Maturity	Vigour	Condition	Recommendation	Category
369	<i>Quercus robur</i> (pendunculate oak)	Mature	Normal-fair	MODERATE Sloping rooting zone and some alterations of soil levels. Multiple un-occluded pruning wounds from historic crown lift pruning. High, decurrent crown.	NWR	B
370	<i>Acer pseudoplatanus</i> (sycamore)	Early Mature	Fair	POOR Poor basal flair. Multiple un-occluded pruning wounds from historic crown lift pruning around utility line. Stressed crown.	NWR	C
371	<i>Tilia x europaea</i> (common lime)	Mature	Normal-fair	MODERATE Basal epicormic growth. Reasonable intact trunk supporting largely defect free asymmetric crown.	NWR	B
372	<i>Acer pseudoplatanus</i> (sycamore)	Mature	Normal-fair	MODERATE Newly exposed by loss of neighbouring tree. Basal swelling. Tensile union unions supporting largely defect free asymmetric crown with some storm damage.	NWR	B
373	<i>Acer pseudoplatanus</i> (sycamore)	Late mature	Normal-fair	POOR Co-dominant compression fork at approximately 2 metres from ground level with inadequate adaptive growth. Slayed top-loaded crowns with poor integration. Multiple un occluded pruning wounds from historic crown lift pruning around utility line.	FELL Fell to ground level within 6 months.	U
374	<i>Acer pseudoplatanus</i> (sycamore)	Mature	Normal	MODERATE Reasonable trunk with wire embedded. Tensile unions supporting largely defect free asymmetric crown with un-occluded pruning wounds from historic crown lift pruning.	NWR	B
375	<i>Populus alba</i> (grey poplar)	Mature	Normal	POOR Very large cavitating wounds on trunk. High, top-loaded crown. Multiple un occluded pruning wounds from historic crown lift pruning.	FELL Fell to ground level within 6 months.	U
376	<i>Aesculus hippocastanum</i> (horse chestnut)	Mature	Normal-fair	MODERATE POOR Basal wounds with incipient decay. Large cavities in upper trunk. Significant historic damage with extensive adventitious growth	PRUNING Reduce crown height by approximately 6 metres and crown spread to south by approximately 4 metres.	C
377	<i>Acer pseudoplatanus</i> (sycamore)	Mature	Normal	MODERATE Reasonable trunk with distorted upper form supporting distorted crown. Multiple un occluded pruning wounds from historic crown lift pruning.	NWR	C
378	<i>Acer pseudoplatanus</i> (sycamore)	Mature	Normal	MODERATE Reasonable intact trunk supporting largely defect free asymmetric crown with frequent small diameter dead wood.	NWR	B
379	<i>Acer pseudoplatanus</i> (sycamore)	Mature	Normal	MODERATE POOR Pronounced squirrel damage. Reasonable intact trunk supporting largely defect free asymmetric crown with frequent small diameter dead wood.	NWR	C
380	<i>Aesculus hippocastanum</i> (horse chestnut)	Early Mature	Fair	POOR Fruiting bodies of <i>Kretzschmaria deusta</i> wood decay fungi near base. Tarry exudation.	FELL Fell to ground level within 6 months.	U
381	<i>Acer pseudoplatanus</i> (sycamore)	Mature	Normal	MODERATE Reasonable trunk. Tensile union unions supporting largely defect free asymmetric crown with some small diameter dead wood.	NWR	B

Tag Number	Species	Maturity	Vigour	Condition	Recommendation	Category
382	Tilia x europaea (common lime)	Mature	Normal-fair	MODERATE Reasonable lower trunk. Apparently stable compression fork at approximately 1.4 metres from ground level.	NWR	B
383	Fagus sylvatica (common beech)	Mature	Normal	VERY POOR Very large wounds from historic compression fork failure.	EXTREME PRUNING Retain for habitat. Prune to within approximately 6 metres from ground level-coronet cut.	U
384	Tilia x europaea (common lime)	Mature	Normal-fair	MODERATE Basal swelling and wire embedded. Co-dominant trunks arising from approximately 3 metres from ground level. Shot holes in trunk apparently shallow. Asymmetric crown.	PRUNING Reduce crown height by approximately 2-3 metres and crown spread by approximately 2-metres to south, east, west within 6 months.	B
385	Tilia x europaea (common lime)	Mature	Normal-fair	MODERATE Very extensive epicormic growth obscuring trunk.	FURTHER INSPECTION Remove basal epicormic growth with hand tools and visually re-inspect.	B
386	Acer pseudoplatanus (sycamore)	Mature	Normal	MODERATE Reasonable trunk. Tensile union unions supporting largely defect free asymmetric crown with some small diameter dead wood.	NWR	B
387	Tilia x europaea (common lime)	Mature	Normal-fair	MODERATE Reasonable trunk supporting upright crown.	NWR	B
388	Acer pseudoplatanus (sycamore)	Mature	Normal	MODERATE Reasonable trunk. Tensile union unions supporting largely defect free asymmetric crown with some small diameter dead wood.	NWR	B
389	Aesculus hippocastanum (horse chestnut)	Early Mature	Fair	VERY POOR Very extensive decay in trunk.	FELL Fell to ground level within 6 months.	U
390	Tilia x europaea (common lime)	Mature	Normal-fair	MODERATE Pronounced lean to north. Co-dominant trunks arising at approximately 3 metres from ground level. Largely defect free asymmetric crown.	NWR	B

APPENDIX 2

GLOSSARY OF ARBORICULTURAL TERMS

Abscission. The shedding of a leaf or other short-lived part of a woody plant, involving the formation of a corky layer across its base; in some tree species twigs can be shed in this way

Abiotic. Pertaining to non-living agents; e.g. environmental factors

Absorptive roots. Non-woody, short-lived roots, generally having a diameter of less than one millimetre, the primary function of which is uptake of water and nutrients

Adaptive growth. In tree biomechanics, the process whereby the rate of wood formation in the cambial zone, as well as wood quality, responds to gravity and other forces acting on the cambium. This helps to maintain a uniform distribution of mechanical stress

Adaptive roots. The adaptive growth of existing roots; or the production of new roots in response to damage, decay or altered mechanical loading

Adventitious shoots. Shoots that develop other than from apical, axillary or dormant buds; see also 'epicormic'

Anchorage. The system whereby a tree is fixed within the soil, involving cohesion between roots and soil and the development of a branched system of roots which withstands wind and gravitational forces transmitted from the aerial parts of the tree

Architecture. In a tree, a term describing the pattern of branching of the crown or root system

Axil. The place where a bud is borne between a leaf and its parent shoot

Bacteria. Microscopic single-celled organisms, many species of which break down dead organic matter, and some of which cause diseases in other organisms

Bark. A term usually applied to all the tissues of a woody plant lying outside the vascular cambium, thus including the phloem, cortex and periderm; occasionally applied only to the periderm or the phellem

Basidiomycotina (Basidiomycetes). One of the major taxonomic groups of fungi; their spores are borne on microscopic peg-like structures (basidia), which in many types are in turn borne on or within conspicuous fruit bodies, such as brackets or toadstools. Most of the principal decay fungi in standing trees are basidiomycetes

Bolling. A term sometimes used to describe pollard heads

Bottle-butt. A broadening of the stem base and buttresses of a tree, in excess of normal and sometimes denoting a growth response to weakening in that region, especially due to decay involving selective delignification

Bracing. The use of rods or cables to restrain the movement between parts of a tree

Branch:

- **Primary.** A first order branch arising from a stem
- **Lateral.** A second order branch, subordinate to a primary branch or stem and bearing sub-lateral branches
- **Sub-lateral.** A third order branch, subordinate to a lateral or primary branch, or stem and usually bearing only twigs

Branch bark ridge. The raised arc of bark tissues that forms within the acute angle between a branch and its parent stem

Branch collar. A visible swelling formed at the base of a branch whose diameter growth has been disproportionately slow compared to that of the parent stem; a term sometimes applied also to the pattern of growth of the cells of the parent stem around the branch base

Brown-rot. A type of wood decay in which cellulose is degraded, while lignin is only modified

Buckling. An irreversible deformation of a structure subjected to a bending load

Buttress zone. The region at the base of a tree where the major lateral roots join the stem, with buttress-like formations on the upper side of the junctions

Cambium. Layer of dividing cells producing xylem (woody) tissue internally and phloem (bark) tissue externally

Canker. A persistent lesion formed by the death of bark and cambium due to colonisation by fungi or bacteria

Canopy species. Tree species that mature to form a closed woodland canopy

Cleaning out. The removal of dead, crossing, weak, and damaged branches, where this will not damage or spoil the overall appearance of the tree

Compartmentalization. The confinement of disease, decay or other dysfunction within an anatomically discrete region of plant tissue, due to passive and/or active defences operating at the boundaries of the affected region

Compression strength. The ability of a material or structure to resist failure when subjected to compressive loading; measurable in trees with special drilling devices

Compressive loading. Mechanical loading which exerts a positive pressure; the opposite to tensile loading

Condition. An indication of the physiological vitality of the tree. Where the term 'condition' is used in a report, it should not be taken as an indication of the stability of the tree

Construction exclusion zone. Area based on the Root Protection Area (in square metres) to be protected during development, by the use of barriers and/or ground protection

Crown/Canopy. The main foliage bearing section of the tree

Crown lifting. The removal of limbs and small branches to a specified height above ground level

Crown thinning. The removal of a proportion of secondary branch growth throughout the crown to produce an even density of foliage around a well-balanced branch structure

Crown reduction/shaping. A specified reduction in crown size whilst preserving, as far as possible, the natural tree shape

Crown reduction/thinning. Reduction of the canopy volume by thinning to remove dominant branches whilst preserving, as far as possible the natural tree shape

Deadwood. Branch or stem wood bearing no live tissues. Retention of deadwood provides valuable habitat for a wide range of species and seldom represents a threat to the health of the tree. Removal of deadwood can result in the ingress of decay to otherwise sound tissues and climbing operations to access deadwood can cause significant damage to a tree. Removal of deadwood is generally recommended only where it represents an unacceptable level of hazard

Decurrent. In trees, a system of branching in which the crown is borne on a number of major widely-spreading limbs of similar size (cf. excurrent). In fungi with toadstools as fruit bodies, the description of gills which run some distance down the stem, rather than terminating abruptly

Defect. In relation to tree hazards, any feature of a tree which detracts from the uniform distribution of mechanical stress, or which makes the tree mechanically unsuited to its environment

Delamination. The separation of wood layers along their length, visible as longitudinal splitting

Dieback. The death of parts of a woody plant, starting at shoot-tips or root-tips

Disease. A malfunction in or destruction of tissues within a living organism, usually excluding mechanical damage; in trees, usually caused by pathogenic micro-organisms

Distal. In the direction away from the main body of a tree or subject organism (cf. proximal)

Dominance. In trees, the tendency for a leading shoot to grow faster or more vigorously than the lateral shoots; also the tendency of a tree to maintain a taller crown than its neighbours

Dormant bud. An axial bud which does not develop into a shoot until after the formation of two or more annual wood increments; many such buds persist through the life of a tree and develop only if stimulated to do so

Dysfunction. In woody tissues, the loss of physiological function, especially water conduction, in sapwood

DBH (Diameter at Breast Height). Stem diameter measured at a height of 1.5 metres (UK) or the nearest measurable point. Where measurement at a height of 1.5 metres is not possible, another height may be specified

Endophytes. Micro-organisms which live inside plant tissues without causing overt disease, but in some cases capable of causing disease if the tissues become physiologically stressed, for example by lack of moisture

Epicormic shoot. A shoot having developed from a dormant or adventitious bud and not having developed from a first year shoot

Excrescence. Any abnormal outgrowth on the surface of tree or other organism

Excurrent. In trees, a system of branching in which there is a well defined central main stem, bearing branches which are limited in their length, diameter and secondary branching (cf. decurrent)

Felling licence. In the UK, a permit to fell trees in excess of a stipulated number of stems or volume of timber

Flush-cut. A pruning cut which removes part of the branch bark ridge and or branch-collar

Girdling root. A root which circles and constricts the stem or roots possibly causing death of phloem and/or cambial tissue

Guying. A form of artificial support with cables for trees with a temporarily inadequate anchorage

Habit. The overall growth characteristics, shape of the tree and branch structure

Hazard beam. An upwardly curved part of a tree in which strong internal stresses may occur without being reduced by adaptive growth; prone to longitudinal splitting

Heartwood/false-heartwood/ripewood. Sapwood that has become dysfunctional as part of the natural aging processes

Heave. A term mainly applicable to a shrinkable clay soil which expands due to re-wetting after the felling of a tree which was previously extracting moisture from the deeper layers; also the lifting of pavements and other structures by root diameter expansion; also the lifting of one side of a wind-rocked root-plate

High canopy tree species. Tree species having potential to contribute to the closed canopy of a mature woodland or forest

