

PART 3: Environment and Resources

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ENVIRONMENT AND RESOURCES

3.1 The environmental assets and resources of Angus have long been recognised as important in both local and national terms. The area is essentially rural in nature with an interdependent network of seven towns and numerous villages.

3.2 The diverse landscape ranges from sandy beaches and cliffs along the 55km coastline, the attractive and productive Strathmore valley with its market towns, to the remote splendour of the upland areas of the Glens.

3.3 Angus has a rich and varied biodiversity that is reflected in the broad range of sites designated for their natural heritage value and when combined with the areas distinctive built heritage and important historic environment provide a high quality environment, attractive to both residents and visitors.

3.4 Protecting and enhancing the environmental assets and built and historic heritage of Angus is central to the Council's approach to the sustainable development and the use of the areas finite and non-renewable resources which can help to enhance the health and quality of life for both present and future generations of people living and working in Angus.

3.5 The capacity of the natural and built environment of Angus to accept development and absorb change varies from area to area depending on local characteristics. The Local Plan complements the aims set out in the Dundee and Angus Structure Plan for the sustainable management of the areas environmental resources by giving priority to:

- protecting and enhancing wildlife habitats identified as being of international, national or local importance;
- protecting and enhancing the biodiversity of Angus;
- conserving and enhancing important landscapes and landscape features and ensuring that new development is sympathetic to landscape character;
- protecting and enhancing the quality of the built and historic environment and ensuring that development proposals respect local characteristics;
- promoting the sustainable use of water resources and ensuring that new development does not exacerbate any flood risk;
- promoting the integrated management of the coastal area and minimising unnecessary coastal development;
- guiding proposals for renewable energy;
- safeguarding good quality agricultural land from inappropriate and irreversible development;
- providing a framework for the selection of sites for mineral extraction, landfill and land raise developments to minimise environmental damage to landscape, heritage and environmental assets.

The Dundee and Angus Structure Plan aims for the sustainable management of the areas environmental resources are to :

- *protect and enhance the natural environment in Angus in ways which respect landscape character, promote biodiversity conservation, and enable public enjoyment and understanding;*
- *conserve the heritage value of the built and historic environment and enhance environmental quality in and around the main settlements of the area;*
- *encourage the sustainable use of the area's natural resources and provide a framework for managing the impact of development that supports the economic viability of rural areas; and*
- *provide a framework for renewable energy development and waste management.*

THE NATURAL ENVIRONMENT

3.6 Areas of the natural environment of Angus are of international, national and local importance for their ecological, geological and geomorphological interest. In line with Government objectives the protection and enhancement of the area's rich and varied environmental assets is central to Angus Council's approach to the sustainable use of resources.

Ecology, Habitat and Geological Conservation

3.7 A range of sites in Angus have been recognised for their wildlife and geological interest. Those of international importance for wild birds include Ramsar sites and Special Protection Areas. Those of international importance for rare, vulnerable or endangered habitats and species of plants or animals are designated as Special Areas of Conservation. Together these form a European Community wide network of protected areas, known as Natura 2000. In addition Angus has a number of areas covered by national designations, including National Nature Reserves and Sites of Special Scientific Interest. The areas of international and national natural heritage designation are listed in Figure 3.1 and shown on the main Proposals Map.

Policy ER1 : Natura 2000 and Ramsar Sites

Development likely to have a significant effect on a designated, candidate or proposed Natura 2000 site (Special Protection Areas and Special Areas of Conservation), or Ramsar site and not connected with or necessary to the conservation management of the site must undergo an appropriate assessment as required by Regulation 48 of the Conservation (Natural Habitats etc.) Regulations 1994. Development will only be permitted exceptionally and where the assessment indicates that:

- (a) it will not adversely affect the integrity of the site; or
- (b) there are no alternative solutions; and
- (c) there are imperative reasons of overriding public interest, including those of a social or economic nature.

Where proposals affect a priority habitat and/or priority species as defined by the Habitats Directive (92/43/EEC), the only overriding public interest must relate to human health, public safety or beneficial consequences of primary importance to the environment. Other allowable exceptions are subject to the views of the European Commission.

