

# **BIRNAM** CONSERVATION AREA APPRAISAL & MANAGEMENT PLAN

Perth & Kinross Council – Consultation Draft August / September 2025



# CONTENTS

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<a href="#"><u>1. INTRODUCTION</u></a> .....	3
<a href="#"><u>2. ARCHAEOLOGY</u></a> .....	8
<a href="#"><u>3. SETTLEMENT DEVELOPMENT</u></a> .....	9
<a href="#"><u>4. MOVEMENT &amp; STREET PATTERN</u></a> .....	11
<a href="#"><u>5. TREES &amp; OPEN SPACE</u></a> .....	12
<a href="#"><u>6. CHARACTER AREAS</u></a> .....	15
<a href="#"><u>7. LISTED BUILDINGS</u></a> .....	21
<a href="#"><u>8. UNLISTED BUILDINGS OF MERIT</u></a> .....	23
<a href="#"><u>9. GATEWAYS &amp; VIEWS</u></a> .....	25
<a href="#"><u>10. THREATS TO THE CONSERVATION AREA</u></a> .....	28
<a href="#"><u>11. MANAGEMENT PLAN</u></a> .....	29
<a href="#"><u>12. APPENDICES</u></a> .....	33
<a href="#"><u>13. APPENDIX 1 – DRAFT ARTICLE 4 DIRECTION</u></a> .....	34
<a href="#"><u>14. APPENDIX 2 – DRAFT REGULATION 11 ORDER</u></a> .....	36
<a href="#"><u>15. APPENDIX 3 – USEFUL INFORMATION</u></a> .....	37

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# 1. INTRODUCTION

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## WHAT IS A CONSERVATION AREA?

- 1.1 The statutory definition of a conservation area is set on in Section 61 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as an *“area of special architectural or historic interest the character and appearance of which it is desirable to preserve or enhance”*.

Designation of a conservation area recognizes the unique quality of the heritage of that area. The quality does not relate solely to buildings but also other features including topography, materials, thoroughfares, street furniture, open spaces, trees and landscaping. These all contribute to the historic character and appearance of an area, resulting in a distinctive local identity and sense of place.

## WHAT IS A CONSERVATION AREA APPRAISAL?

- 1.2 A conservation area appraisal is a management tool that identifies the special interest and changing needs of a conservation area.
- 1.3 The purpose of this document is to evaluate the architectural and historic interest of the village, with a view to its future management and enhancement.

- 1.4 The appraisal is informed by:

- Site visits
- Desktop survey
- Literature review
- Primary and secondary historical information
- Guidance from stakeholders and consultation process
- Planning policy and legislation

- 1.5 It is recognised that the successful management of conservation areas can only be achieved with support and input from stakeholders, in particular residents and property owners.

- 1.6 Our heritage – whether tangible or intangible, cultural or natural – enhances our quality of life and is hugely valuable economic, social, environment, and cultural resource. We owe it to future generations to leave them assets that they can value, enjoy, and benefit from it just as we do today (Scotland, Our Past, Our Future 2023)

In summary, the purpose of a conservation area appraisal is:

- To propose a new conservation area or review a current designation.
- To highlight the significance of an area in terms of its streetscape, architecture and history.
- To identify important issues affecting the area.
- To identify significant trees and green space.
- To define the character that merits protection.
- To identify opportunities for development and enhancement.
- To stimulate interest and participation in protecting and enhancing the area.
- To provide a framework for conservation area management.
- To assist the local planning authority in meeting requirements to preserve and enhance the area.

## WHAT DOES CONSERVATION AREA DESIGNATION MEAN FOR OWNERS & RESIDENTS?

- 1.7 The local planning authority is required by law to protect conservation areas from development which would be detrimental to their character. Consequently, most changes to the external appearance of buildings in the conservation area will require planning permission.
- 1.8 Demolition or substantial demolition of a building in a conservation area will require conservation area consent. Proposed works to a tree in a conservation area must be notified to the Local Planning Authority at least six weeks in advance.
- 1.9 There are often further restrictions in place in conservation areas through Article 4 Directions, which remove certain permitted development rights. Details on this can be found in the Management Plan on p28.



## BIRNAM STATEMENT OF SIGNIFICANCE

1.10 Birnam Conservation Area derives its significance from its development as a Victorian resort linked to the arrival of the railway in 1856. There has been little change to the street pattern, layout and predominantly Victorian architectural character following its development as a largely new settlement in the mid-19<sup>th</sup> century.



Figure 1 - Early 20<sup>th</sup> century postcard.  
Source: Culture Perth & Kinross

"[Birnam] contains a good many handsome shops and dwelling-houses – the latter chiefly let to summer visitors; and presents an aspect of cleanliness, comfort, and elegance, excelled by no other village in Great Britain." (Groome; Ordnance Gazetteer for Scotland 1882-5.)

1.11 The key positive characteristics which contribute to this significance are:

- The natural beauty of the surrounding landscape
- The distinctly Victorian architectural character
- The consistency of the material palette and architectural features
- Connection to the railway line and the Category A listed station building



Figure 2 - 300 year old sycamore adjacent to the Birnam Oak, known as "The Young Pretender"



## LOCATION OF BIRNAM

- 1.12 Birnam is located approximately 13 miles north of Perth. It is situated on the south bank of the River Tay, south-east of the village of Dunkeld, and is largely contained between the river to the north and the A9 and Highland Main Line railway to the south. The station itself and a small residential area are on the south side of the A9, accessed from the village by an underpass.