Incipient failure. In wood tissues, a mechanical failure which results only in deformation or cracking, and not in the fall or detachment of the affected part

Included bark (ingrown bark). Bark of adjacent parts of a tree (usually forks, acutely joined branches or basal flutes) which is in face-to-face contact

Increment borer. A hollow auger, which can be used for the extraction of wood cores for counting or measuring wood increments or for inspecting the condition of the wood

Infection. The establishment of a parasitic micro-organism in the tissues of a tree or other organism

Internode. The part of a stem between two nodes; not to be confused with a length of stem which bear nodes but no branches

Lever arm. A mechanical term denoting the length of the lever represented by a structure that is free to move at one end, such as a tree or an individual branch

Lignin. The hard, cement-like constituent of wood cells; deposition of lignin within the matrix of cellulose microfibrils in the cell wall is termed Lignification

Lions tailing. A term applied to a branch of a tree that has few if any side-branches except at its end, and is thus liable to snap due to end-loading

Loading. A mechanical term describing the force acting on a structure from a particular source; e.g. the weight of the structure itself or wind pressure

Longitudinal. Along the length (of a stem, root or branch)

Lopping. A term often used to describe the removal of large branches from a tree, but also used to describe other forms of cutting

Mature Heights (approximate):

- **Low maturing** – less than 8 metres high
- **Moderately high maturing** – 8 – 12 metres high
- **High maturing** – greater than 12 metres high

Microdrill. An electronic rotating steel probe, which when inserted into woody tissue provides a measure of tissue density

Minor deadwood. Deadwood of a diameter less than 25mm and or unlikely to cause significant harm or damage upon impact with a target beneath the tree

Mulch. Material laid down over the rooting area of a tree or other plant to help conserve moisture; a mulch may consist of organic matter or a sheet of plastic or other artificial material

Mycelium. The body of a fungus, consisting of branched filaments (hyphae)

Occluding tissues. A general term for the roll of wood, cambium and bark that forms around a wound on a woody plant (cf. woundwood)

Occlusion. The process whereby a wound is progressively closed by the formation of new wood and bark around it

Pathogen. A micro-organism which causes disease in another organism

Photosynthesis. The process whereby plants use light energy to split hydrogen from water molecules, and combine it with carbon dioxide to form the molecular building blocks for synthesizing carbohydrates and other biochemical products

Phytotoxic. Toxic to plants

Pollarding. The removal of the tree canopy, back to the stem or primary branches. Pollarding may involve the removal of the entire canopy in one operation, or may be phased over several years. The period of safe retention of trees having been pollarded varies with species and individuals. It is usually necessary to re-pollard on a regular basis, annually in the case of some species

Primary branch. A major branch, generally having a basal diameter greater than 0.25 x stem diameter

Primary root zone. The soil volume most likely to contain roots that are critical to the health and stability of the tree and normally defined by reference to BS5837 (2005) Trees in Relation to Construction Recommendations

Priority. Works may be prioritised, 1. = high, 5. = low

Probability. A statistical measure of the likelihood that a particular event might occur

Proximal. In the direction towards from the main body of a tree or other living organism (cf. distal)

Pruning. The removal or cutting back of twigs or branches, sometimes applied to twigs or small branches only, but often used to describe most activities involving the cutting of trees or shrubs

Radial. In the plane or direction of the radius of a circular object such as a tree stem

Rams-horn. In connection with wounds on trees, a roll of occluding tissues which has a spiral structure as seen in cross-section

Rays. Strips of radially elongated parenchyma cells within wood and bark. The functions of rays include food storage, radial translocation and contributing to the strength of wood

Reactive Growth/Reaction Wood. Production of woody tissue in response to altered mechanical loading; often in response to internal defect or decay and associated strength loss (cf. adaptive growth)

Removal of dead wood. Unless otherwise specified, this refers to the removal of all accessible dead, dying and diseased branchwood and broken snags

Removal of major dead wood. The removal of, dead, dying and diseased branchwood above a specified size

Respacing. Selective removal of trees from a group or woodland to provide space and resources for the development of retained trees.

Residual wall. The wall of non-decayed wood remaining following decay of internal stem, branch or root tissues

Root-collar. The transitional area between the stem/s and roots

Root-collar examination. Excavation of surfacing and soils around the root-collar to assess the structural integrity of roots and/or stem

Root protection area. An area of ground surrounding a tree that contains sufficient rooting volume to ensure the tree's survival. Calculated with reference to BS5837 (2005)

Root zone. Area of soils containing absorptive roots of the tree/s described. The **Primary** root zone is that which we consider of primary importance to the physiological well-being of the tree

Sapwood. Living xylem tissues

Secondary branch. A branch, generally having a basal diameter of less than 0.25 x stem diameter

Selective delignification. A kind of wood decay (white-rot) in which lignin is degraded faster than cellulose

Shedding. In woody plants, the normal abscission, rotting off or sloughing of leaves, floral parts, twigs, fine roots and bark scales

Silvicultural thinning. Removal of selected trees to favour the development of retained specimens to achieve a management objective

Simultaneous white-rot. A kind of wood decay in which lignin and cellulose are degraded at about the same rate

Snag. In woody plants, a portion of a cut or broken stem, branch or root which extends beyond any growing-point or dormant bud; a snag usually tends to die back to the nearest growing point

Soft-rot. A kind of wood decay in which a fungus degrades cellulose within the cell walls, without any general degradation of the wall as a whole

Spores. Propagules of fungi and many other life-forms; most spores are microscopic and dispersed in air or water

Shrub species. Woody perennial species forming the lowest level of woody plants in a woodland and not normally considered to be trees

Sporophore. The spore bearing structure of fungi

Sprouts. Adventitious shoot growth erupting from beneath the bark

Stem/s. The main supporting structure/s, from ground level up to the first major division into branches

Stress. In plant physiology, a condition under which one or more physiological functions are not operating within their optimum range, for example due to lack of water, inadequate nutrition or extremes of temperature

Stress. In mechanics, the application of a force to an object

Stringy white-rot. The kind of wood decay produced by selective delignification

Storm. A layer of tissue which supports the fruit bodies of some types of fungi, mainly ascomycetes

Structural roots. Roots, generally having a diameter greater than ten millimetres, and contributing significantly to the structural support and stability of the tree

Subsidence. In relation to soil or structures resting in or on soil, a sinking due to shrinkage when certain types of clay soil dry out, sometimes due to extraction of moisture by tree roots

Subsidence. In relation to branches of trees, a term that can be used to describe a progressive downward bending due to increasing weight

Taper. In stems and branches, the degree of change in girth along a given length

Target canker. A kind of perennial canker, containing concentric rings of dead occluding tissues

Targets. In tree risk assessment (with slight misuse of normal meaning) persons or property or other things of value which might be harmed by mechanical failure of the tree or by objects falling from it

Topping. In arboriculture, the removal of the crown of a tree, or of a major proportion of it

Torsional stress. Mechanical stress applied by a twisting force

Translocation. In plant physiology, the movement of water and dissolved materials through the body of the plant

Transpiration. The evaporation of moisture from the surface of a plant, especially via the stomata of leaves; it exerts a suction which draws water up from the roots and through the intervening xylem cells

Understorey. A layer of vegetation beneath the main canopy of woodland or forest or plants forming this

Understorey tree species. Tree species not having potential to attain a size at which they can contribute to the closed high canopy of a woodland

Vascular wilt. A type of plant disease in which water-conducting cells become dysfunctional

Vessels. Water-conducting cells in plants, usually wide and long for hydraulic efficiency; generally not present in coniferous trees

Veteran tree. A loosely defined term for an old specimen that is of interest biologically, culturally or aesthetically because of its age, size or condition and which has usually lived longer than the typical upper age range for the species concerned

White-rot. A range of kinds of wood decay in which lignin, usually together with cellulose and other wood constituents, is degraded

Wind exposure. The degree to which a tree or other object is exposed to wind, both in terms of duration and velocity

Wind pressure. The force exerted by a wind on a particular object

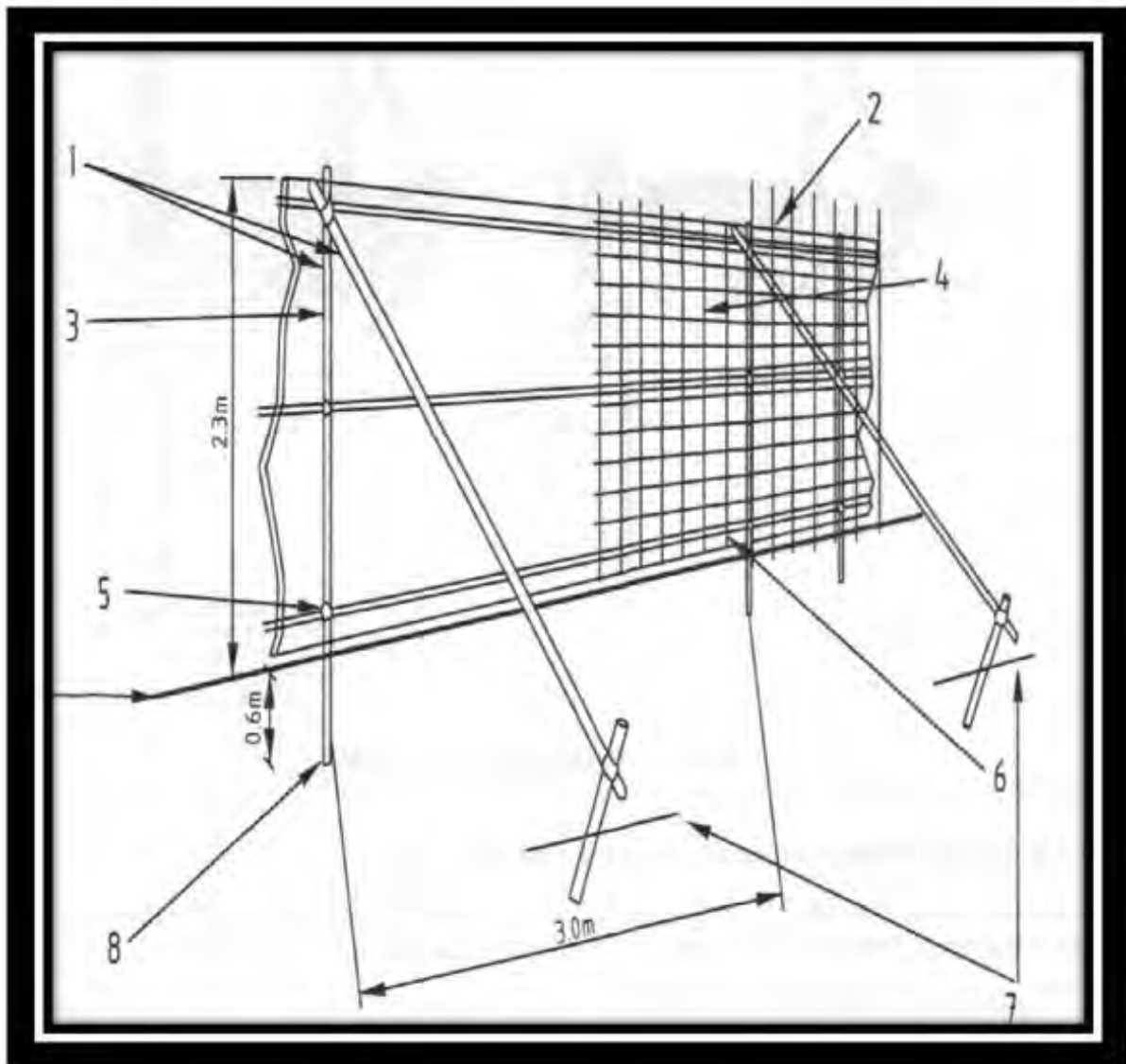
Windthrow. The blowing over of a tree at its roots

Wound dressing. A general term for sealants and other materials used to cover wounds in the hope of protecting them against desiccation and infection; only of proven value against fresh wound parasites

Woundwood. Wood with atypical anatomical features, formed in the vicinity of a wound