NPPG 14: Natural Heritage (1999):

The Government's objectives for Scotland's natural heritage are to conserve, safeguard and, where possible, enhance:

- *the overall populations and natural ranges of native species and the quality and range of wildlife habitats and ecosystems;*
- *geological and physiographical features;*
- *the natural beauty and amenity of the countryside and the natural heritage interest of urban areas; and*
- *opportunities for enjoying and learning about the natural environment*

Natura 2000:

a network of areas designated to conserve rare, endangered or vulnerable natural habitats and species of wildlife comprising:-

Special Protection Areas (SPAs):

areas classified by the Scottish Ministers in accordance with the EC Birds Directive for the purpose of protecting the habitats of rare, threatened or migratory bird species.

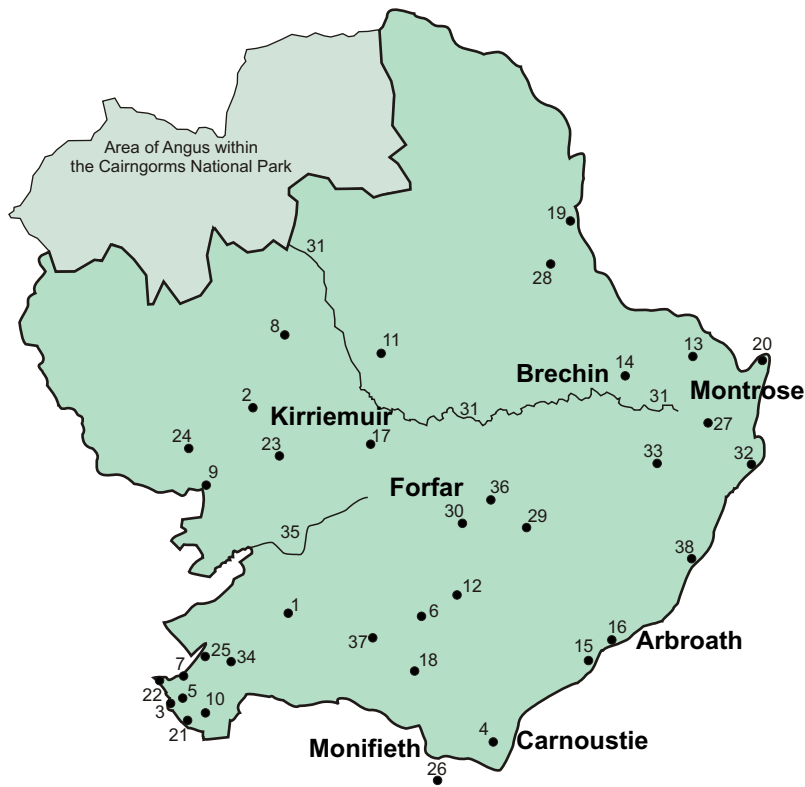
Special Areas of Conservation (SACs):

areas designated by the Scottish Ministers in accordance with the EC Habitats Directive to ensure that rare, endangered or vulnerable habitats and species of Community interest are either maintained at or restored to a favourable conservation status.

Ramsar Site:

wetland of worldwide importance particularly those containing large numbers of waterfowl. Sites include marshes, fens, peatlands, estuaries, open water and in-shore marine areas, and their associated plant life and animals.