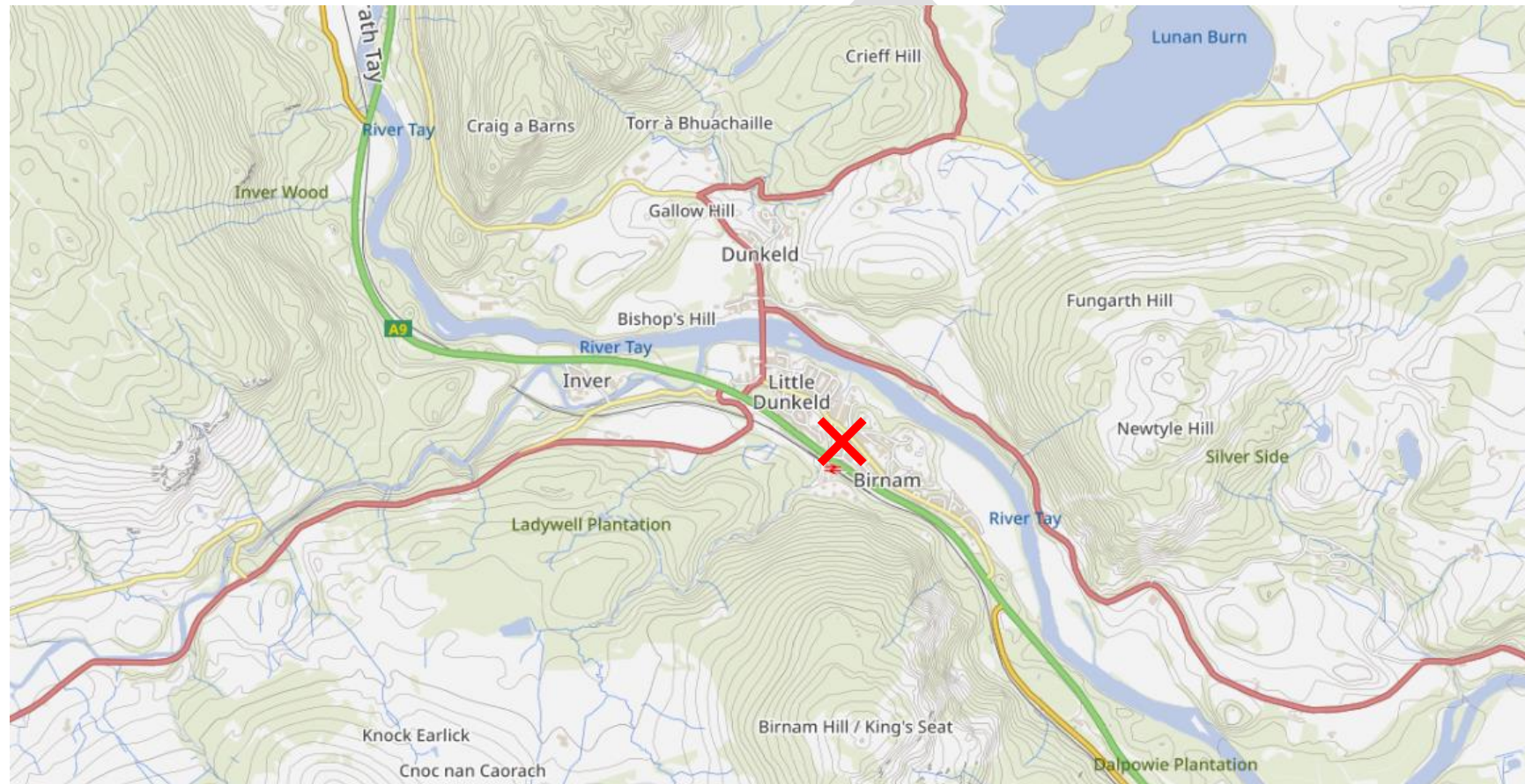


Figure 3 - Birnam located to the south-east of Dunkeld © Crown copyright and database rights (2025)

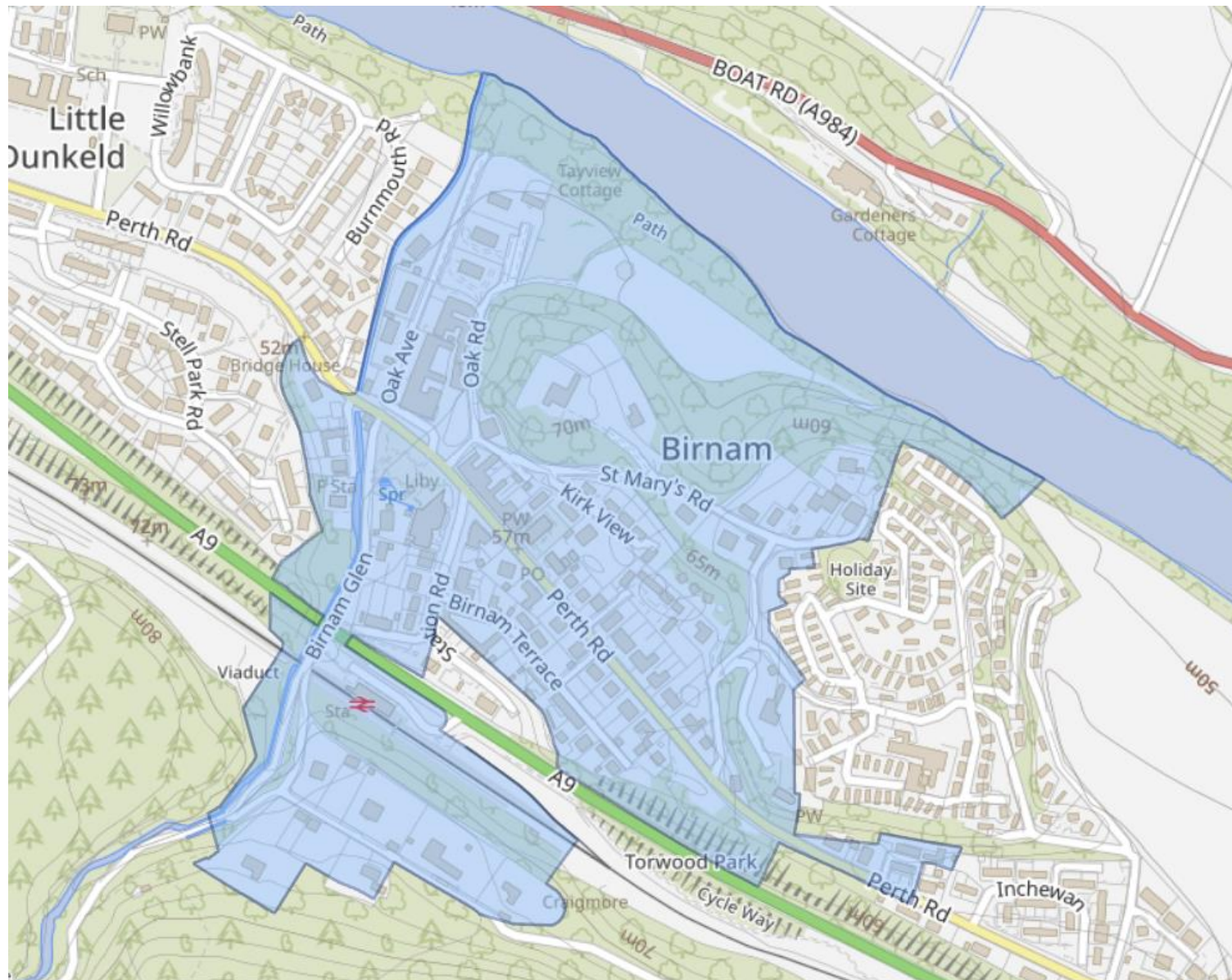


Figure 4 - Birnam Conservation Area



## 2. ARCHAEOLOGY

- 2.1 The Birnam area is archaeologically significant, with a high concentration of designated and undesignated sites in proximity to the conservation area.
- 2.2 Archaeological excavation has taken place nearby to uncover evidence of human activity in the Neolithic, Iron Age and mediaeval periods, most recently as part of the preparation for dualling the A9. This investigation by AOC Archaeology uncovered Neolithic pottery and tools.



Figure 5 ©Transport Scotland

Environment Record (HER). Enquiries should be directed to the HER Officer at [Perth & Kinross Heritage Trust](#). Information from the HER can be viewed online via [Pastmap](#).



- 2.3 If it is likely that development will affect an area of archaeological interest, a programme of works will be required to protect and record archaeological remains. Information on non-designated monuments and archaeology can be found in the Perth and Kinross Historic



### 3. SETTLEMENT DEVELOPMENT

3.1 Prior to the arrival of the Perth and Dunkeld Railway - initially terminating at Birnam in 1856 – there were three small hamlets in the vicinity on the main route to Perth, at Middle Inchewan, Torwood and East Inchewan. There was also a “small inn, known locally as Frash’s Penny Ale House, on the road leading to the East Ferry at Burnside where the Western Inchewan Burn separates the lands of Atholl and Murthly” (Taylor, 1976).



Figure 6 – Roy Military Survey of Scotland 1747-52 with Birnam circled in red  
Source: © 2025 National Library of Scotland

3.2 Murthly Castle, dating in part to the 16th century, is to the south-east, and the long-established settlement of Dunkeld over the river to the north west.