APPENDIX 3

**Default specification for protective barriers, as per
BS 5837: 2012 Figure 2.**



1 Standard scaffold poles

2 Uprights to be driven into the ground

3 Panels secured to uprights with wire ties and where necessary standard scaffold clamps

4 Weld mesh wired to the uprights and horizontals

5 Standard clamps

6 Wire twisted and secured on inside face of mesh

7 Ground level

8 Approx. 0.6 m driven into the ground

APPENDIX 4

Table 1 – BSI 5837 Tree Quality Assessment

Table 1 Cascade chart for tree quality assessment

Category and definition	Criteria (including subcategories where appropriate)	Identification on plan
Trees unsuitable for retention (see Note)		
Category U Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years	- Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other category U trees (e.g. where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning) - Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline - Trees infected with pathogens of significance to the health and/or safety of other trees nearby, or very low quality trees suppressing adjacent trees of better quality <i>NOTE Category U trees can have existing or potential conservation value which it might be desirable to preserve; see 4.5.7.</i>	Trees identified by tree number and coloured circle referring to retention category.
1 Mainly arboricultural qualities 2 Mainly landscape qualities 3 Mainly cultural values, including conservation		
Trees to be considered for retention		
Category A Trees of high quality with an estimated remaining life expectancy of at least 40 years	Trees that are particularly good examples of their species, especially if rare or unusual; or those that are essential components of groups or formal or semi-formal arboricultural features (e.g. the dominant and/or principal trees within an avenue)	Trees, groups or woodlands of significant conservation, historical, commemorative or other value (e.g. veteran trees or wood-pasture)
Category B Trees of moderate quality with an estimated remaining life expectancy of at least 20 years	Trees that might be included in category A, but are downgraded because of impaired condition (e.g. presence of significant though remediable defects, including unsympathetic past management and storm damage), such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to merit the category A designation	Trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals; or trees occurring as collectives but situated so as to make little visual contribution to the wider locality
Category C Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150 mm	Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories	Trees with material conservation or other cultural value
	Trees present in groups or woodlands, but without this conferring on them significantly greater collective landscape value; and/or trees offering low or only temporary/transient landscape benefits	Trees with no material conservation or other cultural value
		Colour Dark Red RGB Code 127-000-000 Colour Light Green RGB Code 000-255-000 Colour Mid Blue RGB Code 000-000-255

APPENDIX 5

TREE CONSTRAINTS PLAN

Adam Riedi

Kilgour Steading, Falkland, Fife KY15 7AE
www.blebotreesurgery.co.uk

Tree Constraints Plan

SCALE : 1 : 1500

DATE : 3/8/2015

MAP FILENAME : Denovan Park, Denovan Village, Dunipace

Peter Technology Services Ltd. Email: info@peterstechnology.co.uk
 Maps based on Ordnance Survey MasterMap or 1:25000 Mid-scale data with the permission of the Controller of HMSO. © Crown Copyright

N

Crown Spread

Root Protection Area

Shading Arc

Category 'A'

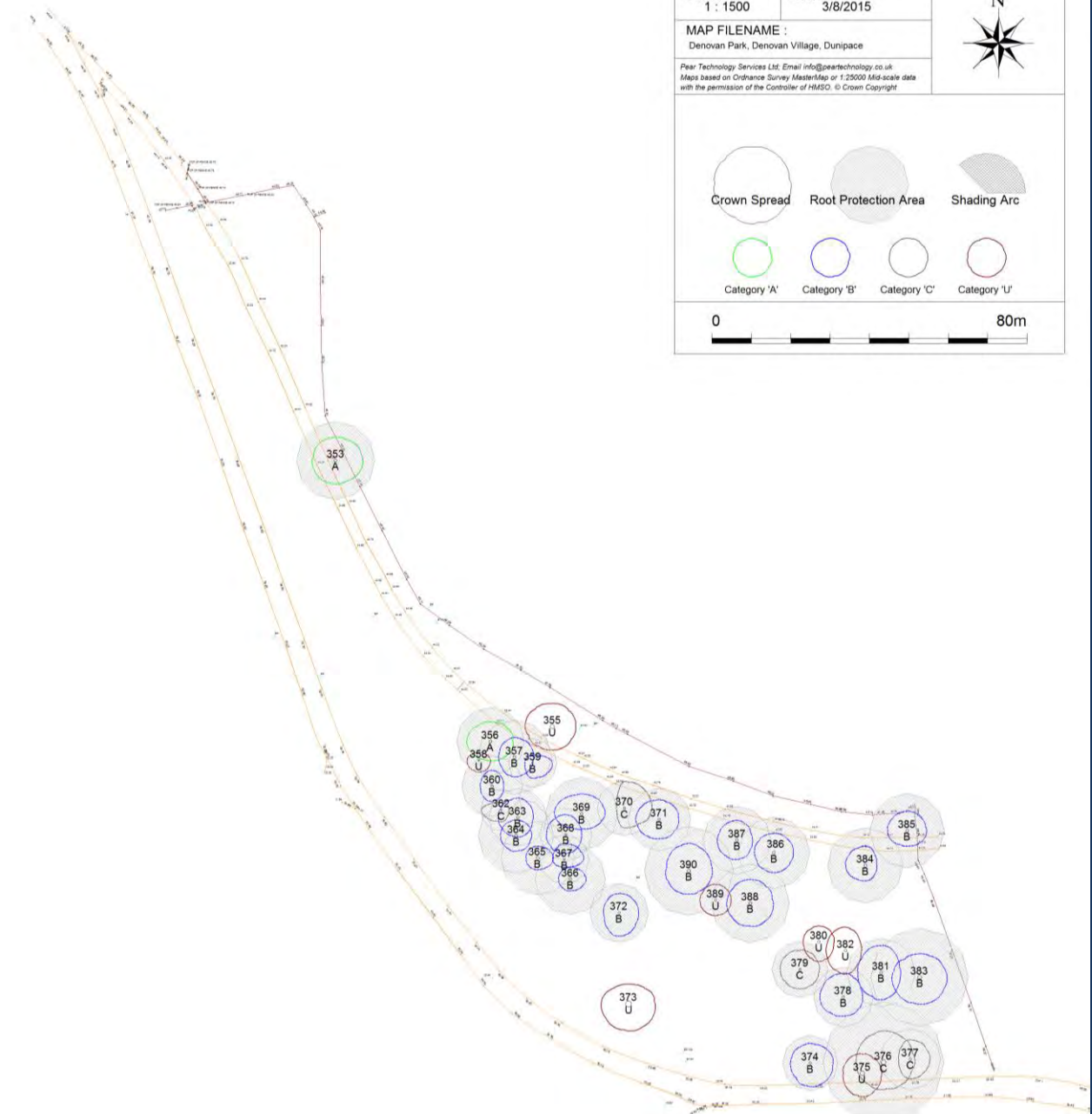
Category 'B'

Category 'C'

Category 'U'

0

80m



APPENDIX 6

WIDER TREE SAFETY ISSUES

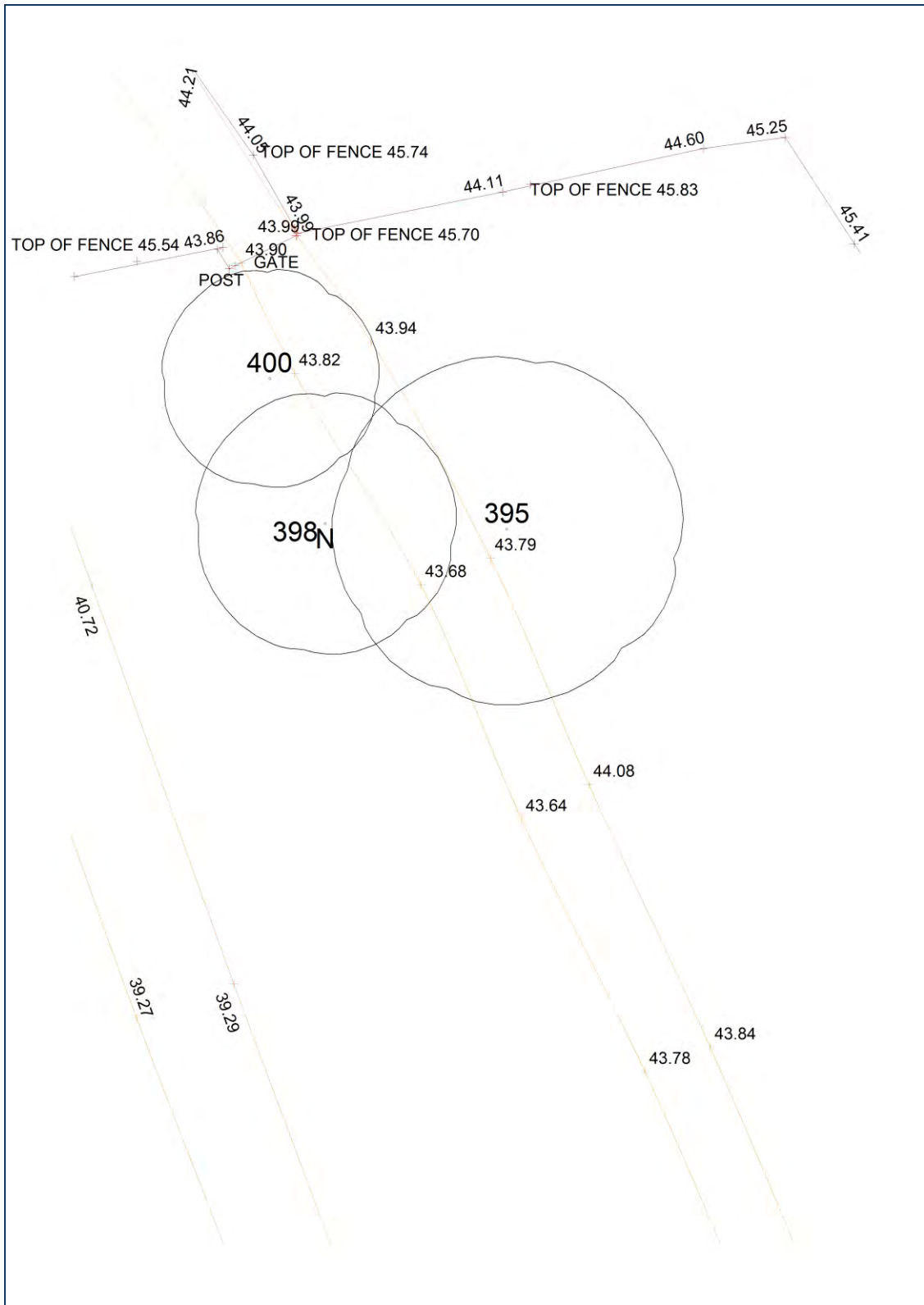
During the course of the site visit, three additional trees were observed as needing remedial action based upon the current levels of site usage and risk to people and property.

Although these trees were not part of the scope of the pre-development survey, the defects observed during the course of the site visit, were so pronounced that we have tagged the trees and made recommendations for their management.

Please note that this does not guarantee the stability of other trees out-with the scope of the pre-development survey.

Tag number	Species	Observation	Recommendation
395	Horse chestnut	Very pronounced stem decay. Lean towards power line.	Fell to ground level within 3 months.
398	Common oak	Dead	Extreme pruning and retain for habitat. Reduce in height to within approximately 6 metres from ground level and coroner cut. Carry out within 6 months.
400	Norway maple	Pronounced trunk decay.	Extreme pruning and retain for habitat. Reduce in height to within approximately 4 metres from ground level and coroner cut. Carry out within 6 months.

Please see the following page for tree position plan with estimated tree position.



PLANNING APPLICATION DETERMINED BY DIRECTOR OF DEVELOPMENT SERVICES UNDER DELEGATED POWERS – REPORT OF HANDLING

PROPOSAL : Development of Land to Form Holiday Park with Raised Deck Mounted Chalets, Camping Pods, Deck Mounted Reception Building and Ancillary Roads & Drainage
LOCATION : Land To The South West Of Denovan House, Denny, ,
APPLICANT : Denovan Village Ltd
APPN. NO. : P/15/0022/FUL
REGISTRATION DATE : 9 March 2015

1. SITE LOCATION / DESCRIPTION OF PROPOSAL

The application site lies to on the north side of Denovan Road and between a Category B listed building (Denovan House) and West Lodge. It comprises woodland as part of a designed landscape providing the setting for the listed mansion house. The site is steeply sloping in places and reduces in height in a southerly direction towards Denovan Road. At the top of the slope is an access track running east-west between Denovan House and West Lodge. A timber cabin, mounted on a raised deck, is sited along this access track.

The application is to develop the woodland area to form a holiday park comprising raised deck mounted chalets (10), camping pods (17), a deck mounted reception building and ancillary roads and drainage.

The applicant has submitted the following information in support of the application:-

- A Supporting Statement;
- A Tree Report;
- A Tree Replacement Report; and
- A Business Plan 2015 to 2018.

2. SITE HISTORY

Planning application P/14/0398/PPP for the development of land for residential purposes was refused on 23 January 2015. The applicant has requested that this decision be reviewed by the Council's Planning Review Committee.

3. CONSULTATIONS

The following responses to consultation were received:

Economic Development	Positive comments
Roads Development Unit	Further information requested
Scottish Water	No response
Environmental Protection Unit	No objection subject to conditions
Historic Scotland	No objection
Museum Service	No response
VisitScotland	Support in principle

Where the local Community Council requested consultation, their comments appear above.

4. PUBLIC REPRESENTATION

In the course of the application, 18 contributor(s) submitted letter(s) to the Council. The salient issues are summarised below.

