

ANGUS COUNCIL

INFRASTRUCTURE SERVICES COMMITTEE

24 NOVEMBER 2005

SUBJECT: FINALISED ANGUS LOCAL PLAN REVIEW
PUBLIC LOCAL INQUIRY - UPDATE

REPORT BY DIRECTOR OF PLANNING AND TRANSPORT

Abstract: This report updates Members on progress with the arrangements for the Public Local Inquiry associated with the Finalised Angus Local Plan Review. It also deals with some objections to the Finalised Plan, including proposed modifications where appropriate, and confirms that a number of objections have been received to the first round of draft modifications.

1 RECOMMENDATION

It is recommended that the Committee -

1. note the ongoing arrangements associated with the Angus Local Plan Review Public Inquiry
2. agree the response to objections and certain other outstanding issues as detailed in [Appendix 1, 1A \(Addendum to Local Plan\)](#) of this report, including a third round of proposed draft modifications to the Finalised Local Plan Review;
3. note that objections have been received to the first round of draft modifications which will also be considered at the Public Local Inquiry;
4. agree that outstanding issues relating to objections to both the Finalised Angus Local Plan Review and proposed modifications are reported where appropriate, to the Infrastructure Services Executive Sub-Committee;
5. agree that the Director of Planning and Transport be delegated authority to agree further changes to relevant policies or text, in the period up to and during the forthcoming Public Local Inquiry, where this is considered to be in the interests of supporting the Council's general position on relevant aspects of the Angus Local Plan Review; and
6. note that all changes proposed to the Finalised Angus Local Plan review will be the subject of future consideration and agreement by the Committee as part of the Council's response to the Reporters published report following the conclusion of the Public Local Inquiry.

2 INTRODUCTION

- 2.1 The Infrastructure Services Committee at a special meeting of 8 September 2005 noted progress on the general arrangements associated with the Finalised Angus Local Plan Review Public Inquiry. The Committee agreed a proposed first round of pre-inquiry modifications in response to certain objections and the need for other

technical changes. Objections where it was agreed no change was proposed by the Council were identified and these will be referred to the Public Local Inquiry.

- 2.2 The Committee also noted that outstanding objections in respect of countryside housing policy, wind energy policy, employment land at Carnoustie, and development at Letham Grange were to be subject of further consideration, the results of which were to be reported back to Committee (Report 1081/05 refers). A further outstanding objection in relation to the policy approach at Woodville also requires to be considered by the Committee.
- 2.3 Following consideration of proposals for housing and parkland at Auchmithie by the Infrastructure Services Committee of 13 October (Report 1179/05 refers), and issues relating to major food retail development in Arbroath (Report 1080/05 refers) by a Special Meeting of Angus Council on 18 October 2005, the Council agreed a number of further modifications to the Finalised Angus Local Plan Review. These were included in a second round of pre-inquiry modifications which were published on 4 November 2005 with a 6 week period for objection extending until Thursday 15 December 2005.
- 2.4 Since the previous Committee meeting, the objection period associated with the first round pre-inquiry modifications has ended (3 November 2005) and the Pre-Inquiry Meeting for the Public Local Inquiry has been held in Forfar on Monday 24 October 2005. Progress also continues to be made in the administration arrangements for the Public Inquiry.
- 2.5 This report updates Committee on:-
- progress on arrangements associated with the Public Local Inquiry;
 - the proposed response to outstanding objections to countryside housing policy, wind energy policy, location of employment land in Carnoustie, Letham Grange development strategy, and Woodville policy approach indicating where appropriate proposed modifications;
 - the receipt of objections to the first round of pre-inquiry modifications.

3 PUBLIC LOCAL INQUIRY ARRANGEMENTS - UPDATE

- 3.1 The Pre-Inquiry Meeting dealing with procedural arrangements was held on Monday 24 October in Forfar. The meeting was attended by the two Scottish Executive Reporters, Council officials and various objectors and/or their representatives, and considered the general procedure and broad timetable to be followed at the Local Plan Inquiry. Discussion took place on the preliminary inquiry programme which will continue to be developed taking account of the stage reached with objections, including the timing of various rounds of pre-inquiry modifications. The Programme Officer is now progressing the preparation of the Inquiry Programme including scheduling the matters arising from the second and third rounds of pre-inquiry modifications towards the end of the programme.