3.3 The imposing Birnam Hotel was commissioned by Sir William Stewart of Murthly in 1850. The settlement developed largely between 1856 and 1863, with substantial stone houses built near the hotel, followed by shops, businesses, boarding houses and workers' tenements.



Figure 7 - OS Six-inch 1<sup>st</sup> edition 1867  
Source: © 2025 National Library of Scotland

- 3.4 Larger mansion houses in grounds were built on rising ground to the north of the village, and to the south of the railway station.
- 3.5 The extension of the railway line to the north in 1863 had an adverse effect on Birnam's popularity as a resort and, accordingly, its prosperity.

Andrew Heiton Jnr, architect of the category A listed railway station, drew up detailed plans for a development of villas extending Birnam to the east and along the riverbank on behalf of Archibald Douglas Drummond Stewart, who inherited the estates of Grandtully, Strathbraan, Murthly and Airtully in 1871. Although permission to feu the land was granted in 1873, the plans were never realised. The intensive period of development in the mid-1800s came to an end.



Figure 8 - OS Six-inch 2<sup>nd</sup> edition 1901  
Source: © 2025 [National Library of Scotland](https://www.nls.uk/)

- 3.6 Historic mapping shows that the pattern of development established in the mid-19th century is largely unchanged, with later buildings infilling existing spaces. In the 1971 "Statement of Special Interest" for the Birnam Hotel, Historic Environment Scotland notes that the village is "very completely preserved to date; St Mary's Tower and Birnam House being the only serious losses while the only intrusion of any consequence has been a modern bungalow inserted between Birnam Hotel and Oronsay".
- 3.7 While there has been further residential development within the conservation area since, this has again largely respected the established pattern of development.
- 3.8 Over time, development to the west has joined Birnam with Little Dunkeld, formerly a small settlement clustered around the 1808 bridge Tollhouse, with a late 18th century church.



Figure 9 - The railway line with Birnam and Dunkeld in the distance (no date)  
Source: © Licensed by St Andrews University Library (project 229) Records of the Scottish Cultural Resources Access Network (SCRAN)



## 4. MOVEMENT & STREET PATTERN

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- 4.1 The settlement is located on the A9, the principal route linking the central belt to the north of Scotland. The A9 follows the route of the earlier railway line, with the settlement primarily contained to the north between the A9 and the River Tay. Birnam Glen links the centre of the village via the road and rail underpasses to Birnam Bank, on the south side of the A9 and railway.
- 4.2 The settlement is focused on the main vehicular and pedestrian route along Perth Road and Murthly Terrace, with secondary routes on Station Road, Birnam Terrace and St Mary's Road. Well-used pedestrian routes link to the station and woodland walks to the south and north of the village, including along the south bank of the river connecting Birnam to Dunkeld via the Dunkeld Bridge.
- 4.3 Vehicular traffic is largely contained on Perth Road and the busy parking area on Station Road.



*Figure 10 - Footpath at Old Hostel Walk*



## 5. TREES & OPEN SPACE

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- 5.1 Trees play a significant role in the character of the village both past and present, with its dramatic landscape setting of wooded hills a defining feature. There are two areas of designated ancient woodland within the conservation area: along the riverside path at the northern edge, and to the north and south of St Mary's Road.
- 5.2 Groups of mature trees of native species are present within and around the conservation area as indicated in Figure 33. Of particular note is the famous Birnam Oak, thought to be over 600 years old, and its neighbouring veteran sycamore (the "Young Pretender") adjacent to the riverbank.
- 5.3 Private gardens around Birnam are generally attractive and well-maintained, with a variety of formal and informal planting adding colour and interest to the streetscape. There is a strong boundary line to Perth Road of dwarf walls, railings and hedge and shrub planting. Some front gardens have been paved to provide parking spaces, however, which detracts from the character of the conservation area.



*Figure 11 - The Birnam Oak*



*Figure 12 - Private gardens at Ladywell Cottages*



*Figure 13 - The Beatrix Potter Garden*

5.4 The Beatrix Potter Garden to the rear of the Birnam Arts Centre is a pleasant, sheltered public space with a mix of mature trees and well-maintained shrubs and lawn, containing seating and sculpture inspired by Beatrix Potter's characters.

5.5 Other public realm features of note include the Category C listed Thomas Ormsby and Mary Newham Underwood Fountain on Perth Road, and historic milestones on Perth Road.

5.6 Public footpaths are a notable feature of the conservation area, providing attractive walking routes through woodland to the riverbank and on to Dunkeld, and to the south along Birnam Glen to Birnam Hill. At its eastern edge, the conservation area abuts the designated designed landscape of Murthly Castle.





*Figure 14 - The Thomas Ormsby and Mary Newham Underwood Fountain*



*Figure 15 - Milestone on Perth Road*



## 6. CHARACTER AREAS

- 6.1 Within the conservation area, 8 character areas have been identified (as indicated in Figure 23) which are differentiated by physical characteristics and townscape qualities.

### CHARACTER AREA 1: Perth Road (west side)

- 6.2 The western approach along the Perth Road within the urban core is dominated by the Birnam Hotel, which is the village's most prominent landmark. There is a clear sense of entry as the road widens to accommodate the Hotel to the north and the Beatrix Potter Gardens to the south. This is accentuated by the slightly curvilinear nature of Perth Road, creating a sense of openness as it progresses southward.
- 6.3 The confused access to the Hotel parking area and expanse of tarmac detract from the setting of the hotel. The position of the bus stop crowds the junction between St Mary's Road and Perth Road and spoils the setting of the fountain.



Figure 16 - Birnam Hotel

## CHARACTER AREA 2: Tower Buildings/Murthly Terrace

- 6.4 The built form here is of a more uniform style and 3-storey scale, creating a sense of enclosure. Both Tower Buildings and Murthly Terrace are category B listed and display typical qualities of Victorian architecture, including decorative timber, stone and ironwork.



Figure 17 - Attractive signage at Tower Buildings.

- 6.5 The Birnam Arts Centre creates a focal point on the corner of Station Road and Perth Road, including an attractive curved seating area with trees, benches and planters.

## CHARACTER AREA 3: Eastern extension of Perth Road

- 6.6 This area is more spacious as the building line is set back from the pavement edge. The built form is mainly two-storey with the exceptions of

the Church, 'The Bungalow' and the two single-storey dwellings opposite. The majority of buildings are of local rubble with ashlar or stugged ashlar dressings, and are more uniform in character and design on the north side of the road. Glimpses into the backland areas are afforded by the gaps between the regular semi-detached pattern of building plots. The Church and the unusual timber clad former Post Office provide two punctuations between uniform groups of buildings at Murthly Terrace and Perth Road. The picturesque MacBeth Cottage, built in the Murthly Estate style, terminates the view south-east.

- 6.7 The creation of vehicular accesses and parking in front gardens has had an adverse effect on this part of the conservation area, which is now dominated by cars.



Figure 18 - Perth Road c.1948  
Source: Copyright Culture Perth & Kinross

#### CHARACTER AREA 4: Junction of Station Road and Birnam Terrace

- 6.8 This junction is marked by the larger scale buildings of the Merryburn Hotel and Parkview, with their matching conical roof turrets and decorative finials. Looking up Station Road gives a panoramic view of Birnam Hill.



Figure 19 - The Merryburn Hotel

#### CHARACTER AREA 5: Gladstone and Birnam Terraces

- 6.9 This area includes the uniform terraces of Gladstone and Birnam, built in the 1860s and 1870s. The accompanying roads are in poor condition with no pedestrian footpath. Moving towards Station Road a sense of enclosure is provided by the curve in the road just before Ivy Cottage. There are several new bungalows on the northern side of this route which detract from the historic character of the area.