- There are very firm restrictions on development of land within the curtilage of a listed building;
- Adverse effect on setting of listed Denovan House, Denovan Mains and Denovan Church;
- The description of the application as 'estate forest land' is misleading - it is effectively the garden for Denovan House;
- Destruction of an area of policy/ garden ground;
- Impacts of natural and built environment;
- Will necessitate felling of mature trees;
- Some felling has already taken place;
- Ecological damage and debris from fires on the land;
- Burning of tyres;
- Destruction of wildlife habitat (roe deer, owls, bats and, very probably, badgers);
- Destruction of an established ancient woodland and bluebell wood;
- The proposed area is currently a natural wilderness populated by flora and fauna including various varieties of flowers and plants;
- Will deter birdlife from populating the area;
- No environmental study/ assessment has been undertaken;
- No ecology impact survey has been submitted;
- The submitted Tree Survey is largely irrelevant as many trees have been removed and the suggested mitigation measures are wholly inadequate;
- The development would increase car use and is unsustainable;
- Negative impacts on property value;
- The tranquillity of the area would be affected;
- Excessive noise, disturbance and light pollution;
- Potential for anti-social behaviour as the development is more likely to attract groups of young adults (no on-site facilities for families are proposed);
- The proposed development would accommodate around 100 people when full;
- Security/ trespass concerns;
- Overlooking of a number of properties, especially due to the raised deck designs of the chalets;
- Proposed cafe is wholly unsuitable to the location;
- Increase in traffic on a road where vehicles have to pass each other carefully;
- The extra traffic would be dangerous;
- Denovan Road cannot cope with any further traffic;
- The road would require upgrading to similar to the local Stirling Road;
- Safety issues for cyclists and walkers;
- The proposed footpath starts at a blind corner;
- The road is classified with a 60mph speed limit;
- What are the plans for parking and access?;
- The proposed number of parking spaces will be wholly inadequate;
- The proposed access is at a dangerous point on Denovan Road with restricted visibility;
- Access onto a very busy classified road could be problematic;
- The sewage that would be generated does not seem to have been adequately considered;
- The proposed drainage area is dangerously close to a family home;
- The drainage area could give rise to unpleasant smells, stagnant water and unwanted pests;
- Concern that effluent could enter the watercourse;
- It would appear that the first chalet had already been erected in advance of the application;
- If the existing chalet is an example of the type of building proposed, the development will be an eyesore;
- The development proposal does not meet the tests for good design; the proposed siting of the units is intrusive and the scale of the development would destroy the character of the site;
- The submitted designs for the building and internal road would be visually intrusive;
- The scale of the proposed car-park is highly unsympathetic and over-development in the countryside;

- The planned bulk refuse storage would be unsightly;
- The proposal exceeds the carrying capacity of the land (much being steep hillside);
- Detriment to local environment by removal of original walls and mature trees to improve visibility;
- Construction of the wooden 'tester' cabin was extremely noisy;
- Does the existing chalet have planning permission?;
- Disregard for the planning system as a large chalet has been constructed and a shipping container located on the site;
- There is no support for this proposal in the local area;
- There are several other campsites and cabin businesses as well as hotels and restaurants in the area which currently do not have enough business to keep them going;
- The proposed holiday village is not viable without considerable cost in major road improvements and other infrastructure;
- It has not been demonstrated that a countryside location is required and that there is an overriding economic need for the development;
- The proposal does not meet the Council's criteria for tourism development;
- No market demand/ need for the proposed accommodation has been demonstrated;
- Worrying scenario of long term residential occupancy if the letting is not successful;
- The employment opportunities for the site would be minimal;
- Little financial benefit to the surrounding area of Denny and Dunipace;
- If granted, the application would likely create demand for further development of the site;
- Health and Safety issues if the development was to be heated by calor gas bottles (this appears to be the case with the existing chalet) and if there is outdoor cooking at the pods;

5. THE DEVELOPMENT PLAN

The proposed development was assessed against the undernoted Development Plan(s):

Falkirk Council Structure Plan

Econ.7 Tourism

Falkirk Council Local Plan

EQ19 - Countryside

EQ14 - Listed Buildings

EQ18 - Historic Gardens and Designed Landscapes

EQ25 - Biodiversity

EQ24 - Ecological Sites and Features

EQ26 - Trees, Woodland and Hedgerows

ST11 - Sustainable Urban Drainage

EP16 - Leisure and Tourism Development in the Countryside

Falkirk Council Local Development Plan - Proposed Plan

CG01 - Countryside

D09 - Listed Buildings

D12 - Historic Gardens and Designed Landscapes

GN03 - Biodiversity and Geodiversity

GN04 - Trees, Woodland and Hedgerows

INF12 - Water and Drainage Infrastructure

CG04 Business Development in the Countryside

5A. MATERIAL CONSIDERATIONS

The following matters were considered to be material in the consideration of the application:

Falkirk Council Supplementary Guidance

Responses to Consultation

Assessment of Public Representations

Falkirk Local Development Plan (Proposed Plan)

6. PLANNING ASSESSMENT

The Development Plan

The proposal was assessed against both the Falkirk Council Structure Plan and the Falkirk Council Local Plan.

Structure Plan Policies

Policy Econ.7 states that the Council will support the development of sustainable tourism in the Council through the provision of an improved range of attractions and supporting infrastructure. Tourism development must be environmentally sustainable in terms of location and design. Whilst the proposal is not at a key location for development within the Falkirk Council area, it is recognised that it could support the main target markets including short breaks. The Council's Economic Development Unit and Visit Scotland are supportive of the proposal in terms of the contribution that it could make to the Council's tourism ambitions and to the range of facilities on offer in the Falkirk area. In terms of sustainability, the Economic Development Unit considers that the projected turnover is realistic and achievable (and the project would be eligible for grant funding). In addition, it is accepted that the nature of the proposal requires a countryside location. However, there are outstanding concerns in relation to the environmental sustainability of the proposal, given the sensitivity of the woodland and its setting to new development. These concerns include the scale of the development, the siting of the proposed chalets and the impact of the proposed access road and car-parking area. The outstanding concerns are explained further in this report.

Local Plan Policies

Policy EP16 provides for leisure and tourism development where a particular need for a countryside location has been demonstrated. It is accepted that a proposal for holiday cabins and camping pods, within a woodland setting, could not reasonably be located within an urban area.

Policy EP16 supports proposals for small-scale chalet developments and camping sites subject to appropriate siting. Policy EQ19 states that the scale, siting and design of development will be strictly controlled to ensure there is no adverse impact on the character of the countryside. Policy EQ14 seeks to preserve the character, appearance and setting of listed buildings. Policy EQ18 generally presumes against development that would adversely affect the character and setting of sites identified as Designed Landscapes. Policy EQ24 presumes against development that would have an adverse effect on protected species. Policy EQ25 presumes against development that would have an adverse effect on national and local priority habitats and species, and states that development proposals should incorporate measures to promote, enhance and add to biodiversity. Policy EQ26 discourages felling detrimental to landscape, amenity, nature conservation or recreational interests. In particular, ancient,

long established and semi-natural woodland will be protected as a habitat resource of irreplaceable value. Policy ST11 requires surface water management to reflect best practice and include appropriate flood attenuation measures.

The submitted Tree Report indicated that thirty six trees were surveyed and the tree population is comprised of broad-leaved trees that are both native and exotic in origin (including some notable mature broad-leaved tree including common lime, common oak, sycamore, horse chestnut and common beech). The report classified twenty two of the surveyed trees as Category B trees (meaning of moderate quality and value to be considered for retention) and recommended removal of seven trees due to their poor condition. Two trees were classified as Category A (high quality) whilst the remainder were classified as Category C. The report identified the root protection areas for all retention category trees (Categories A to C) and recommended that the root protection areas be protected by a suitable barrier. It also set out restrictions within the tree protection areas (including no alterations to levels for any purpose). However, the submitted site layout plan shows the proposed access road (involving changes in level) and car-park encroaching into the root protection areas, as well as some of the proposed chalets. It is vital that the submitted site layout is reviewed in the context of the tree survey and its recommendations. In terms of the current submission, there are concerns that the site does not have the capacity to accommodate the scale of development proposed and the proposal (in its current form) could result in damage causing tree loss in the longer term.

In order to enable a proper assessment of the proposal against the relevant Local Plan policies, further information was requested from the applicant. Whilst the submission of a Tree Survey Report and a Business Plan is acknowledged, the following requested information remains outstanding:-

- An Ecological Assessment including a Phase 1 habitat survey and protected species survey;
- An assessment of the proposal's effect on the designed landscape of Denovan (guidance is given in Section 5 of the Council's Supplementary Guidance SG09); this should include a desk top assessment/ survey to provide baseline information of Denovan Estate/ original historic features;
- An assessment of the proposal's effect on Denovan House as a listed building; as above, this should include a desk top assessment/ survey to provide baseline information of Denovan Estate/ original historic features;
- Visual/ landscape assessment, including an assessment of the visual effects from the adjacent road, nearby dwellings and the wider countryside to the south;
- Clarification in respect of aspects of the submitted Tree Report;
- Landscape Planting Plan with specification of planting to demonstrate mitigation of the identified visual effects of the proposed building/ works (screening) and to ensure a diverse woodland character is retained and enhanced in the long term;
- A Management Plan/ Statement for the woodland to demonstrate that the newly planted native trees and under-storey shrubs will be maintained in initial years to aid rapid establishment and to detail any replacements required and general tree surgery / maintenance;
- Superimposing of the final layout (and ideally utility routes) on the plan of the tree root protection areas to fully illustrate the avoidance of damage to tree routes; a basic 'Tree Protection Plan' should show the position of temporary protective fencing around the root protection areas of trees nearest to working areas during the construction process and show the trees to be removed; and
- A Drainage Strategy.

In the absence of this requested information the applicant has failed to demonstrate that the potential impacts of the proposed development have been satisfactorily addressed and therefore that the application can be assessed as complying with the Development Plan.

Falkirk Council Supplementary Guidance

The Council's Supplementary Guidance (SG) provides detailed guidance on how particular local development plan policies should be applied in practice. The relevant SG's in this case include SG06 (Trees and Development), SG09 (Landscape Character Assessments and Landscape Designations) and SG02 (Biodiversity and Development).

SG09 identifies Denovan House as a non-inventory designed landscape. Non-inventory designed landscapes have varying levels of intactness and existence of original features and remain locally valued and make an important contribution to the local landscape and cultural heritage. The detailed guidelines

applicable to non-inventory designed landscapes are set out in the SG and include a requirement for detailed site survey, an assessment of how the character and setting of the designed landscape will be protected and (where appropriate) a supporting management plan. This information does not accompany the application therefore the Council's guidance has not been followed.

SG06 indicates that development likely to affect trees should be accompanied by a Tree Survey, Constraints Plan and Tree Protection Plan. It is acknowledged that tree information has been submitted but, as detailed in this report, the submitted site layout does not appear to have been informed by the recommendations of the Tree Survey report.

SG02 identifies a five step process to ensure that biodiversity conservation is adequately addressed in a development proposal. Step 1 (consultation and scoping) and Step 2 (detailed surveys and impact assessment) inform the design of the development proposal, the biodiversity measures to be implemented and subsequent management and monitoring. Step 2 typically requires habitat and species surveys and an ecological impact assessment. The applicant has been requested to submit an ecological assessment including a Phase 1 habitat survey and protected species survey but to date this information has not been received.

Responses to Consultation

The Roads Development Unit have raised concerns associated with increasing the volume of traffic and the numbers of pedestrians and cyclists on Denovan Road, which is a typical rural road with restricted width, alignment and visibility, and no footway or lighting provision in the vicinity of the site. They note that removal of part of an existing boundary wall and a mature tree would be required to achieve the necessary visibility to the west. They consider that it is difficult to determine whether the proposed parking would be adequate and consider it reasonable to request the identification of an over-spill parking area. They request the submission of a drainage strategy.

The Environmental Protection Unit have requested the submission of a contaminated land assessment due to previous mining and agriculture at the site and the presence of a bleach works, a print works and other potential sources of contaminated land within 250 metres of the application site. They advise that the applicant would be required to apply to Falkirk Council for a license in terms of the Caravan Sites and Control of Development Act 1960, if planning permission is granted.

The Economic Development Unit have reviewed the submitted Business Plan and are satisfied that it demonstrates (a) evidence of detailed market research and market need in relation to visitor accommodation provision, (b) a clear understanding of Falkirk's current tourism performance and development ambition, and how the proposed development could contribute directly to this and (c) a sound understanding of industry quality standards and the marketing methods and channels needed to successfully promote such a venture. They consider that the projected turnover is realistic and achievable in line with year-round quality tourism provision. They consider that the proposed style of accommodation in the context of the outdoor/ woodland setting and in alignment with an emphasis on activity tourism makes for a unique offering for the Falkirk area and one that would be highly marketable with growth potential.

Visit Scotland support the application in principle and the type of quality accommodation and visitor facilities proposed, provided it is consistent with other relevant local plans. They note that tourism is a major contributor to the economy of Falkirk. They note the Falkirk Area Tourism Strategy 2015-2020 which includes a specific objective to increase overnight accommodation in the Falkirk area by 20% over the next five years.