Figure 3.1 - Natural Heritage Designations



REF		NNR	SAC	SPA	RAMSAR	SSSI	GCR	OTHER
1	AUCHTERHOUSE HILL					●		
2	BALLOCH MOSS					●		
3	BALSHANDO BOG					●		
4	BARRY LINKS		●	●		●	●	
5	BLACKLAW HILL MIRE					●		
6	CARROT HILL MEADOW					●		
7	CRAIGS OF LUNDIE AND ARDGARTH LOCH					●		
8	CROSSBOG PINEWOOD					●		
9	DEN OF AIRLIE*	●				●		
10	DEN OF FOWLIS					●		
11	DEN OF OGIL					●		
12	DILTY MOSS					●		
13	DRYLEY'S BRICKPIT					●	●	
14	DUN'S DISH			●	●	●		
15	EASTHAVEN					●		
16	ELLIOT LINKS					●		
17	FORESTMUIR					●		
18	GAGIE MARSH					●		
19	GANNOCHY GORGE					●	●	
20	KINNABER LINKS (part of ST. CYRUS S.S.S.I.)	●				●		
21	LITTLE BALLO					●		
22	LOCHINDORES					●		
23	LOCH OF KINNORDY			●	●	●		
24	LOCH OF LINRATHEN			●	●	●		
25	LONG LOCH OF LUNDIE					●		
26	MONIFIETH BAY		●		●	●		
27	MONTROSE BASIN			●	●	●	●	● LNR
28	NORTH ESK & WEST WATER PALEOCHANNELS					●	●	
29	RESCOBIE AND BALGAVIES LOCHS					●		
30	RESTENNETH MOSS					●		
31	RIVER SOUTH ESK (linear)		●					
32	RICKLE CRAIG - SCURDIE NESS					●	●	
33	ROSSIE MOOR					●		
34	ROUND LOCH OF LUNDIE					●		
35	THE RIVER TAY & ITS TRIBUTARIES(linear)		●					
36	TURIN HILL (composite site)					●	●	
37	WHITEHOUSE DEN					●	●	
38	WHITING NESS - ETHIE HAVEN COAST					●	●	

- NNR** - National Nature Reserve
- SAC** - Special Area of Conservation
- SPA** - Special Protection Area
- SSSI** - Site of Special Scientific Interest
- GCR** - Geological Conservation Review Site (i.e. site is partly or wholly a SSSI for its geological interest.)
- LNR** - Local Nature Reserve
- NSA** - National Scenic Area
- Designated
- x Candidate
- Proposed
- * Site in process of being de-declared as an NNR

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Policy ER2 : National Nature Reserves and Sites of Special Scientific Interest

Developments affecting National Nature Reserves and Sites of Special Scientific Interest will only be permitted exceptionally where it can be adequately demonstrated that either:

- (a) the proposed development will not compromise, destroy or adversely affect the conservation objectives and/or particular interest for which the site was notified; or**
- (b) there is an overriding and proven public interest where social or economic considerations outweigh the need to safeguard the ecological, geological or geomorphological interest of the site and the need for the development cannot be met in other less damaging locations or by reasonable alternative means.**

National Nature Reserves (NNRs):

areas of national or international importance for nature conservation which include some of the most important natural and semi-natural habitats in Great Britain.

Sites of Special Scientific Interest (SSSIs):

areas of land or water which in the opinion of Scottish Natural Heritage are of special interest by reason of their flora, fauna, or geological or physiographical features.

Local Nature Reserves:

areas of locally important nature conservation or amenity value which give access to the public.

3.8 Angus also contains a number of sites of regional or local nature conservation or geological interest including Regionally Important Geological Sites, Local Nature Reserves and sites of recognised local nature conservation importance.

Policy ER3 : Regional and Local Designations

Development which would adversely affect sites containing habitats, species, and/or geological or geomorphological features of local or regional importance, whether designated or otherwise, will only be permitted where:

- (a) ecological appraisals have demonstrated to the satisfaction of the Council that the overall integrity of the site and the features of natural heritage value will not be compromised; or**
- (b) the economic and social benefits arising from the proposal significantly outweigh the natural heritage value of the site.**

Local Biodiversity Action Plan:

A Local Biodiversity Action Plan focuses resources to conserve and enhance biodiversity (at a local level) by means of local partnerships taking account of both national and local priorities.

Wider Natural Heritage and Biodiversity

3.9 The protection and enhancement of the natural heritage value of the wider environment beyond the confines of designated areas is necessary to promote biodiversity. Species or habitats protected under the Wildlife and Countryside Act 1981, EC Birds or Habitat Directives or identified as priorities in the UK Biodiversity Action Plan may be found outwith designated sites. Local Biodiversity Action Plans have been prepared for both Tayside and the Cairngorms with the aim of safeguarding the future of the area's habitats and species. Implementation of these LBAPs is progressing through the preparation and implementation of a series of habitat and species action plans. The Local Biodiversity Action Plans for Tayside and the Cairngorms will be material considerations in the determination of planning applications.