- 3.2 Following the Pre-Inquiry Meeting the administrative procedures in the lead up to the commencement of the Public Local Inquiry have been firmed up. Key dates for items already the subject of a response by Angus Council have been established by the Reporters as:-
- Statements of Participation for those objectors appearing at the Inquiry required by 11 November 2005.
 - Statements of Participation by Angus Council for those issues where objectors are appearing at the Inquiry required by 25 November 2005.
 - Preparation by Angus Council of a Schedule of Core Documents – 2 December 2005.
 - Documents to be used by objectors appearing at the Inquiry to be submitted by 9 December 2005.
 - Statements of evidence/precognitions for issues being dealt with by appearance at the Inquiry required by 16 December 2005.
 - Update positions or statements for items being dealt with by written submission required by 17 January 2005.
 - Inquiry commences 10.00 am on Tuesday 17 January 2006. Detailed programme and venues to be confirmed.
- 3.3 Work is continuing to finalise the programme for the Inquiry, including clarification of matters to be addressed by the Inquiry, the length of the Inquiry and also venues where the Inquiry will sit. These matters will continue to be progressed and notified to Members and all objectors in due course. Information will also be published through the requisite public notices, made available in paper copy to objectors and on the Council's Local Plan web page.

4 RESPONSE TO OBJECTIONS

- 4.1 As indicated in paragraph 2.2 above the following matters are the subject of outstanding objections to the Finalised Angus Local Plan Review:
- Countryside Housing Policy;
 - Wind Energy Policy;
 - Carnoustie: Location of Employment Land;
 - Letham Grange Development Strategy; and
 - Woodville Policy Approach.
- 4.2 The following section of this report summarises proposed responses to these outstanding matters with detailed comments and proposed modifications set out in Appendix 1.

Countryside Housing Policy

- 4.3 Since publication of the Finalised Angus Local Plan Review (February 2005), new national policy on Rural Development has been published by the Scottish Executive. SPP15 : Planning for Rural Development and PAN 72 : Housing in the Countryside were published in February 2005. Given this updated national policy and taking into account objections received to Countryside Housing policies, the countryside housing section has been reviewed. While the broad approach in Angus conforms to the thrust of the recent SPP and PAN, modification to the text and policies in the Countryside Housing Section is recommended to more fully provide for sustainable forms of development in appropriate locations. This includes opportunities for the conversion or renovation of buildings, single new houses on sites related to existing groups of houses, redevelopment of appropriate brownfield sites and continued support for limited new housebuilding in parts of the open countryside. Details of the responses to objections and the proposed modifications to the Finalised Local Plan Review are contained in Appendix 1. As a result of changes to national policy, it may also be necessary, in due course, to review some aspects of the Countryside Housing policy currently contained in the Dundee and Angus Structure Plan.

Wind Energy Policy

- 4.4 The Wind Energy section of the Finalised Local Plan has drawn considerable interest from Energy Companies, interest groups (including SNH) and members of the public, with several objectors suggesting amendment to Policy ER34 : Wind Energy Development and supporting text. Taking account of these objections and revised guidance published by Scottish Natural Heritage, the Wind Energy section has been reviewed with the deletion of reference to preferred areas based on the Tayside Landscape Character Assessment and the inclusion of broad locational guidance and a criteria based policy. The supporting text also identifies a range of constraints which can affect wind farm development in sensitive areas such as the Highlands and Coast. The Scottish Executive are currently undertaking a review of NPPG6 : Renewable Energy Developments and if published during the period leading up to the Local Plan Inquiry this may have an impact on how these issues are dealt with at the PLI. Details of the response to objections and the proposed modifications to the Finalised Local Plan Review are contained in Appendix 1.

Carnoustie: Location of Employment Land

- 4.5 The location of new employment land to serve Carnoustie has been the subject of consideration at various stages of this Local Plan Review with several objections being submitted to the Finalised Local Plan allocated site at Clayholes Farm. The identification of a suitable site to meet the needs of new, expanding and relocating businesses in the Carnoustie and Monifieth area has led to a number of sites in and around Carnoustie being assessed by the Council. This has included consideration of issues relating to servicing, access and environmental impact.
- 4.6 Recent closure of the former maltings on Victoria Street has prompted interest in a possible wider renewal for non-business uses of the area between the railway, Kinloch Street, Brown Street and the new housing at Taymouth Terrace. Such a scheme would require the provision of suitable land and premises elsewhere in Carnoustie to accommodate the relocation of existing businesses which may wish to move from this area.