Historic Scotland have no objection to the application and advise that there should be no impact on the setting of the nearest scheduled monument (Doghillock dun), due to its distance from the proposed development and intervening topography. They note that the proposed development is in the vicinity of the Category B listed Denovan House and Denovan Mains and the Council will no doubt wish to assure itself that there will be no adverse impacts on the curtilage or setting of these listed buildings.

Assessment of Public Representations

The concerns raised in the representations are summarised in this report. In relation to those concerns, the following comments are considered to be relevant:-

- A range of landscape, amenity and environmental related concerns have been raised. As detailed in this report, the applicant has failed to satisfactorily address the potential impacts of the development proposal in relation to these matters, as the requested information has not been submitted;
- This report also identifies potential road safety issues. It has not been demonstrated that the existing road infrastructure is suitable to serve a development of the scale and nature proposed;
- The need for a countryside location for the development proposal is accepted in principle;
- The development proposal can be supported from the point of view of market need and the Council's tourism strategy, as informed by the comments of the Council's Economic Development Unit and Visit Scotland;
- It is confirmed that the existing cabin at the site is unauthorised in planning terms. This is being pursued as a separate matter and further information has been requested from the applicant. The Council has planning enforcement options available to it which it exercises as appropriate; and
- The representations raise some matters which are not material to the planning application. They include the economic viability of other tourist related businesses in the area, the stated lack of support for the proposal in the local area, previous fires/ burning on the land, negative impacts on property values, the potential for anti-social behaviour, trespass concerns, and health and safety issues associated with the use of gas bottles and outdoor cooking;

Falkirk Local Development Plan (Proposed Plan)

The Proposed Falkirk Local Development Plan is expected to be adopted in 2015, at which point it will replace the current Structure Plan and Local Plan. It provides the most up to date indication of Falkirk Council's views in relation to Development Plan Policy and constitutes a material consideration in the determination of planning applications.

The relevant policies of the Proposed Plan are similar to those of the Falkirk Council Local Plan which the application has been assessed in this report as being contrary to. Accordingly it is also concluded that the applicant does not accord with the Proposed Plan.

7. CONCLUSION

The application is considered to be contrary to the Development Plan, for the reasons detailed in this report. The report accepts in principle the need for a countryside location for the development proposal and the potential contribution the proposal could make to tourism in the Falkirk Council area. However, the report highlights the need for further information from the applicant across a range of matters in order to demonstrate that the impacts of the development proposal can be satisfactorily addressed. There is a real concern that the development proposal in its current form could threaten the retention and longevity of the existing mature woodland setting, which in itself is a critical element of the uniqueness and marketability of the proposal.

The application is therefore recommended for refusal.

The applicant was invited to withdraw the application and make a resubmission following further discussions with the Development Management Unit and preparation of the requisite information. However, the application was not withdrawn and a recommendation has been prepared, in order to deal with the application timeously.

8. RECOMMENDATION

Refuse Planning Permission

Refusal is recommended for the following

Reason(s):

1. The application is considered to be contrary to Policy EQ19 (Countryside) and Policy EP16 (Leisure and Tourism Development in the Countryside) of the Falkirk Council Local Plan and to Policy CG01 (Countryside) and Policy CG04 (Business Development in the Countryside) of the Falkirk Local Development Plan (Proposed Plan) as it has not been demonstrated that the scale, siting and design of the proposed development is appropriate at this countryside location.
2. The application is considered to be contrary to Policy EQ14 (Listed Buildings) of the Falkirk Council Local Plan and to Policy D09 (Listed Buildings) of the Falkirk Local Development Plan (Proposed Plan) as it has not been demonstrated that the development proposal would preserve the setting of a B- Listed property (Denovan House).
3. The application is considered to be contrary to Policy EQ18 (Historic Gardens and Designed Landscapes) of the Falkirk Council Local Plan and to Policy D12 (Historic Gardens and Designed Landscapes) of the Falkirk Local Development Plan (Proposed Plan) as it has not been demonstrated that the development proposal would retain the character and setting of a non-inventory designed landscape (Denovan House).
4. The application is considered to be contrary to Policy EQ24 (Ecological Sites and Features) and Policy EQ25 (Biodiversity) of the Falkirk Council Local Plan and to Policy GN03 (Biodiversity and Geodiversity) of the Falkirk Local Development Plan (Proposed Plan) as it has not been demonstrated that the development proposal would promote the biodiversity of the Falkirk Council area and is capable of mitigating any potential impacts on protected species.
5. The application is considered to be contrary to Policy EQ26 (Trees, Woodland and Hedgerows) of the Falkirk Council Local Plan and to Policy GN04 (Trees, Woodland and Hedgerows) of the Falkirk Local Development Plan (Proposed Plan) as the development proposal encroaches within the tree protection areas of the existing trees, to the potential detriment of local landscape, amenity and nature conservation interests.
6. The application is considered to be contrary to Policy ECON.7 (Tourism) of the Falkirk Council Structure Plan as it has not been demonstrated that the development proposal is environmentally sustainable.
7. The application is considered to be contrary to Policy ST11 (Sustainable Urban Drainage) of the Falkirk Council Local Plan and to Policy INF12 (Water and Drainage Infrastructure) of the Falkirk Local Development Plan (Proposed Plan) as it has not been demonstrated, through submission of a Drainage Strategy, that surface water management for the development proposal would reflect best practice on sustainable drainage and include appropriate flood attenuation measures.
8. The application is not considered to be in the best interests of road safety as it has not been demonstrated that Denovan Road, by virtue of its restricted width, alignment and visibility, and its lack of footway and lighting provision, is suitable to serve a development of the scale and nature proposed.

Informatives:

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02, 03, 04 and 05.


Director of Development Services

19.6.15
Date

Contact Officer : Brent Vivian
(Senior Planning Officer) 01324 504935



**Town and Country Planning (Scotland) Act 1997 as Amended
Issued under a Statutory Scheme of Delegation.**

Falkirk Council

Refusal of Planning Permission

Agent
McFarlane Curran
FAO Colm Curran
Mafeking
12 Main Street
Comrie
Dunfermline
KY12 9HD

Applicant
Denovan Village Ltd
FAO Miss's Jillian and Helen Edmund
The Cabin
1 Denovan Park
Denovan Road
Dunipace
Denny
FK6 6BJ

This Notice refers to your application registered on 9 March 2015 for permission in respect of the following development:-

Development	Development of Land to Form Holiday Park with Raised Deck Mounted Chalets, Camping Pods, Deck Mounted Reception Building and Ancillary Roads & Drainage at
Location	Land To The South West Of Denovan House, Denny

The application was determined under Delegated Powers. Please see the attached guidance notes for further information, including how to request a review of the decision.

In respect of applications submitted on or after 1 January 2010, Falkirk Council does not issue paper plans. Plans referred to in the informatives below can be viewed online by inserting your application number at <http://eplanning.falkirk.gov.uk/online/>

In accordance with the plans docquetted or itemised in the attached informatives as relative hereto, Falkirk Council, in exercise of its powers under the above legislation, hereby

Refuses Detailed Planning Permission

The Council has made this decision for the following

Reason(s):

1. The application is considered to be contrary to Policy EQ19 (Countryside) and Policy EP16 (Leisure and Tourism Development in the Countryside) of the Falkirk Council Local Plan and to Policy CG01 (Countryside) and Policy CG04 (Business Development in the Countryside) of the Falkirk Local Development Plan (Proposed Plan) as it has not been demonstrated that the scale, siting and design of the proposed development is appropriate at this countryside location.
2. The application is considered to be contrary to Policy EQ14 (Listed Buildings) of the Falkirk Council Local Plan and to Policy D09 (Listed Buildings) of the Falkirk Local Development Plan (Proposed Plan) as it has not been demonstrated that the development proposal would preserve the setting of a B- Listed property (Denovan House).
3. The application is considered to be contrary to Policy EQ18 (Historic Gardens and Designed Landscapes) of the Falkirk Council Local Plan and to Policy D12 (Historic Gardens and Designed Landscapes) of the Falkirk Local Development Plan (Proposed Plan) as it has not been demonstrated that the development proposal would retain the character and setting of a non-inventory designed landscape (Denovan House).

4. The application is considered to be contrary to Policy EQ24 (Ecological Sites and Features) and Policy EQ25 (Biodiversity) of the Falkirk Council Local Plan and to Policy GN03 (Biodiversity and Geodiversity) of the Falkirk Local Development Plan (Proposed Plan) as it has not been demonstrated that the development proposal would promote the biodiversity of the Falkirk Council area and is capable of mitigating any potential impacts on protected species.
5. The application is considered to be contrary to Policy EQ26 (Trees, Woodland and Hedgerows) of the Falkirk Council Local Plan and to Policy GN04 (Trees, Woodland and Hedgerows) of the Falkirk Local Development Plan (Proposed Plan) as the development proposal encroaches within the tree protection areas of the existing trees, to the potential detriment of local landscape, amenity and nature conservation interests.
6. The application is considered to be contrary to Policy ECON.7 (Tourism) of the Falkirk Council Structure Plan as it has not been demonstrated that the development proposal is environmentally sustainable.
7. The application is considered to be contrary to Policy ST11 (Sustainable Urban Drainage) of the Falkirk Council Local Plan and to Policy INF12 (Water and Drainage Infrastructure) of the Falkirk Local Development Plan (Proposed Plan) as it has not been demonstrated, through submission of a Drainage Strategy, that surface water management for the development proposal would reflect best practice on sustainable drainage and include appropriate flood attenuation measures.
8. The application is not considered to be in the best interests of road safety as it has not been demonstrated that Denovan Road, by virtue of its restricted width, alignment and visibility, and its lack of footway and lighting provision, is suitable to serve a development of the scale and nature proposed.

Informatives:

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02, 03, 04 and 05.

19 June 2015


Director of Development Services

Sent by e-mail: adtm1dmscorr@falkirk.gov.uk

Development Services
Falkirk Council
Abbotsford House
Davids Loan
FALKIRK
FK2 7YZ

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Direct Line: 0131 668 8662
Switchboard: 0131 668 8600
Martin.Brann@scotland.gsi.gov.uk

Our ref: AMH/6929/10
Our Case ID: 201407830
Your ref: P/15/0022/FUL

24 March 2015

Dear Sirs

Town And Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Development of land to form holiday park with raised deck mounted chalets, camping pods, deck mounted reception building and ancillary roads and drainage, Land to the South West of Denovan House, Denny

Thank you for your consultation dated 12 March regarding the above proposed development.

We have considered your consultation in terms of the nearest designated site within our remit: ***Doghillock, dun 700m N of (Scheduled Monument Index No. 6929)***. The proposed development is located 1.1km SSW of the monument and due to the distance and intervening topography there should be no impact on its setting. We therefore confirm that we do not object to the application.

However, the proposed holiday park is in the vicinity of the category B listed ***Denovan House*** and category B listed ***Denovan Mains*** and the Council will no doubt wish to assure itself that there will be no adverse impacts on the curtilage or setting of the listed buildings.

Yours faithfully

MARTIN BRANN

Senior Heritage Management Officer (Ancient Monuments)

Morris, John

From: Russell, Craig
Sent: 25 March 2015 12:15
To: adm1dmbcorr
Cc: Steedman, Russell; Walker, Michael
Subject: P/15/0022/FUL

Development Services

Memo

To: Brent Vivian
Planning & Transportation (Development Management)

From: Craig Russell
Roads and Design (Roads Development & Flooding)

Date: 25 March 2015 **Enquiries:** 4732 **Fax:** 4850

Our Ref: 150325/CR/P/15/0022/FUL **Your Ref:** P/15/0022/FUL

Proposal : Development of Land to Form Holiday Park with Raised Deck
Mounted Chalets, Camping Pods, Deck Mounted Reception
Building and Ancillary Roads & Drainage

Location : Land To The South West Of Denovan House Denny

I refer to your consultation dated 12 March 2015 concerning the above application and would offer the following comment.

Roads Comment

The application site is located approximately 1500m east of the junction between Denovan Road and the A872. Access to the site is from Denovan Road, a typical rural road of restricted width, alignment and visibility. There is no footway or lighting provision in the vicinity of the application site. Furthermore, there are several locations on Denovan Road, both east and west of the proposed site, where the minimum required forward visibility is unavailable due to either carriageway alignment and/or roadside vegetation.

There are, therefore, concerns associated with increasing the volume of traffic on a rural road of this nature.

In addition to increasing traffic volume in the area, the proposals will likely increase the number of pedestrians and cyclists using Denovan Road. Whilst it is acknowledged that the proposals include the formation of a short length of footway located toward the site's southern boundary, as stated previously, the remainder of Denovan Road is not served by a footway, therefore, the introduction of pedestrian movements along Denovan Road is not considered to be in the best interests of road safety.