Policy ER4 : Wider Natural Heritage and Biodiversity

The Council will not normally grant planning permission for development that would have a significant adverse impact on species or habitats protected under British or European Law, identified as a priority in UK or Local Biodiversity Action Plans or on other valuable habitats or species.

Development proposals that affect such species or habitats will be required to include evidence that an assessment of nature conservation interest has been taken into account. Where development is permitted, the retention and enhancement of natural heritage and biodiversity will be secured through appropriate planning conditions or the use of Section 75 Agreements as necessary.

Landscape Character

3.10 The landscape of Angus is one of its most important assets. It ranges in character from the rugged mountain scenery of the Angus Glens, through the soft rolling cultivated lowland landscape of Strathmore to the sandy bays and cliffs of the coast.

3.11 A small part of north-west Angus is statutorily designated as part of a larger National Scenic Area (NSA). The character and quality of this landscape is of national significance and special care should be taken to conserve and enhance it. Part of the upland area of Angus, including the NSA, is contained within the Cairngorms National Park which is excluded from the Angus Local Plan Review. The guidance provided by the adopted Angus Local Plan will remain in force until it is replaced by a Cairngorms National Park Local Plan prepared by the National Park Authority. The Cairngorms was made a National Park in September 2003 because it is a unique and special place that needs to be cared for – both for the wildlife and countryside it contains and for the people that live in it, manage it and visit it. It is Britain's largest national park.

3.12 In seeking to conserve the landscape character of the area it is important to assess the impact of development proposals on all parts of the landscape. To assist in this the "Tayside Landscape Character Assessment (1999)" commissioned by Scottish Natural Heritage establishes landscape character zones and key character features within the local plan area to provide a better understanding of them and thus to enable better conservation, restoration, management and enhancement. Landscape Character Zones for the Local Plan Area are shown in Figure 3.2.

National Scenic Area:

Nationally important area of outstanding natural beauty, representing some of the best examples of Scotland's grandest landscapes particularly lochs and mountains.

National Park (Scotland) Act 2000 sets out four key aims for the park:

- To conserve and enhance the natural and cultural heritage of the area;
- To promote sustainable use of the natural resources of the area;
- To promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public;
- To promote sustainable economic and social development of the area's communities.

Tayside Landscape Character Assessment 1999:

A detailed hierarchical assessment based on variations in the Tayside landscape, with a series of management and planning guidelines designed to conserve and enhance its distinctive character.

Figure 3.2 : Landscape Character Zones



- 1a** Upper Highland Glens
- 1b** Mid Highland Glens
- 3** Highland Summits & Plateaux
- 5** Highland Foothills
- 8** Igneous Hills
- 10** Broad Valley Lowland

- 12** Low Moorland Hills
- 13** Dipslope Farmland
- 14a** Coast with sand
- 14b** Coast with cliffs
- 15** Lowland Basin

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3.13 Where appropriate, development proposals will be considered in the context of the guidance provided by the Tayside Landscape Character Assessment. The assessment identifies different landscape character zones, considers their capacity to absorb change, and indicates how various types of development might best be accommodated to conserve characteristic landscape features and to strengthen and enhance landscape quality. Particular attention is focussed on the location, siting and design of development and the identification of proposals which would be detrimental to the landscape character of Angus.

Policy ER5 : Conservation of Landscape Character

Development proposals should take account of the guidance provided by the Tayside Landscape Character Assessment and where appropriate will be considered against the following criteria:

- (a) sites selected should be capable of absorbing the proposed development to ensure that it fits into the landscape;**
- (b) where required, landscape mitigation measures should be in character with, or enhance, the existing landscape setting;**
- (c) new buildings/structures should respect the pattern, scale, siting, form, design, colour and density of existing development;**
- (d) priority should be given to locating new development in towns, villages or building groups in preference to isolated development.**