Figure 20 - Gladstone Terrace



## CHARACTER AREA 6: Area south of Birnam Station

- 6.10 This character area is separated from the main settlement by the A9 and railway line from Birnam Village. It is accessed by the narrow winding road along Birnam Glen above the Inchewan Burn and has a distinct, peaceful character of large Victorian villas within generous and secluded grounds.

## CHARACTER AREA 7: Torwood Place

- 6.11 The eastern approach to Torwood Place finds the old workers' two-storey tenements in an area of largely new bungalows. Torwood Place is rubble built with interesting stone motif finials. Although it has been subject to unsympathetic alterations over time, including the installation of uPVC windows of varying designs and large rooflights, Torwood Place reflects the fine building craftsmanship of the Victorian era in Birnam even for more “lowly” workers’ dwellings.
- 6.12 Woodland to the north and south provides a landscape buffer at the eastern edge of the conservation area.



*Figure 21 - Torwood Place*

## CHARACTER AREA 8: St Mary's Road and Riverbank

- 6.13 The north of the conservation area contains a strip of designated ancient woodland along the riverbank, which includes the Birnam Oak, and a further area of ancient woodland north of Kirk View, surrounding Torwood House and adjoining the holiday park to the east. This area, although characterised by mature woodland, contains a number of substantial Victorian villas with mature gardens, concentrated at the north of Oak Avenue and on higher ground at the top of St Mary's Road. Some, such as Baronial mansion Dunaird House, are prominent, with others being glimpsed from the public road or footpath.



*Figure 22 - Dunaird House*

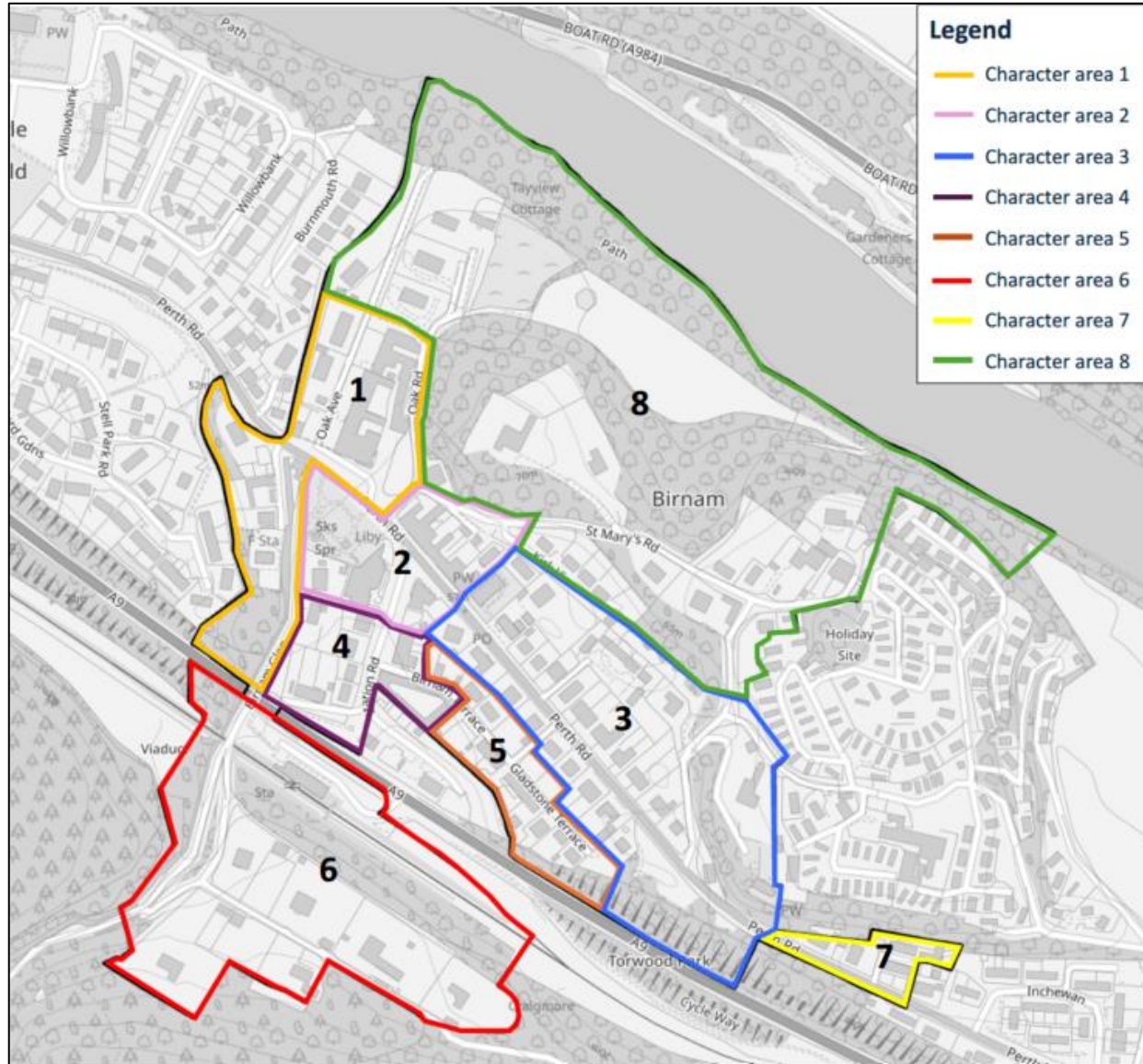


Figure23 – Birnam Conservation Area character areas



## 7. LISTED BUILDINGS

- 7.1 Historic mapping shows that Birnam has altered very little in its built form over time, although significant changes have been made to many of the buildings.
- 7.2 There are 38 listed buildings in total, all category B or C other than the station, which is category A. Listed building status affords these buildings statutory protection to enable them to be protected for future generations.
- 7.3 Landmark listed buildings include:
- Birnam Hotel, with its monumental gate piers and adjacent Carters Lodge. Originally dating to 1850, it was destroyed by fire in 1912 and rebuilt to the same design the following year.
  - Dunkeld and Birnam Station, including the bridge and signal box.
  - Macbeth Cottage, which terminates the view south east along Perth Road
  - St Mary's Church, whose square crenellated tower is prominent in views into the conservation area
  - Tower Buildings, which forms a key focal point in the centre of the conservation area, on the corner of Perth Road and Station Road.