The proposals include the formation of a new vehicular access located toward the site's south eastern boundary. Visibility splays measuring 2.4m x 60m require to be provided in both directions from the access onto Denovan Road. The required visibility is achievable toward the east, however, removal of part of an existing boundary wall and mature tree will be required to achieve visibility toward the west.

Parking for 14No. vehicles has been provided. It is difficult to determine whether this will be adequate, therefore, it is considered reasonable to request the identification of an overspill area.

Surface Water Drainage/Flooding Comment

The Council's Flood Prevention Officers have requested submission of a drainage strategy. Reference should be made to the Council's Flooding and Sustainable Urban Drainage Systems SPG for further information.

To summarise, in view of the concerns raised in this response, it is advised that consent should only be considered if the proposal is essential to the pursuance of agricultural, forestry or other economic activity appropriate to a rural location.

Regards,
Craig Russell.

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The views and opinions expressed in this e-mail are the senders own and do not necessarily represent the views and opinions of Falkirk Council.

Morris, John

Subject: FW: P/15/0022/FUL - Denovan Village Ltd

From: Clarke Faichnie
Sent: 23 March 2015 10:25
To: vivian, brent
Subject: P/15/0022/FUL - Denovan Village Ltd

Dear Sirs

First of all, I hope this line of communication is acceptable. If it is not then please let me know and I can send a letter instead.

My name is Clarke Faichnie and I own Denovan House.

Thank you for your letter dated 12th March 2015 in connection with the above application for planning permission to the land to the south west of Denovan House.

There are significant 'material considerations' relating to this proposal and I'd like to list them and thus make a very firm objection to this application.

As you know Denovan House is a grade B listed building and prior to my purchase of the property in August last year, the previous occupier owned this land in question as part of Denovan House. There are rightly so very firm restrictions on the development of land within the confines of a listed building and although this land is not owned by me I believe that it falls within the curtilage of the listed property. This proposal therefore has an impact on the natural and built environment. I also believe that this proposed development will have a negative impact on my property value.

Notwithstanding the above, I also have some other concerns in the proposal to the existing environment. I purchased the property to get somewhere in the country with peace and quiet and not to be next to a holiday park where inevitable noise and disruption will occur. The road that serves the surrounding properties, including my own is little more than a single track road that vehicles have to come to a stop to allow each other to carefully pass. An influx of people to a holiday park is only going to exacerbate this. What are the plans for parking and access as I am also concerned about significant traffic movements coming to and from an area where I can see no means of safe access and egress.

Although I have 24 hour cctv around my whole property, I have concerns over security. There is no physical boundary to prevent unauthorised trespassers coming into my grounds. Arguably, currently the same applies, however, we don't have numerous unknown people directly next door who may wander unintentionally or otherwise onto my property.

If the application had merely been to construct a house in this area then I would have had no objections but on the basis of this application and with my reasonable points raised then please take this email as a firm objection.

I would appreciate being kept in the loop in regards to this and ask what the next step will be in me being informed of a decision?

Yours faithfully

Clarke Faichnie
Denovan House
Denny
FK6 6BJ

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The views and opinions expressed in this e-mail are the senders own and do not necessarily represent the views and opinions of Falkirk Council.

Development Manager
Falkirk Council
Abbotsford House
David's Loan
Falkirk
FK2 7YZ

West Denovan Church
Denovan Road
Denny
FK6 6BJ

30 March 2015

Dear Sir/Madam

APPLICATION P/15/0022/FUL – DEVELOPMENT OF LAND TO FORM HOLIDAY PARK, LAND TO SOUTH OF DENOVAN HOUSE

I would like to object to this development on the following grounds:

Biodiversity – the development is proposed on an established ancient woodland and bluebell wood which would be destroyed by the buildings, car park and other infrastructure. The undisturbed nature of the woodland area over the centuries has led to the establishment of a diverse variety of flora and fauna, including bats, deer, and rich birdlife and other wildlife associated with a thriving habitat. No mention of any of this has been made by the developer. No ecology impact survey has been submitted with the application.

Contrary to development plan – it does not demonstrate that a countryside location is required and that there is an overriding economic need for this development (policy EQ19). No market demand for this accommodation has been demonstrated and there must be a real concern that this could end up as a “white elephant” which has resulted in the destruction of a valuable ecosystem. The Denny area is already well served by self-catering accommodation at Wellsfield Farm and Home Farm on Drove Loan.

Does not meet criteria for tourism development (SG01 – Development in the Countryside). The application is unrelated to the strategic tourism nodes, no business plan or statement of justification is given and is not related to farm diversification. It is not high quality self-catering accommodation. This development would have an adverse impact on the area the developers are seeking to promote for tourism. This is an area much enjoyed by local people for walking and cycling and this development, rather than enhance these pursuits, would represent a hugely negative step in an area seeking to regenerate and improve in a sustainable way. The efforts of local groups to enhance the natural environment of the area such as the Community Green Initiative and Communities Along the Carron Association would be diminished.

Poor design – SG01 stresses the importance of good design with local materials and buildings nestled into the landscape. This application does not meet these tests. The siting of the units are intrusive, with no regard for the landscape or neighbours. The unit currently built without planning permission on site is of very

poor design quality. The drawings show units which have no regard for the local environment. While the developers are seeking to convey an image of chalets nestling in the woods the number of units, parking, paths, lights and a road involving considerable earthworks would effectively destroy the character of the site, especially as this is a relatively small site for this type of development i.e. 1.4 hectares. This type of development is much more suited to a farm diversification location as opposed to a location surrounded by neighbouring residential properties, as in this case.

Listed buildings – the development would severely impact on the setting of the listed Denovan House, particularly destroying the historic policies of the house, and also the setting of the nearby listed Denovan Church.

Sustainability – the development would increase car use and would result in the unjustified destruction of natural habitats.

Road Safety – the development access is wholly unsuitable in terms of visibility and proximity to a blind corner on a 60mph dangerous country road with no street lamps or footpaths. The proposed footpath in the development would start on a blind corner so would not add to road safety. Creating the correct visibility splays and removing the blind corner in this location would be of huge detriment to the local environment in terms of removal of original walls connected to the listed Denovan House and in terms of mature tree loss.

Parking – the construction of a car park for 16 vehicles constitutes highly unsympathetic over-development in a countryside area. The application visuals are drawn at such an angle to avoid showing the intrusiveness of this part of the application. The 16 car parking spaces would not be enough to cope with the number of chalets (9) and pods (17)(plus staff) thus would either result in further areas of bluebell wood used for parking or cars being parked on the 60mph rural road causing further dangers to users of Denovan Road.

Unauthorised development – the developers are displaying little regard for the planning system having constructed a large chalet without planning permission and have located a shipping container on the site. The developers are currently using the address of the unauthorised chalet as their trading address (as in the Applicant Details).

Precedent – if allowed this development is likely to create demand for further development on this site, including the recently refused housing development on the site.

Drainage – the proposals in the application for drainage would appear from the plans to be inadequate for the large scale of development proposed with potentially well over 100 people on site if full. The drainage system proposed would not appear to be at the scale required in SEPA guidance PPG4 2006 Pollution Prevention Guidelines, especially as there is a watercourse below the level of the site (and a house). Furthermore, there is no information on what the applicant will actually do to satisfy this important requirement. It should be noted that the SEPA guidelines are more stringent when catering establishments are on site as in this application.

Health and safety – the unauthorised chalet appears to be heated by calor gas bottles and if this was replicated across the site this could constitute a risk to health and safety particularly as the density of the development must constitute a fire risk being set in a woodland location, and this has not been dealt with in the application.

Tree survey – a tree survey has been submitted with the application. However this is largely irrelevant as many trees have been removed by the developer, prior to the tree survey being undertaken, during the summer of 2014. The development would mean the removal of further mature trees in a very unsympathetic manner, particularly to form the access. The mitigation measures suggested are wholly inadequate and in no way compensate for the removal of mature established trees and the flora and fauna they support.

Residential amenity – the development would overlook a number of properties directly especially due to the raised deck design of the chalets (although no actual heights of these have been given in the application) and the development is likely to result in excessive noise and light pollution in a currently quiet residential area. The development would require lighting throughout which would completely change the countryside nature of the area at night. This would be an unsuitable commercial use in a semi-rural residential area. Part of the development involves a café which is wholly unsuitable in this residential and semi-rural location. The number of chalets and pods could result in well over 100 people on site, many of which would be camping (there are 17 camping pods shown) which will result in excessive noise for local residents. As there are no facilities on site for families (ie, horse riding or playpark such as available at Wellsfield Farm nearby) the development is more likely to attract groups of young adults with potential noise and anti-social behaviour.

In summary, this development proposal is poorly conceived and offers no tangible benefit to the local community; it would destroy the very environment the developers seek to use to entice tourists to the area and adversely affect residential amenity. This development would not meet the Council's aim for well designed, sustainable tourism developments and should be firmly rejected by the Council.

Yours faithfully



Roddy Macdonald

cc: Cllrs McNally, McCabe, Blackwood and Oliver
Brent Vivian, Planning
Biodiversity@falkirk.gov.uk

Development Manager
Falkirk Council
Abbotsford House
David's Loan
Falkirk
FK2 7YZ

Donna Heaney
West Denovan Church
Denovan Road
Denny
FK6 6BJ

31 March 2015

Dear Sir/Madam

APPLICATION P/15/0022/FUL – DEVELOPMENT OF LAND TO FORM HOLIDAY PARK, LAND TO SOUTH OF DENOVAN HOUSE

As a homeowner being overlooked by the proposed development and a committee member of a local environmental group, I would like to object to this development on a number of grounds:

1. **Natural woodland habitat** – the development is proposed on established woodland which is home to a rare bluebell wood. Around half of all bluebells in the world are found in the UK and this is a native species which is protected. Bluebell woods are strongly associated with ancient woodland, meaning that if there are carpets of bluebells in a wood, it's likely that the woodland is also ancient. This would all be destroyed by the pods, buildings, car park, café, roads, paths toilet blocks and other proposed infrastructure. If any bluebells did survive this, the reed bed sewage system would kill any existing bluebells off. There is concern that any effluent from the reed bed would enter into the watercourse and impact on the burn at Denovan Gardens which lies directly downhill to the south of the reed bed system. In addition to the flora, the woodland is home to bats, deer, and many different species of birds (including barn owls) and other fauna. This biodiversity of the woodland has been wholly ignored by the applicant and no ecological impact survey has been submitted with the application to establish what else is living in these woods especially those species that are nocturnal and can't readily be observed.
2. **Tree survey** – although a tree survey has been submitted with the application many trees were felled in 2014, (with the remains of some still being seen on site). More mature trees will be removed which will destroy the bluebell wood. Any measures suggested will not mitigate against the impact that this will have on the bluebell wood as this requires dense cover to thrive. The mitigation measures suggested are wholly inadequate and in no way compensate for the removal of mature established trees and the flora and fauna they support. In 2008 the Central Scotland Forest Trust *Alarm Bells for Bluebells* campaign supported by SNH, aimed to raise awareness of the conservation status of the species and the plight of the British Bluebell in woodlands across the country.

3. **Sustainable development** – the application is contrary to sustainable development principles in that it will destroy the natural habitat that it will be sited on. The site is a very small private woodland which is effectively the garden of Denovan House (and not 'estate forest land' as described in the planning application). The applicant was a former owner of Denovan House who retained this part of the garden in the summer of 2014 when the house was sold to the current family. The development site extends to about 3 acres (1.4 ha) in total, but much of the west of the area is steep hillside, unsuitable for siting pods or chalets. The proposed development therefore far exceeds the carrying capacity of the land with potentially in excess of 100 people being on site at any one time. The associated roads and infrastructure that is planned in this small area is hugely unsuitable and unsustainable in this location. The serious concern is that the environment will be degraded and destroyed with no real benefit to the local communities of Denny and Dunipace. This contrasts to the quality development at Wellsfield Farm (about a mile north west of this site), where the farm business has diversified into appropriate tourism accommodation, with ancillary development, that has grown within the capacity of the area to absorb it and has resulted in a development that adds value to the local area of Denny and Dunipace. The area along Denovan Road is currently enjoyed by local people for walking, cycling, running and horseriding and this development, would diminish this in a major way. The increased traffic that this development would generate would effectively mean that the road would be unsuitable for all but car users.
4. **Listed buildings** – the proposed development is out of character with the existing area which has a timeless rural charm as a result of the many decades of careful planning and protection associated with the Grade B listed former Denovan church (circa 1836) and Grade B listed Denovan House (circa 1840) which neighbour the proposed development. Successive generations have protected the landscape in which these buildings have been set and the fabric of the buildings themselves. The proposed development directly neighbours these buildings and the environments in which they are set, and will ultimately have a profoundly negative impact on them as an unsuitable commercial use in a semi-rural residential area.
5. **Road Safety** – to enable access to the proposed development a visibility splay is proposed which would result in the removal of a large section of the wall around Denovan House. This will lead to a change in character of the area as well as the removal of mature trees within the boundary of the woods. The visibility splay will be necessary as the proposed entrance for the 16 car parking spaces is situated to the east of a blind corner. Creating the correct visibility splays and removing the blind corner in this location would be of huge detriment to the local environment in terms of removal of original walls connected to the listed Denovan House and in terms of mature tree loss. However, even if the visibility splay is in place, the location of the entrance half way up a hill will still be unsafe as there is also a blind corner at the east of the development at the top of the hill and vehicles coming round that corner at speed will not be able to see any vehicles exiting from the proposed development in time to stop. Furthermore, as this is classified as a rural road and has a driving speed limit of 60mph additional traffic on this stretch of road

is a potential hazard to road users. The proposed footpath in the development would start on a blind corner and is unlikely to add to road safety for pedestrians. This road is a 'rat run' at times with vehicles exiting the motorway and using this as a shorter access route to Dunipace and Denny than the alternative of congestion at Denny Cross.