Trees, Woodlands and Hedgerows

3.14 Trees, woodlands, hedgerows and treelines make valuable contributions to nature conservation and recreational activity and are integral to the landscape and townscape of Angus. Ancient woodland is of particular ecological value and is an irreplaceable resource. Such woodland requires special protection as once destroyed it cannot be recreated. Where appropriate, the Council will use Tree Preservation Orders to ensure the protection of an individual tree or group of trees considered important to the amenity value of the surrounding area. In addition and wherever possible the opportunity should be taken to strengthen woodland cover with local native species, either as part of a development proposal, or through the establishment of urban forestry and community woodland initiatives. Angus Council has established the Angus Millennium Forest (AMF) which covers around 83 ha of Council land in the main towns. The AMF makes a significant contribution to biodiversity, urban wildlife conservation and the provision of green spaces in these towns and should be protected from development.

Treeline (lowland)

As defined in The Local Biodiversity Action Plan this is a row of standard trees growing in a hedgerow or as a separate avenue of trees.

Tree Preservation Order(TPO):

An order made by the Planning Authority to preserve trees or woodlands in their area which are considered to have a high amenity value.

Policy ER6 : Trees, Woodlands and Hedgerows

Trees, woodlands and hedgerows which have a landscape, amenity and/or nature conservation value will be protected from development. Development that would result in the loss of or damage to ancient or semi-natural woodlands will not be permitted. Tree Preservation Orders will be promoted to protect groups of trees or individual significant trees of importance to the amenity of a surrounding area where such trees and woodland are under threat. Management Agreements will be introduced, where appropriate, to ensure the establishment of new and replacement planting. Tree planting initiatives such as Community Woodland proposals and other amenity planting will continue to be supported and encouraged.

Trees on Development Sites

3.15 The importance of trees and treelines on development sites should not be underestimated. They can make a substantial contribution towards the overall amenity and integration of new development into the environment and the layout of development proposals should, wherever possible, accommodate trees and treelines worthy of retention.

3.16 A full tree survey may be required to accompany planning applications on sites with existing trees so that the impact of the development on existing trees can be fully assessed. Care should also be taken to avoid damage to trees on sites adjacent to the proposed development. Additional guidelines on this matter are contained in Angus Council Advice Note 22: The Survey of Trees on Development Sites.

Policy ER7 : Trees on Development Sites

Planning applications for development proposals affecting sites where existing trees and hedges occur and are considered by Angus Council to be of particular importance will normally be required to:

- (a) provide a full tree survey in order to identify the condition of those trees on site;
- (b) where possible retain, protect and incorporate existing trees, hedges, and treelines within the design and layout;
- (c) include appropriate new woodland and or tree planting within the development proposals to create diversity and additional screening, including preserving existing treelines, planting hedgerow trees or gapping up/enhancing existing treelines.

In addition developers may be required to provide an Arboricultural Methods Statement, a Performance Bond and/or enter into Section 75 Agreements.

Gapping up
Planting up gaps in hedgerows. This ensures that the hedgerow will retain both its ecological and historical value.

Commercial Forestry

3.17 Commercial forestry is of importance to Angus and whilst afforestation is not subject to planning control, the planning process has a role in integrating forestry with other land use interests. The Tayside Indicative Forestry Strategy (IFS) was originally introduced as part of the Approved Tayside Structure Plan 1993. That part of the IFS relating to Dundee and Angus has been endorsed by the approved Dundee and Angus Structure Plan and continues to provide a strategic framework for considering commercial forestry proposals.

Policy ER8 : Commercial Forestry Development

Proposals for afforestation which are in accordance with the framework provided by the Tayside Indicative Forestry Strategy and the Tayside Landscape Character Assessment will be supported. Tree planting initiatives, such as community woodland proposals and other amenity planting will continue to be supported and encouraged.

Tayside Indicative Forestry Strategy (IFS):

An assessment at a Tayside level of the opportunities for new woodland planting taking account of the presence and complexity of conflicting land use interests. The IFS identifies those areas where forestry planting is preferred, those areas where there is potential and those areas that are sensitive and where forestry would not be encouraged.