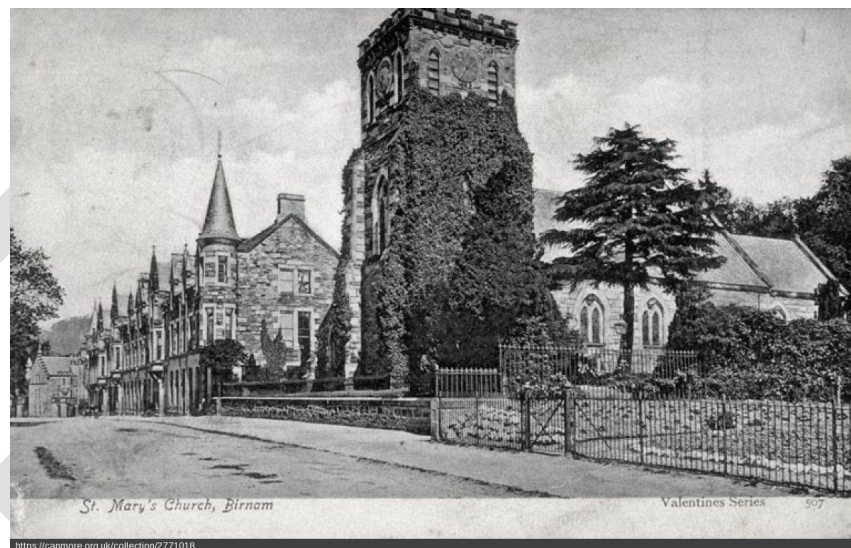


*Figure 24 - Birnam Hotel (no date)*

Source: © Licensed by St Andrews University Library (project 229) Records of the Scottish Cultural Resources Access Network (SCRAN)



*Figure 25 -Dunkeld & Birnam Station*



*Figure 15 - St Mary's Church (no date)*

Source: © Licensed by St Andrews University Library (project 229) Records of the Scottish Cultural Resources Access Network (SCRAN)



*Figure 27 - Macbeth Cottage (no date)*

Source: © Copyright: HES (Buildings of the Scottish Countryside Collection)

## 8. UNLISTED BUILDINGS OF MERIT

8.1 Birnam has a number of unlisted historic properties which play an important role in its history and character. These include:

- The Birnam Arts Centre. As well as being a community hub, its 2001 timber-clad extension has a bold streetscape presence.
- The former Post Office, with its quirky timber cladding, is a village landmark. The building was redeveloped in recent years, but has replicated the split log cladding and veranda of the previous early 20th century building on the site, perhaps referencing the 19th century travels of William Drummond Stewart (5th Baronet of Murthly) in the American West.
- St Columba's Church, an attractive whitewashed 1930's building nestled in woodland at the eastern edge of the conservation area, designed by Fife architect Reginald Fairlie.
- Several of the substantial Victorian and Edwardian villas around the edges of the conservation area are unlisted, but make a strong contribution to the character and interest of the area, including examples on St Mary's Road and Birnam Bank.



*Figure 28 - Unlisted villa at Birnam Bank*





*Figure 29 - The Birnam Institute (known as Birnam Arts)*



*Figure 30 - St Columba's Church*

## 9. GATEWAYS & VIEWS

9.1 Varying topography, picturesque Victorian architectural detailing including roofline features such as crowstep gables, conical roofs and finials, combined with the woodland setting, provide attractive views throughout the area as shown in Fig 22. Key views include:

- The entrances on Perth Road from east and west.
- Macbeth Cottage and woodland backdrop from the north-west
- The crenellated Parish Church tower from Perth Road and higher ground to the north-east
- The corner focal points of Tower Buildings and Birnam Arts
- North from the riverbank footpath across the river to Eastbank House
- South along Birnam Glen from Perth Road
- South to Birnam Hill from Station Road
- Glimpsed views of historic Birnam and Gladstone Terraces from Perth Road
- From the A9 west towards Dunkeld and Birnam Station.