- 4.7 Taking account of these factors, a larger area of land (approx 12ha) than initially sought will need to be identified to meet the Structure Plan requirement for a five year supply of marketable employment land to accommodate relocation and expanding local businesses and providing for new business opportunities. A new site will need to be located to meet the demands of a range of modern business, whilst being designed to minimise potential detrimental effects on the built and natural heritage.
- 4.8 Land adjacent to the Upper Victoria Link provides an opportunity to provide a modern facility for the long-term business needs of Carnoustie and Monifieth with good access to the A92. Development in this area would require to provide appropriate landscaping and boundary treatment to reduce the wider environmental impact of development on an important entrance to Carnoustie.
- 4.9 It is therefore recommended that around 12 ha of land adjacent to the Upper Victoria Link is allocated for employment use and that the Director of Planning and Transport be authorised to finalise details of the proposed site prior to publishing a proposed modification to the Finalised Local Plan Review. This will replace the smaller site identified in the Finalised Local Plan Review as site C6 : Working – Clayholes Farm.
- 4.10 Details of the responses to objections to the Finalised Local Plan Review are contained in Appendix 1.

Letham Grange Development Strategy

- 4.11 In seeking to ensure the commercial viability of the golf courses and hotel, Letham Grange Developments Ltd are considering the potential for time share accommodation, housing and the restoration of listed buildings on the site, including the Letham Grange Hotel building. These indicative proposals would result in the reduction of the second golf course from 18 to 9 holes.
- 4.12 Although the need to provide for the long-term viability of the tourism and recreation facilities at Letham Grange is recognised, the proposals are not sufficiently detailed to allow their inclusion in this Local Plan. Accordingly it is recommended that the Development Strategy and Policy LG1 : Housing – Letham Grange are amended to provide the basis for considering proposals for additional housing during the life of this Local Plan.
- 4.13 The acceptability of additional housing development will depend upon the requirement for cross subsidy of the tourism and recreational facilities, the quality of the tourism proposals and the compatibility of the overall package of measures with the amenity and environmental quality of the area. Proposals will require to be supported by a viable long-term business plan.
- 4.14 Details of the response to objections and the proposed modifications to the Finalised Local Plan Review are contained in Appendix 1.

Woodville

- 4.15 No change is recommended in response to the objection seeking removal of the development boundary and separate policy approach for Woodville provided by Policy Wv1 : Woodville Development Approach. The development boundary and

policy were introduced to protect the areas countryside character from continuing pressure for the development of housing and other urban uses. Details of the response to the objection are contained in Appendix 1.

5 OBJECTIONS TO FIRST ROUND MODIFICATIONS

5.1 Following publication of the Council's Statement of Response to Objections made to the Finalised Angus Local Plan Review together with proposed first round pre-inquiry modifications, some objections have been withdrawn or conditionally withdrawn.

5.2 However objections have also been lodged to the proposed first round of modifications and these will also be considered by the Reporters as part of the Public Local Inquiry process.

6 FINANCIAL IMPLICATIONS

6.1 An allowance of £55,000 towards the costs of holding a Public Local Inquiry is included in the Forward Planning Section Revenue Budget for 2005/2006. This allowance may not fully meet all costs arising, including the engagement of external legal representation for certain matters which will be addressed at the Public Local Inquiry. Further consideration will therefore also be given to this as part of the 2006/07 Budget setting process.

7 HUMAN RIGHTS IMPLICATIONS

7.1 The arrangements summarised in this report, meet statutory requirements in publicising the Council's response on objections and the emerging arrangements associated with the Public Local Inquiry.

8 CONSULTATION

8.1 The Chief Executive, Acting Director of Finance and Director of Law & Administration have been consulted in the preparation of this report.

9 CONCLUSION

9.1 In order to ensure that the Council can respond appropriately and timeously to the emerging position on objections that will be considered by the Public Local Inquiry Reporters it is proposed that:-

- issues relating to objections to the both the Finalised Angus Local Plan Review and proposed modifications are reported where appropriate to the Infrastructure Services Executive Sub-Committee: and
- the Director of Planning and Transport be delegated authority to agree further changes to relevant policies or text where this is considered to be in the interests of the Council's position on the Local Plan. Where practical, any such changes would be reported in the first instance to the Convener of the Infrastructure Services Committee. It should be noted that all changes proposed to the Finalised Local Plan Review will, in due course, be the subject of future consideration and agreement by the Council as part of the Reporters' published report following the Public Local Inquiry.

- 9.2 In preparing for the Public Local Inquiry statements of evidence supporting the Council's position are now in the course of preparation which will further address areas of unresolved objection.

NOTE

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

AA/GDP/KMcG/IAL
17 November 2005

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