6. **Adequacy of parking spaces** – the proposed development sets out plans for 16 car parking spaces on site to cover 9 chalets and 17 camping pods and to serve a cafe. Given that there is no bus route serving Denovan Road, any visitors to the site are more than likely to arrive by car. The development plans don't show this number of parking spaces and therefore a sense of the highly intrusive nature of this part of the development. It is a concern that this number of car parking spaces will be wholly inadequate for the number of potential visitors to the site as there will be 26 individual units, with an assumption of at least 1 car per unit, suggesting that at least 26 car parking spaces will be needed. This doesn't account for the number of visitors to the proposed café or any staff parking needed for the café or working on site. There is likely to be a need for further car parking and the area is in danger of ending up as a large car park rather than a wooded area. It is likely that Denovan Road would become an overspill car park, leading to major concerns over road safety in this area.
7. **Poor neighbour– 1.** There is Scottish Government guidance that highlights the need for developments to be of a good design with local materials and nestled into the landscape. Unfortunately this proposed development does not meet these. The siting of the units are intrusive with no regard for the landscape or neighbours. While the characteristics of the area are quiet rural in nature, the proposed development sits in the middle of neighbouring residential properties which has seen a number of younger families moving in and 4 of the 6 houses directly bordering the site have children under the age of 16 years. The very nature of camping pods equates to outside living and cooking (with open flames) which will have a hugely negative impact in terms of noise pollution, light pollution (currently no street lights in the area), fire hazard and potentially antisocial behaviour in a site which is bordered by houses.
8. **Poor neighbour- 2.** There is no provision for entertainment of children in the proposed development which will mean that families are unlikely to stay there and the target market is therefore likely to be young people with the added potential for anti-social behaviour. The proposed development will accommodate around 100 people when full and this will have a hugely negative impact on the quiet residential area that it sits in the middle of. The planning application shows no sensitivity to these impacts and has no mitigation measures in place to attempt to reduce these impacts. The development is an unsuitable commercial use in a semi-rural residential area.
9. **Poor neighbour – 3.** the developers have shown scant regard for the planning system as they have already constructed a chalet on stilts on the site without having applied for planning permission or having been granted planning permission. The existing building therefore represents an

unauthorised development on the site. Further to that, the developers are using the unauthorised development as a registered business address (as set out on the planning application – The Cabin, 1 Denovan Park, Denovan Road, Dunipace, FK6 6BJ). This address doesn't currently exist despite being used as a legitimate business address.

10. **Poor neighbour – 4** the developers have located a shipping container on the site without approval, again with disregard for the rules of the planning system.
11. In summary, this development proposal is poorly conceived and offers no tangible benefit to the local community; it is set to have a massive negative impact on the biodiversity of the area and will in all likelihood destroy the ancient bluebell wood that it will be built on. It will have a major impact on the neighbouring residents and will have negligible positive benefits for the communities of Denny and Dunipace. The development should be firmly rejected by the Council.

Yours faithfully



Donna Heaney

Comments for Planning Application P/15/0022/FUL

Application Summary

Application Number: P/15/0022/FUL

Address: Land To The South West Of Denovan House Denny

Proposal: Development of Land to Form Holiday Park with Raised Deck Mounted Chalets, Camping Pods, Deck Mounted Reception Building and Ancillary Roads & Drainage

Case Officer: Brent Vivian

Customer Details

Name: mr Colin Belbin

Address: 63 bridge cres Denny

Comment Details

Commenter Type: Community Councillor

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: At the Community council meeting last night 30/03/2015 we agreed to object to this application on various grounds which I will email to Brent Vivian

Morris, John

From: hillis, alfred
Sent: 01 April 2015 13:57
To: adtm1dmbscorr
Subject: P/15/0022/FUL - Land to south west of Denovan House,Denny

Contaminated Land.

Conditioned due to the presence of mining and agriculture on site, a bleach works, a print works and potentially other contaminative activities within 250m of the site.

1. Unless otherwise agreed in writing no development shall commence on site until a contaminated land assessment in accordance with current guidance has been submitted and approved by the Planning Authority. The assessment shall determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere, and also identify any potential risks to human health, property, the water environment or designated ecological sites .

2. Where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy shall be submitted to and approved in writing by the Planning Authority. The strategy shall demonstrate how the site shall be made suitable for its intended use by the removal of any unacceptable risks caused by the contamination.

3. Prior to the commencement of development the remediation works shall be carried out in accordance with the terms and conditions of the remediation scheme as approved in writing by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate has been submitted to and approved in writing by the Planning Authority.

4. In the event that unexpected contamination is encountered following the commencement of development, all work on the affected part of the site shall cease. The developer shall notify the Planning Authority immediately, carry out a contaminated land assessment and undertake any necessary remediation works. Development shall not recommence without the prior written approval of the Planning Authority.

Environmental Health

1. Noise need not be considered as a determining factor in considering this application.

Informative - The builder shall ensure that noisy work which is audible at the site boundary shall ONLY be conducted between the following hours:

Monday to Friday	08:00 - 18:00 Hours
Saturday	09:00 - 17:00 Hours
Sunday / Bank Holidays	10:00 - 16:00 Hours

Deviation from these hours of work is not permitted unless in emergency circumstances and with the prior approval of the Environmental Health Unit.

2. Should Planning Permission be granted, the applicant will require to apply to Falkirk Council for a licence in terms of the Caravan Sites and Control of Development Act 1960.

Alf Hillis
Environmental Health Officer
01324 504873

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The views and opinions expressed in this e-mail are the senders own and do not necessarily represent the views and opinions of Falkirk Council.

Subject: FW: Application no. P/15/0022/FUL Development of land to form Holiday Park,
Land to south of Denovan House

From: Kirsten mcghee

Sent: 01 April 2015 21:01

To: dc

Subject: Application no. P/15/0022/FUL Development of land to form Holiday Park, Land to south of Denovan House

As a resident who will be overlooked by the proposed development, I would like to object on a number of grounds.

Natural Woodland.

The proposed development would be situated on woodland and in particular an ancient bluebell wood. This site is home to a wide variety of wildlife, such as deer, badgers, barn owls and bats. It has been noted that no ecological impact survey has been submitted. Given the age of the site it requires further investigation, which the applicant has completely ignored. Further to this the applicant has submitted a tree survey with the application. This is completely irrelevant as the applicant virtually cleared the site of trees before the survey was carried out, leaving tree stumps, rubbish and the remains of fires which were set can be clearly seen.

Site suitability.

The site in the application is described as an "estate forrest land" this is completely misleading. The site is effectively the garden of Denovan House, which the applicant used to reside in prior to selling and keeping a portion of the garden. The proposed site is situated in a semi-rural location. A width restricted road is the backbone of the area, with private dwelling homes either side. The location is quiet with all current residents being extremely respectful of noise levels and privacy. The site would house 100 persons having a massive impact on noise pollution, rendering it wholly unsuitable for the local residents. One hundred persons living, cooking and taking part in recreational activities in the outdoors, would be entirely unsuitable. There is currently no street lighting on Denovan Road, and lighting from the site would not be in keeping with the area. Also the proposed car park and rubbish bin area, which would not only be unsightly, would be out of place situated between two listed buildings. The campsite would also increase the risk of anti-social behaviour, with a high volume of unknown persons to a residential area, who are in high spirits, and would not be concerned with the daily routine of residents who are all in employment. The noise of 100 persons would not be contusive to a restful environment.

Roadway.

The increase in traffic that this development will generate is a major concern. Denovan Road is governed by a 60mph speed limit, with several blind bends. The length of the road is width restricted, and at peak times used as a "rat run". Several complaints have been made to the council regarding this. The proposed footpath serves no benefit to anyone other than those in the site.

Employment opportunities.

The applicant has failed to provide evidence on the need for such a business in this area. The employment opportunities for this site would be minimal, as campsites are largely self-sufficient. Therefore this does not offer the employment opportunities the applicant would suggest.

In summary this proposal is highly intrusive offering only a negative impact on the landscape, and total disregard for the local residents, who have to suffer the noise and destruction of their "back garden" which they currently take great care and pride in. The development should be firmly rejected by the council.

Kirsten McGhee

John Heaney
Denovan Church East
Denovan Road

Director of Development Services
Abbotsford House
David's Road
Fulham, FK2 7YZ.



P/15/0022/FUL
ACK
714115
H1 INGLETON AVE,
DUNPACE,
DENNY
FK6 6QW
11/4/2015

Dear Madam,

Proposed Development off Denovan Road - 1/15/0022

When I was out for a walk yesterday along Denovan Road, I came across a notice regarding the above development.

I have to assume that the applicant, with the approval of the Planning Authority, has been "testing the water" as I noticed sometime ago that a residential development had appeared on the site.

I should state at the outset that I am a planner and until recently was employed in an adjoining authority, where my position as Countryside Development Officer necessitated offering advice to Development Management colleagues and frequently acting on behalf of the local authority in promoting recreational and other tourist-related developments. I fulfilled a similar role in Central Region for almost twenty years and therefore am no stranger to taking forward projects in areas such as the Union & Firth & Clyde Canals, Antonine Wall, Carron Valley, etc.

The church at Denovan was my family's church and I am therefore well aware of the neglect and destruction by the current owner of a beautiful piece of woodland which during the Springtime had a rich carpet of wild flowers.

The landowner I assume, will be seeking to justify the proposal, by citing the degraded environment currently to be seen!

This proposal, in this location, has nothing going for it, in terms of setting, adjoining recreational elements or complementary infrastructure.

The potential economic case must also be seen as questionable, and the warning scenario of the owner providing longterm residential occupancy, if the letting is not successful.

I also have a major concern about increased traffic on Denovan Road, particularly by tourists who are unfamiliar with the local road network. I use this road almost every day, and with so many drivers keen to avoid the Danny Cross junction, I will encounter two or three near-misses everytime I use this two-mile section of road between Ingelston Avenue & Dunipae Mill.

I have attempted to be objective in determining this proposal, set against my experience of working in environments such as Country/Regional Parks, canals, lochs and forestry locations and would not be able to make any case in support of this application.

Yours faithfully,



ROBERT HUNTER

Development Services

Memo

To: **Development Management (attn. Brent Vivien)**

From: **Planning and Environment**

Date: 14 April 2015

Enquiries: Colin Hemfrey Ext 4720
Phil Harris Ext 4713
Ruth Smith ext 4715
Fax: 4709

Our Ref:

Your Ref: P/15/0022/FUL

Proposal: Development of Land to Form Holiday Park with Raised Deck Mounted Chalets, Camping Pods, Deck Mounted Reception Building and Ancillary Roads & Drainage

Location: Land To The South West Of Denovan House Denny

Applicant: Denovan Village Ltd

I refer to the above proposed development and offer the following comments. The site lies in the designated countryside and therefore all policy considerations are in that context.

Development Plan Policy

Falkirk Council Structure Plan 2007

ENV1	Countryside and Protected Areas
ENV5	Built Environment and Heritage
ENV7	Quality of Development
ECON7	Tourism

1. Policy ENV1 states that:

- 1 *There is a general presumption against development in areas defined as countryside, unless it can be demonstrated that a countryside location is essential or is an appropriate form of agricultural diversification. Where it is established that a countryside location is essential, development proposals will also be assessed in relation to Local Plan policies appropriate to specific protected areas as defined generally by Schedules ENV.1 and ENV.3.*
- 2 *The policies applicable to countryside and protected areas within it, together with the detailed boundaries of each area, will be set out in Local Plans.*

2. The question to be resolved under this policy is whether or not the proposed use requires a countryside location or is an appropriate form of agricultural diversification. It is accepted that a proposal for holiday cabins and camping pods, requiring an extensive site, could not reasonably be located within an urban setting.

Therefore it is recognised that this proposal does require a countryside location. The policy also goes on to point out that the Local Plan will set out policies for protected areas. This proposal is located in an historic garden and designed landscape of local significance, and policy EQ18 protects such areas from adverse development. This issue will be discussed under the local plan (and local development plan) headings.