*Figure 31 - Macbeth Cottage with woodland backdrop*



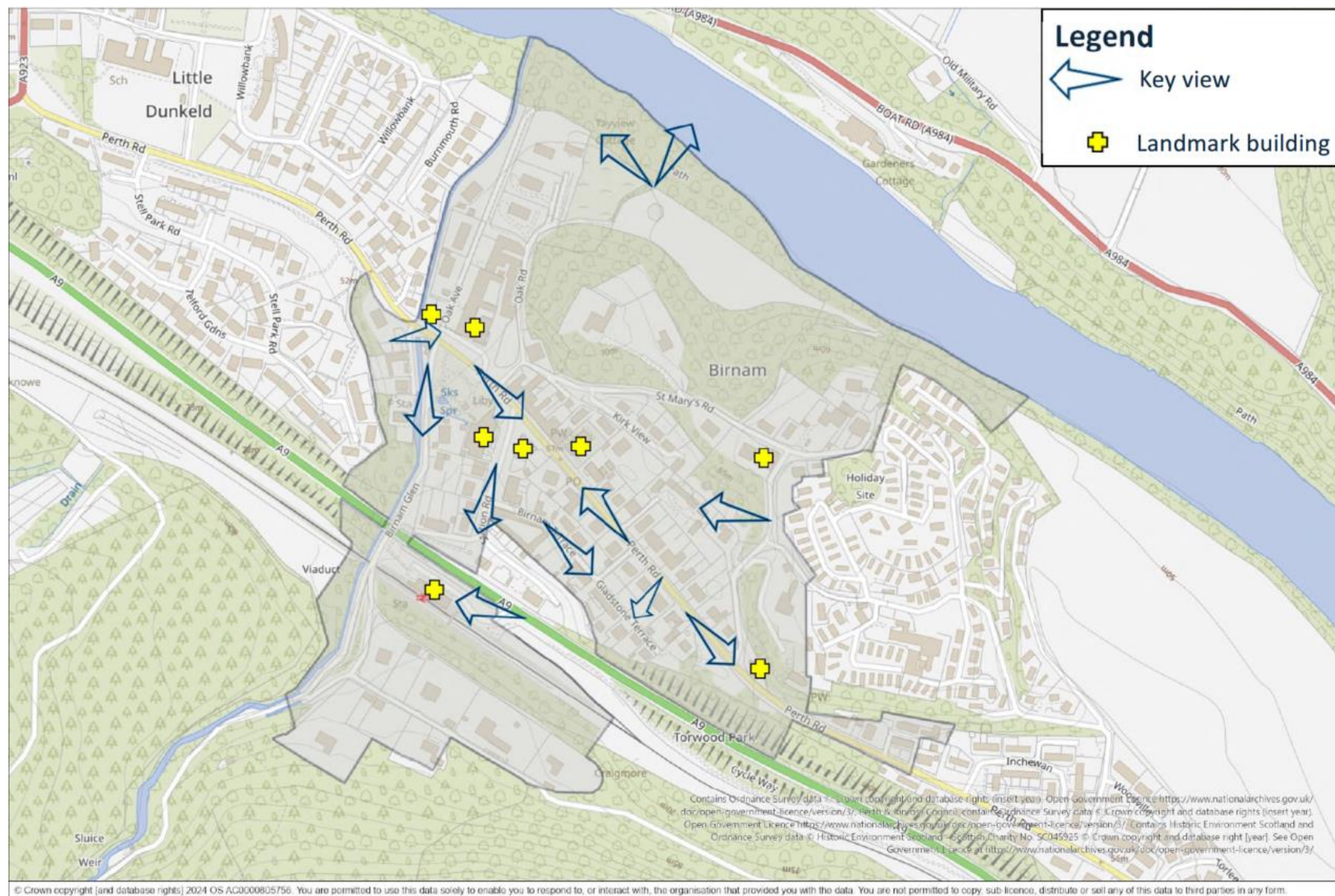


Figure 32 – Birnam Conservation Area – key views and landmark buildings

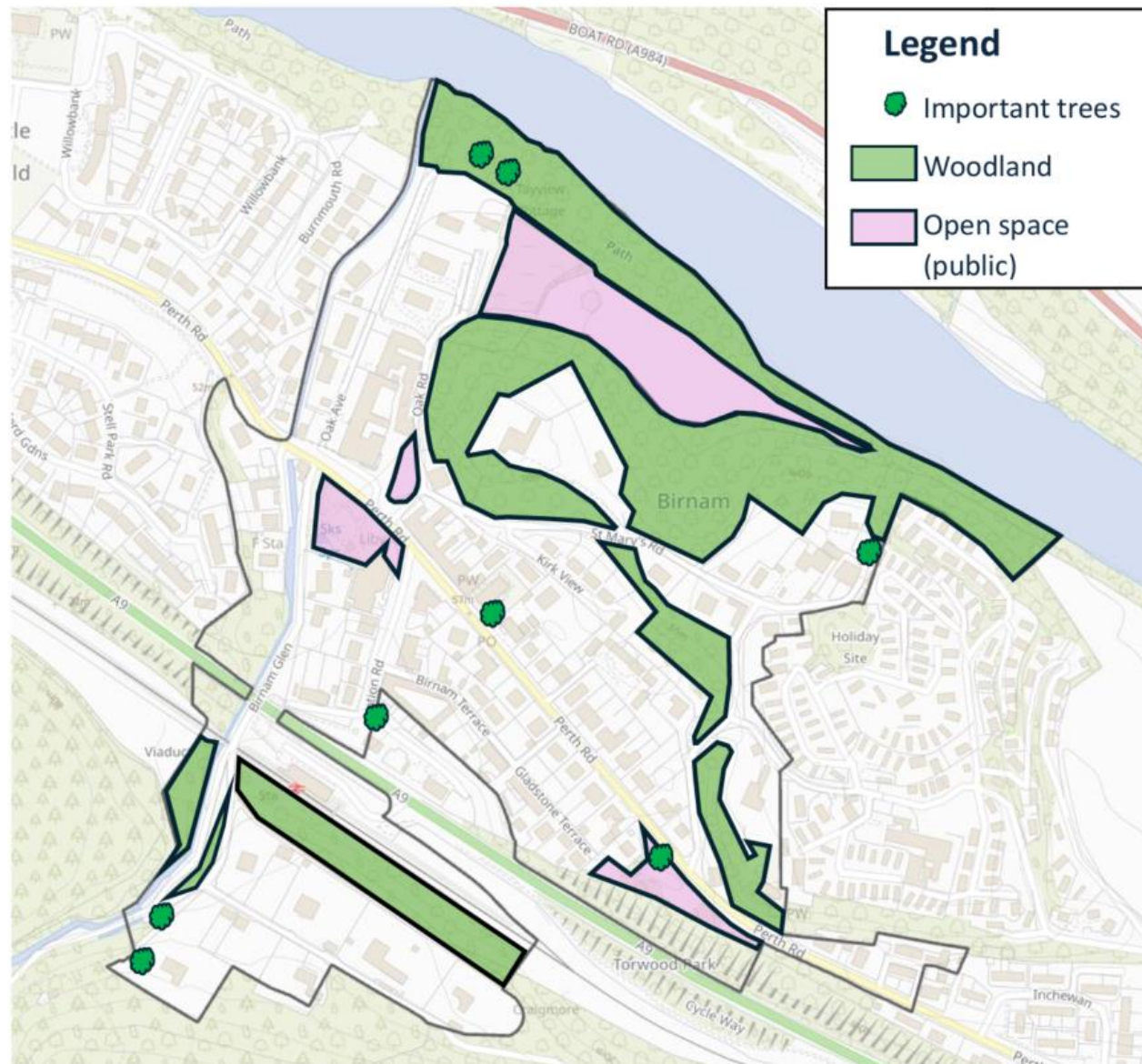


Figure 33 – Birnam Conservation Area – Woodland, Open Space and Important Trees.



## 10. THREATS TO THE CONSERVATION AREA

10.1 Birnam's largely Victorian architectural character is vulnerable to erosion from poor quality or badly designed alterations and additions. Most of the buildings in the conservation area are occupied and in good condition, but some are suffering from neglect or the consequences of inappropriate repairs. Threats to the architectural and townscape character of Birnam are presented by:

- Loss of architectural features such as chimneys, timber doors or windows and cast-iron rainwater goods
- Loss of decorative detailing such as bargeboards and finials
- Poorly designed or sited extensions
- Masonry repairs using cement rather than lime-based mortars or renders
- Visually prominent modern additions such as flues, pipework, solar panels, tv aerials and satellite dishes
- Loss of trees and soft landscaping
- Poor quality modern boundary treatments or conversion of front gardens to parking areas
- Lack of maintenance

10.2 The proposed dualling of the A9 and the potential reintroduction of access to the station from Station Road will present a significant change to the character of this part of the conservation area. This will alter the existing street patterns of movement around the village, but could present opportunities to improve pedestrian access and soft landscaping.



*Figure 34 – Gladstone Terrace showing the original Victorian eaves detailing.  
Source: © Copyright: HES (Buildings of the Scottish Countryside Collection)*

# 11. MANAGEMENT PLAN

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11.1 The appraisal and management plan provides a framework for ongoing management of the conservation area. The key objectives are:

- To ensure the integrity of the conservation area is maintained.
- To prevent erosion of character through small scale change.
- To enable future evolution and change which will enhance the area's character and appearance.

*"Change to a significant place is inevitable, if only as a result of the passage of time, but can be neutral or beneficial in its effect on heritage values. It is only harmful if (and to the extent that) significance is eroded"*  
Conservation Principles, Policies and Guidance ([historicengland.org.uk](http://historicengland.org.uk))

11.2 Meeting these key objectives is contingent on the following requirements:

- Development must be in accordance with current local and national planning policy and supplementary guidance in relation to historic environment assets.
- Design, materials and detailing of works affecting the conservation area must be carefully considered in relation to the existing streetscape character and material palette.
- Development proposals should demonstrate a sustainable approach in relation to both use and materials.
- Adaptive reuse of buildings will be given positive consideration to address physical, visual and economic decline.

11.3 A combination of guidance, information and planning tools will be utilised to ensure positive management of the conservation area:

- Development proposals will be subject to consideration by the council's conservation officers at the pre-application and application stage, and advice provided as appropriate.
- The planning authority will signpost sources of additional specialist advice or grant funding where available.
- Article 4 Directions will be updated to bring certain classes of permitted development under planning control.
- The planning authority will seek to work with owners to assist in positive outcomes for buildings which are long-term vacant or in disrepair.
- The planning authority will work in partnership with bodies such as Historic Environment Scotland and Perth and Kinross Heritage Trust to facilitate conservation training for local contractors and property owners.
- The planning authority will work with property owners to address planning breaches and unauthorised works to buildings in the conservation area. Where possible the council's planning enforcement team will seek to resolve these without taking formal action, but it is recognised that this may be necessary in some cases. Any enforcement action will be taken in line with the adopted enforcement charter: [Planning enforcement - Perth & Kinross Council](#)

## Repair and Maintenance

- 11.4 Routine maintenance and care are the best means of preserving the character and appearance of buildings within a conservation area.
- 11.5 Failure to carry out regular maintenance can place a building at considerable risk and place a financial burden upon property owners if unattended problems lead to damage to the internal fabric such as wet or dry rot. Owners should carry out an annual survey of their property and undertake maintenance and repairs as necessary including gutter clearing, replacing broken or slipped slates, repointing and painting external timber and metal.
- 11.6 Repairs should be “like for like” using traditional materials such as lime mortar rather than cement. Roof repairs should be undertaken using lead and natural slate sourced to match the existing as closely as possible.
- 11.7 Traditional buildings were designed using vapour-permeable materials including stone, timber and lime. It is important to maintain ventilation and breathability to help preserve the existing fabric and internal air quality, preventing condensation and damp. Non-vapour permeable materials such as modern paints, cement mortar/ render and PIR insulation should be avoided.
- 11.8 Where there is evidence of damp, the source should be identified and addressed without the use of waterproof coatings or chemical damp proofing, which can cause more damage over time.