Advertising in the Countryside

3.18 The uncontrolled erection of advertisements and signs can have a particularly detrimental effect on the appearance of the countryside. Almost all of Angus outwith the towns is designated as an Area of Special Advertisement Control. This designation enables the Council to resist the erection of advertisements that are not regarded as “reasonably necessary”. Further guidance is contained in Angus Council Advice Note 7: Advertising in the Countryside.

Policy ER9 : Advertising in the Countryside

Proposals for advertising in the countryside will only be permitted where it is in accordance with the guidance contained in Angus Council Advice Note 7: Advertising in the Countryside.

Light Pollution

3.19 Light pollution has increasing implications for degrading the integrity of the environment. Measures to reduce spillage not only minimise the impact of light pollution from new development but also contributes to greater energy efficiency. Angus Council will seek to minimise light spillage from exterior lighting.

Policy ER10 : Light Pollution

Where developments incorporate exterior lighting, Angus Council will require designs which minimise light spillage through use of low pressure sodium lights, full cut-off lanterns and other measures as appropriate. Where floodlighting is needed for sports pitches, golf driving ranges etc, it should be directed and hooded in such a way that the light source is not seen from any neighbouring properties, roads, or paths.

Noise Pollution

3.20 Noise can have a significant impact on our health, quality of life and the general quality of the environment. The planning system has an important role in preventing and limiting noise pollution and the noise implications of development can be a material consideration in determining applications for planning permission adjacent to existing noise sensitive development or where new noise sensitive development is proposed.

Policy ER11 : Noise Pollution

Development which adversely affects health, the natural or built environment or general amenity as a result of an unacceptable increase in noise levels will not be permitted unless there is an overriding need which cannot be accommodated elsewhere. Proposals for development generating unacceptable noise levels will not generally be permitted adjacent to existing or proposed noise sensitive land uses.

Proposals for new noise-sensitive development which would be subject to unacceptable levels of noise from an existing noise source or from a proposed use will not be permitted.

*Planning Advice Note 56 -
Planning and Noise (1999)
Noise sensitive land uses should
be generally regarded as including
housing, hospitals, educational
establishments, offices and some
livestock farms.*

BUILT ENVIRONMENT

3.21 The built environment of Angus is rich and varied. Built development, both historic and modern contributes to the character of the towns, villages and countryside of the area. Angus Council aims to protect and enhance the best of the built environment and improve on the general standard of design. SPP1: The Planning System (2002) emphasises the importance of design considerations in reaching planning decisions.

Historic Built Environment

3.22 The best of the historic built environment of Angus is protected through the listing of buildings, the designation of Conservation Areas, ancient monuments, archaeological sites and sensitive areas, historic parks and gardens. National policy advice on management of the built heritage is contained in the "Memorandum of Guidance on Listed Buildings and Conservation Areas, 1993" published by Historic Scotland. Reference will be made to the Memorandum in assessing development proposals which affect Listed Buildings or buildings in Conservation Areas.

Conservation Areas

3.23 There are 19 conservation areas in Angus, shown in Figure 3.3, of which nine are designated as outstanding. Most of the Angus conservation areas were designated in the 1970s and as part of ongoing work by Angus Council, they are being reviewed. It is proposed to prepare character statements for all conservation areas to inform development control decisions and enhancement proposals. These will identify particular characteristics and local qualities that should be protected.

3.24 Article 4 Directions exist in five of the Angus conservation areas (Arbroath Abbey to Harbour, Lundie, Montrose, Murroes and Fowlis). These provide Angus Council with greater control over development proposals by requiring planning permission to be sought for minor works that would not normally require permission. Angus Council intends to review, revise and update the Article 4 Directions for Lundie, Montrose, Murroes and Fowlis within the Plan period.

NPPG 18: Planning and the Historic Environment(1999)

The Government's aim is to promote sustainable development by:

- *applying the legislative framework to protect, maintain, conserve and promote the continued use of historic property and environments.*
- *promoting economic, social and physical change that respects the character of the historic environment.*

Conservation Area

Area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.

Character Statement

Outlines the characteristics and qualities of a Conservation Area which are worth protecting. Character Statements have been prepared for Arbroath and Montrose.

Article 4 Directions

Promoted by Angus Council and confirmed by the Scottish Ministers they require planning permission for specific types of development, which would otherwise be regarded as 'permitted development', i.e. a development that does not require planning permission.