3. Policy ENV5 provides for the protection and enhancement of a wide range of built environment assets. Clause 4 of the policy provides for the protection of these assets (such as Denovan House) and there setting from inappropriate development, and as in policy ENV1, makes reference to relevant local plan policies for further guidance.
4. Policy ENV7 encourages a high standard of design in all new development and requires a design concept statement to accompany any proposal which would have significant visual and physical impacts on its surroundings. Given the sensitive location of this proposal this application should have such an accompanying assessment and Schedule ENV7 sets out the broad issues to be covered by it. Again, reference is made to local plan policies for further policy guidance.
5. Policy ECON7 supports the development of sustainable tourism. It draws attention to the key locations for such development within the district, none of which encompass the Denovan House locality. It encourages development that expands target markets such as daytrips, short breaks, visiting friends and relatives, and business tourism. The proposal as described would likely support two of these key markets, short breaks and visiting friends and relatives. The policy also favours development that is environmentally sustainable in terms of location and design, and demonstrate that a countryside location is essential. The issue of design will be returned to in the discussion of local plan (and LDP) policies.

Falkirk Council Local Plan

6. The principal relevant policies are:

EQ19	Countryside
EP16	Leisure and Tourism Development in the Countryside
EQ14	Listed Buildings
EQ18	Historic Gardens and Designed landscapes
EQ24	Ecological Sites and Features
EQ26	Trees, Woodland and Hedgerows

Principal policy

6. The 'in principle' policy coverage in EQ19, that of suitability to a countryside location, has already been covered under the overarching Structure Plan policy. In the case of leisure and tourism development in the countryside the policy refers to policy EP16 for detailed consideration.
7. Policy EP16 is set out in full below to aid consideration.

Leisure and tourism development within the countryside will only be permitted where the use demonstrates a particular need for a countryside location and could not more appropriately be located within the Urban or Village Limits, or where existing buildings are to be utilised. In particular:

- (1) Proposals for small-scale self-catering chalet developments, caravan and camping sites may be acceptable, subject to appropriate siting and compliance with Policy EP15. Proposals for new hotels, B&Bs, guest houses and pubs/restaurants will generally only be permitted where existing buildings are being utilised or where a specific opportunity is identified in the Local Plan;*
- (2) Proposals for outdoor sport and recreation which require a countryside location may be acceptable, subject to appropriate siting. Associated built development will be limited to that which is directly ancillary to the activity (e.g. clubhouses, changing facilities, parking);*
- (3) Proposals for new visitor attractions, heritage and interpretative centres may be acceptable, subject to appropriate siting and compliance with Policy EP15. The nature and theme of the facility must provide a clear rationale for the countryside location chosen; and*
- (4) Proposals for new roadside facilities will not be permitted unless it is demonstrated that there is a clear need for additional services. Proposals for facilities on motorways and the trunk road network should comply with the guidance in NPPG9.*

Proposals will be subject to rigorous assessment of their impact on the rural environment, having particular regard to Local Plan policies protecting natural heritage (EQ19-EQ30), and of the adequacy of access and car parking arrangements must be satisfactory.

8. The proposal falls within the type of development favoured under criterion 1, self-catering chalet developments. The specific type of chalet developments supported by policy is 'small scale'. The proposal in terms of the number of chalets is not large but there is some concern that it may be too large for the site, and that there is an element of cramming of chalets onto the site. This does affect consideration of whether or not the chalets are 'appropriately sited' as required by the policy (see separate comments from Phil Harris and Ruth Smith on the layout and its relationship with the listed building, woodland and trees).
9. The policy draws attention to the rigorous assessment of proposals against their impact on the rural environment, through the application of policies EQ19 to EQ30. I have highlighted a few of those that I consider most relevant; EQ22, EQ24 and EQ26, in addition to heritage policies EQ14 and EQ18.

Listed Building and Designed Landscape

10. In the context of Denovan House the two policies, EQ14 and EQ18 should be considered together. Policy EQ14 affords protection to the setting of listed buildings and policy EQ18 affords protection to designed landscapes, such as here, from unsympathetic development. Denovan House is a category B Listed Building and the features of the surrounding landscape (including the garden, woodland, lodge house and driveways) contribute to the setting. The statutory

description for Denovan House mentions the existence of an historic plan which shows the house at the centre of radiating and diagonal formal avenues in a designed landscape. Given the above, it is suggested that due diligence should prevail; further information should be submitted including a desk assessment to provide baseline information on the overall Denovan House estate, with the main focus on the development site in question together with a survey of surviving original historic features within the site.

11. Although original features have been lost and grounds have become unmaintained over many years, Denovan is a non-inventory designed landscape listed in Section 5 of the newly approved Supplementary Guidance SG09 Landscape Character Assessment and Landscape Designations. While this SG does not support the current policy EQ18 it does support the equivalent policy of the Proposed Falkirk Local Development Plan (see below).
12. Some information / assessment is required on the visual impact of the development and where it will be seen from and what the proposal will look like. A brief assessment of the proposal's visual impact as seen from the nearby dwellings, from the adjacent public road and from the surrounding wider countryside is important (involving a chartered Landscape Architect would be very useful in providing these assessments, providing mitigation measures and assisting with the final design). The impact of proposed new development including chalets, reception, pods and car park should be illustrated as seen from identified viewpoints. The impact of the development on the listed building should be also be modelled to demonstrate how the historic asset will be affected by the proposals. In terms of the current proposal, given the comments above, it is suggested that the current proposed scale of the development will impact on the setting of the listed building and the character of the non inventory designed landscape as a result of potential root damage and over-development of the site.

Impact on Ecology and on Trees and Woodland

13. Policy EQ24 provides protection for sites and species of ecological value. While the location does not contain any designated sites it is important that information is provided on the ecological impact of the proposal on the woodland as a whole, on individual species and in particular protected species. Information provided will need to be assessed by a qualified professional on behalf of the Council (note that the Biodiversity Officer is no longer involved in Development Management casework). The impact of any development on bats, as protected species, is a particular issue in mature trees. Information on mitigation measures proposed to address identified impacts should be provided and incorporated into the layout.
14. Policy EQ26 affords protection to trees and hedgerows of amenity value affected by development. Our specialist landscape colleague, Phil Harris, has made extensive comment separately on woodland and tree management issues raised by the application. It is recognised that woodland could generally have some limited capacity to accommodate this type of development, provided it can address the identified adverse effects and incorporate appropriate mitigation.

Material Considerations – Falkirk Proposed Local Development Plan

15. The Proposed LDP has completed its examination process by reporters appointed by Scottish Government and will be submitted, with modifications, for final approval to Council in May. As it embodies the Council's latest position on planning policy it is a significant material consideration in determining planning applications. The relevant policies are
- CG01 Countryside
 - CG04 Business Development in the Countryside
 - D09 Listed Buildings
 - D12 Historic Gardens and Designed Landscapes
 - GN03 Biodiversity and Geodiversity
 - GN04 Trees, Woodland and Hedgerows

Principal policy

16. Policy CG01 defines the countryside and refers to policies CG03 and CG04 for further guidance. Policy CG03 is irrelevant as it deals with housing proposals in the countryside. Policy CG04 provides a list of 4 circumstances where appropriate business development would be supported in a countryside location. These are listed below.
1. Areas specifically identified for business development on the Proposals Map;
 2. Business development, including appropriate leisure and tourism uses, where a need for a countryside location is demonstrated, or the development constitutes an appropriate form of farm diversification;
 3. Proposals involving the re-use of industrial, commercial or institutional land or premises, or the conversion of farm buildings for business use; or
 4. Limited extensions to existing established business in the countryside;
17. As can be seen para (2) allows for appropriate leisure and tourism uses. While the FCLP made specific provision for chalet accommodation the new plan makes no specific reference to this type of leisure/tourist proposal.
18. The policy also refers to Supplementary Guidance SG01 'Development in the Countryside' which provides detailed guidance on the application of these criteria. This SG has been approved by Council but has yet to be submitted to Scottish Government. Paragraph 4.8 of the SG elaborates on the acceptability of new business development in the countryside and on page 15 it states that small-scale proposals for new-build self-catering accommodation, caravan or camping sites may be supported subject to appropriate siting and a high quality of design. So the SG supports this type of proposal, but it also emphasises (p15) that siting and scale are important considerations in the assessment of any proposal.
19. The SG also expects that new business proposals in the countryside should be accompanied by a Statement of Justification and business plan demonstrating the viability of the proposal in the long term, including financial projections. The supporting material for the application does not include such a Statement of Justification so does not yet meet this requirement of the SG.

Listed Building and Designed Landscape issues

20. Policy D09 provides similar protection to the setting of listed buildings as its equivalent FCLP policy discussed above. Policy D12, clause 2, points out that the presence of non-inventory designed landscapes will be given due weight in considering proposals located in such areas. As stated earlier Denovan House has a non-inventory designed landscape and is listed as such in SG09 Landscape Character Assessment and Landscape Designations (which supports policy D12) at page 89. The SG contains guidance that proposals in designed landscapes have to be carefully considered. A brief assessment of the landscape impacts of any proposal on the designed landscape must be provided (this need not be a lengthy report, but it must address the issues raised in the SG guidance and prove there is no or limited impact on the designed landscape, and provide mitigation details where required). The comments made above at paragraphs 10 and 11 apply here also.

Impact on Ecology and on Trees and Woodland

21. Policies GN03 and GN04 make similar provisions to those of the equivalent FCLP policies, which have been assessed above.

Assessment

22. This proposal is for a chalet development in the designated countryside. The principle of the type of development is acceptable in a countryside setting. However that support is qualified by any proposal being acceptable with regard to siting and scale. Assessment of the current proposal by our built heritage and landscape specialists raise the following concerns.
23. The proposed scale of the development will impact on the setting of the listed building and the character of the non inventory designed landscape as a result of potential root damage and over-development of the site. The agents should explore a reduction in the number of chalets by deletion of the chalets in the first two rows, i.e two chalets and cabin adjoining the existing northern access road to Denovan House and deletion of five chalets to the north west of the proposed reception, together with relocation of the reception and car park further into more open areas to the south west of the site. The proposed pods appear to be more suitable in scale and design for this sensitive site, providing their positioning is not shown to affect the special interest and character of the site through the suggested analysis described above in paragraph 10. It is suggested that the incorporation of green roofs is investigated to mitigate visual impact of all built development on the site and that any hard surfacing required for car parks and pathways is also designed to blend into the landscaped setting.
24. On the basis of the above, it is suggested that the proposal, as it currently stands, does not meet planning policy requirements in relation to impact on the setting of a listed building and impact on a non inventory designed landscape. The application should be withdrawn until the issues are addressed to the Council's satisfaction, with supporting information provided as recommended.

Morris, John

From: Brown, Caroline
Sent: 02 June 2015 14:49
To: vivian, brent
Subject: RE: Denovan Village

Hi Brent,

I have reviewed the Business Plan and would offer the following feedback as follows:

- The Business Plan demonstrates evidence of detailed market research and market need with relation to visitor accommodation provision. Key data, as referenced from VisitScotland and the Falkirk Area Tourism Strategy 2015-20 backs this up
- The Business Plan demonstrates a clear understanding of Falkirk's current Tourism performance and development ambition and how the Denovan Village project can contribute directly to this
- The Business Plan demonstrates a sound understanding of industry quality standards and the marketing methods and channels needed to successfully promote such a venture
- Projected Turnover (from both the accommodation and Clubhouse / Catering interests) is felt to be realistic and achievable in line with year-round quality Tourism provision
- There is management capability and experience and recognition of the resource requirements needed to provide a quality Tourism and service offering ie., full-time site manager etc
- The style of accommodation proposed in the context of the outdoor / woodland setting and in alignment with an emphasis on activity Tourism makes for a unique Tourism offering for the Falkirk area and one that would be highly marketable
- I can confirm that the development project is in keeping with the desired themes emerging (Heritage, Tourism & Leisure) in terms of rural and farm diversification development within the Kelvin Valley & Falkirk LEADER Grant Scheme and associated Development Strategy. This grant scheme will offer 50% grant funding on eligible projects will be open to Applications by the end of 2015 / beginning 2016
- The Applicant is engaged with Business Gateway Falkirk and there is recognised business Growth potential here. Tourism is a key sector of local, regional and national importance and associated jobs in Tourism and Hospitality-related services are valuable.

Regards,

Caroline

From: vivian, brent
Sent: 01 June 2015 10:43
To: Brown, Caroline
Subject: FW: Denovan Village

Caroline

Please see the attached business plan which has recently been submitted in support of planning application P/15/0022/FUL.

I would be grateful to receive your comments at your earliest convenience.

Regards
Brent

From: Wesley Edmund [mailto:]
Sent: 28 May 2015 20:31

To: vivian, brent
Subject: Denovan Village

Dear Brent

This is an up to date Business Plan for Denovan Village.

Best Regards

Wesley, Jillian and Helen Edmund

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