## New Development and Alterations to Existing Buildings

- 11.9 Advice on design is set out in the [Perth & Kinross Council Placemaking Guide](#).
- 11.10 Issues of particular importance to Birnam:
  - Windows and doors: Traditionally detailed timber sash and case windows and doors should be retained and repaired wherever possible, and reinstated where they have been lost.
  - Victorian and Edwardian architectural detailing: Where decorative elements such as finials, railings and bargeboards remain these should be appropriately repaired and maintained.

## Street Furniture

- 11.11 The existing bus stops and other street furniture utilise standard designs and materials, and detract from the quality and interest of the streetscape. When these are scheduled to be replaced, bespoke designs should be considered using high quality, natural materials to better complement the conservation area setting.

## Trees

- 11.12 Under the Town and Country Planning (Scotland) Act 1997 the local planning authority must be given six weeks’ notice of the intention to uproot, fell, lop or top trees. The planning authority will endeavour to discuss suitable management of the trees with the owner, and consider serving a Tree Preservation Order where appropriate. Failure to give notice of works to trees will render owners liable to a fine not exceeding £20,000 per tree.



## Climate Change and the Historic Environment

11.13 “[Our Past Our Future](#)” is Scotland’s national strategy for the historic environment 2023-2028. Priority 1 is the transition to net zero, and the role of the historic environment in achieving this.

11.14 The historic environment is a precious resource not just in terms of its cultural value, but also its embodied carbon and the potential to reuse and adapt buildings. Repairing existing buildings is a form of carbon capture and storage. Small-scale measures such as retaining and repairing existing doors and windows rather than replacing them with unsustainable new materials is the most environmentally conscious approach, contributing towards the transition to net zero.

11.15 In terms of adapting individual buildings to reduce heat loss and energy bills, some commonly used methods of improving energy efficiency are designed for buildings of modern construction and are not compatible with traditional (pre-1919) buildings. The use of non-vapour-permeable materials for insulation, for example, can result in a build-up of damp and condensation which can affect the building fabric and internal air quality. Maintenance is the best means to ensure a historic building is as energy efficient as possible. Only once the building fabric is in good repair and basic measures have been undertaken such as improved internal insulation, draught proofing and energy reduction, should additional more expensive and intrusive energy efficiency measures such as solar panels or external insulation be considered.

11.16 Most external changes to a property in a conservation area will require planning permission. To meet the legal requirement to preserve the character and appearance of the area, applications will be assessed on the basis of their visual impact. Accordingly, as well as the cost and efficiency

benefits of renewable energy measures, careful consideration should also be given to the potential impact on the historic interest of the building and area.

11.17 The policy outcomes of NPF4 Policy 7 in relation to the historic environment are as follows:

- The historic environment is valued, protected and enhanced, supporting the transition to net zero and ensuring assets are resilient to current and future impacts of climate change.
- Redundant or neglected historic buildings are brought back into sustainable and productive uses.
- Recognise the social, environmental and economic value of the historic environment, to our economy and cultural identity.

11.18 Advice on energy efficiency and traditional buildings is available on the PKC climate strategy website: [Traditional Buildings and Climate Adaptation and Mitigation](#)

## Article 4 Direction

11.19 Under Article 4 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), the local planning authority can seek the approval of Scottish Ministers for Directions that restrict certain permitted development rights. Development is not precluded, but such alterations will require planning permission, and special attention will be paid to potential adverse effects on the conservation area. An Article 4 Direction is not needed for most householder development, but it can be beneficial to provide an additional level of control, for example over development by statutory undertakers. The current Article 4 Direction for Birnam is outdated and it is considered that a revised Direction should be drafted for the approval of Scottish Ministers in order to support the conservation area designation. The draft Article 4 Direction is contained in Appendix II.

## Advertisements

11.20 There are certain types of advertisements which do not require advertisement consent under the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984. It is possible for a local planning authority to propose additional advertisement controls through Regulation 11 of the 1984 Regulations and seek the approval of the Scottish Ministers. A Regulation 11 order controls normally permitted forms of 'minor' advertisement which can have an impact in areas of environmental quality. Certain types of advertisements, such as shop or business signage, can have a significant impact on historic building frontages and on the overall quality of the character of the conservation area. Usually, Regulation 11 advert controls are only approved in conservation areas.

11.21 The quality of commercial signage in Birnam is predominantly good, although there are some existing examples of particularly obtrusive or poorly designed signage which have a significant adverse visual impact on traditional shop fronts and the wider conservation area. The Birnam Conservation Area currently has a Regulation 11 advert control; however, this needs to be updated to reflect changes to legislation. Classes of permitted advertisement proposed for removal under Regulation 11 of the Control of Advertisements Regulations 1984 are shown in Appendix 2.

## Monitoring and Review

11.22 As part of the current review a photographic record of the conservation area has been undertaken.

11.23 The conservation area will be monitored through regular visits by council officers in the course of the development management process, and liaison with amenity groups, interested parties and residents as necessary.



## 12. APPENDICES

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APPENDIX 1 – DRAFT ARTICLE 4 DIRECTION

APPENDIX 2 – DRAFT REGULATION 11 ORDER

APPENDIX 3 – USEFUL INFORMATION

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# 13. APPENDIX 1 – DRAFT ARTICLE 4 DIRECTION

## **The Town and Country Planning (General Permitted Development) (Scotland) Order 1992**

### **Perth and Kinross Council (Restriction of Permitted Development) (Birnam Conservation Area) Direction 2025**

Perth and Kinross Council, in terms of The Town and Country Planning (General Permitted Development) (Scotland) Order 1992, Articles 4(1) and 6(1)(b) and of all other powers enabling them in that behalf, being satisfied that it is expedient to do so hereby directs as follows:-

1. This direction may be cited as the ‘Perth and Kinross Council (Restriction of Permitted Development) (Birnam Conservation Area) Direction 2025’.
2. That all and any development comprising the classes set out immediately below should not be carried out within the area of land lying within Birnam Conservation Area *[outlined and]* hatched in red on the plan annexed and executed as relative hereto unless permission is granted on an application in that behalf, and therefore the permission granted by Article 3 of the said Order in respect of the said classes shall not apply.

**Class 3A** - The provision within the curtilage of a dwellinghouse of a building for any purpose incidental to the enjoyment of that dwellinghouse, or the alteration, maintenance or improvement of such a building;

**Class 7** - The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure;

**Class 7A** – Any alteration or replacement of an existing window;

**Class 9E** – The installation, alteration or replacement within [a qualifying parking area], of an electrical outlet mounted on a wall for recharging electric vehicles

**Class 9F** – The installation, alteration or replacement, within a qualifying parking area of –

- (a) An upstand with an electrical outlet mounted on it for recharging vehicles
- (b) Equipment (including equipment housing) necessary for the operation of such an upstand.

**Class 16** - The use of land, other than a building, as a caravan site;

**Class 27** - The carrying out on land within the boundaries of a private road or private way of works required for the maintenance or improvement of the road or way;

**Class 30** - The erection or construction and the maintenance, improvement or other alteration by a local authority;

**Class 33** – The carrying out of development, within their own district by a local authority;

**Class 38** - Water undertakings;

**Class 39** - Public gas transporters;

**Class 40** - Electricity undertakings;

**Class 43** - Universal service providers; and,

**Class 43A** - Sewerage undertakings.



Sealed with the seal of Perth and Kinross Council and subscribed for and on its behalf on the XX day of YYY TWO THOUSAND AND TWENTY-FIVE at PERTH

.....  
Legal Manager & Proper Officer  
Legal & Governance Services  
Perth and Kinross Council

[Plan]

[To be added to the Plan]

This is the Plan referred to in the foregoing Perth and Kinross Council  
(Restriction of Permitted Development) (Birnam Conservation Area)  
Direction 2025

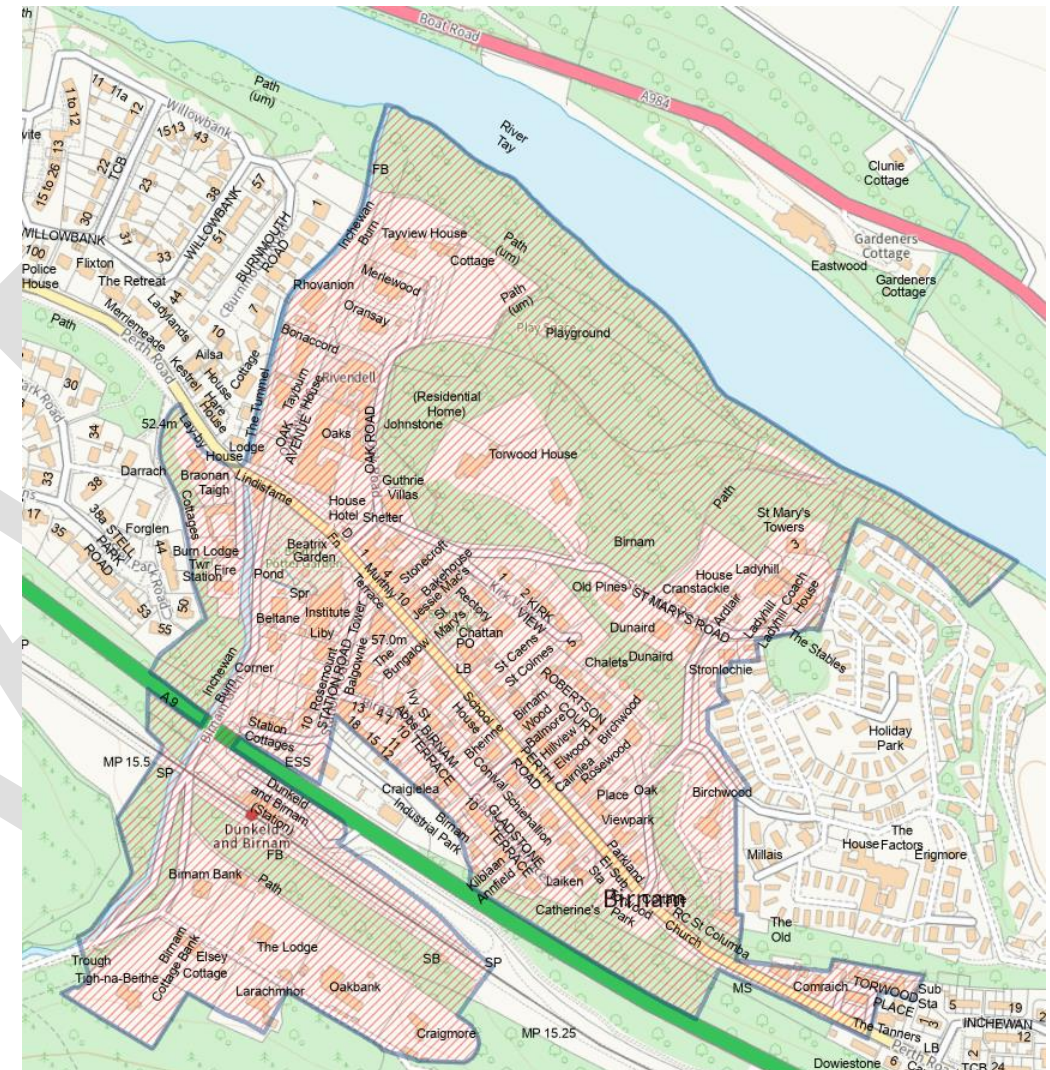


Figure 35 – Area for proposed Article 4 Direction shown hatched in red

# 14. APPENDIX 2 – DRAFT REGULATION 11 ORDER

## The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984

### Perth and Kinross Council (Control of Advertisements) (Birnam Conservation Area) Direction 2025

The Scottish Ministers, in terms of The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984, Regulations 11(1) and 32(1) and of all powers enabling them in that behalf, being satisfied upon representations made by Perth and Kinross Council as planning authority, hereby directs as follows:

1. This direction may be cited as the ‘Perth and Kinross Council (Control of Advertisements) (Birnam Conservation Area) Direction 2025’.
2. That the display of advertisements falling under the classes set out immediately below should not be undertaken within the area of land lying within Birnam Conservation Area *[outlined and]* hatched in red on the plan annexed and executed as relative hereto without express consent, and therefore permission granted by Regulation 10 of the said Regulations in respect of the said classes shall not apply.

**Class II (3):** Advertisements relating to any institution of a religious, educational, cultural, recreational or medical or similar character to any hotel, inn or public house or hostel, situated on the land on which any such advertisement is displayed.

**Class III (3):** Advertisements relating to the carrying out of building or similar work on the land on which they are displayed, not being land which

is normally used, whether at regular intervals or otherwise for the purpose of carrying out such work.

**Class IV (1):** Advertisements displayed on business premises wholly with reference to all of the following matters; the business or other activity carried on, the goods sold or services provided, and the name and qualification of the person carrying on such business or activity or manufacturing or supplying such goods or services on those premises.

**Class IV (2):** Advertisement displayed on any forecourt of business premises wholly with reference to all or any of the matters specified in Class IV (1).

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.....  
Legal Manager & Proper Officer  
Legal & Governance Services  
Perth and Kinross Council

**[Plan]**

[To be added to the Plan]

This is the Plan referred to in the foregoing Perth and Kinross Council (Control of Advertisements) (Birnam Conservation Area) Direction 2025



# 15. APPENDIX 3 – USEFUL INFORMATION

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## Legislation and policy:

- [Planning \(Listed Buildings and Conservation Areas\) \(Scotland\) Act 1997 \(legislation.gov.uk\)](https://legislation.gov.uk)
- [National Planning Framework | Transforming Planning](#)
- [Historic Environment Policy for Scotland | Historic Environment Scotland](#)
- [Development plan - Perth & Kinross Council \(pkc.gov.uk\)](https://pkc.gov.uk)

## Sources of advice:

- [Advice and Support | Historic Environment Scotland | History](#)
- [Making a planning application - Perth & Kinross Council \(pkc.gov.uk\)](https://pkc.gov.uk)
- [Heritage conservation - Perth & Kinross Council \(pkc.gov.uk\)](https://pkc.gov.uk)
- [Local Development Plan - Supplementary Guidance - Perth & Kinross Council \(pkc.gov.uk\)](https://pkc.gov.uk)
- [Traditional Buildings and Climate Adaptation and Mitigation \(pkclimateaction.co.uk\)](https://pkclimateaction.co.uk)

#### CONTACT

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