Figure 3.3 : Heritage Designations



- Conservation Area (Outstanding)
- Conservation Area
- * Article 4 Direction
- 🌸 Gardens & Designed Landscapes
- ★ Ancient Monuments (in care of Scottish Ministers)

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Development Affecting Conservation Areas

3.25 Development proposals in conservation areas should be sympathetic to their surroundings and will be assessed on the contribution they would make to the character or appearance of each area. Support will be given to proposals which are consistent with the aims of preservation or enhancement but equally, development proposals which are poorly designed or where the setting, scale, use of materials, colours, or finish is inappropriate, will be discouraged.

3.26 In order to fully assess the impact of a proposal, applications should be accompanied by sufficient information on the historical, architectural, environmental and archaeological significance of the site along with details of the nature of the proposed development.

Policy ER12 : Development Affecting Conservation Areas

Development proposals within conservation areas or affecting the setting of such areas will be supported where they:

- (a) respect the character and appearance of the area in terms of:**
 - **density, scale, proportion and massing;**
 - **layout, grouping and setting;**
 - **design, materials and finish;**
- (b) contribute positively to the setting of the area and maintain important views within, into or out of the area;**
- (c) retain particular features which contribute to the character and appearance of the area;**
 - **open spaces;**
 - **walls and other means of enclosure;**
 - **ground surfaces;**
 - **natural features such as trees and hedgerows;**
- (d) accord with the Character Statement for the area.**

Demolition of Buildings in Conservation Areas

3.27 Conservation area designation brings the demolition of most buildings under planning control by introducing the requirement for Conservation Area Consent. This recognises the damage that demolition of 'unlisted' but important buildings can do to the character and appearance of the area. There is a general presumption in favour of retaining buildings that make a positive contribution to the character or appearance of conservation areas. applications for demolition of unlisted buildings in conservation areas will usually require to be accompanied by:

- a detailed scheme for the redevelopment of the site;
- details of site layout if it is to be retained as an open area;
- an indication of project timescale; and
- a structural engineer's report.

Conservation Area Consent
Consent required to demolish an unlisted building in a conservation area.

3.28 Where demolition is approved it may be necessary to impose a planning condition or to seek a legal agreement to ensure that the project is only commenced when evidence of a legally binding contract for the redevelopment project is in place.

Policy ER13 : Demolition of Buildings in Conservation Areas

There will be a presumption in favour of the retention of buildings which contribute to the character and appearance of conservation areas.

Development involving demolition of buildings or parts of buildings which make a positive contribution to the character and appearance of conservation areas will only be supported where:

- (a) it has been demonstrated that the condition of the building makes it impractical to repair, renovate or adapt it to any reasonably beneficial use for which planning permission would be granted; and**
- (b) there is evidence that all reasonable efforts have been made to sustain the existing use or find a viable and acceptable new use or uses for the building including marketing of the building nationally for at least 6 months; and**
- (c) planning permission for the reuse of the site, including any replacement building or other structure has been granted.**

Submission of the necessary information does not imply that consent for demolition will be automatically granted.

In most cases demolition will only be permitted where work on the erection of a replacement building is to start immediately following the date of demolition or other such period as may be agreed with Angus Council.

Trees in Conservation Areas

3.29 Trees make a valuable contribution to the character of several of the designated conservation areas. felling or insensitive lopping could adversely affect this character. anyone who wishes to fell, lop, prune or top trees in conservation areas is required to give six weeks prior written notice to the Council who may then make a Tree Preservation Order if it is considered appropriate and/or ensure that appropriate new or replacement planting is undertaken. In general works that sustain the future of important trees will be supported, although it is accepted that trees that are dead or unsafe will require to be removed. Where a tree or trees can be shown to detract from the character of a conservation area felling may also be appropriate.

Policy ER14 : Trees in Conservation Areas

Felling, lopping, topping or other work to trees in conservation areas will be acceptable where the applicant can demonstrate sound arboricultural or safety reasons for the proposal or demonstrate that the trees detract from the character of the conservation area. Where trees are important to the character of the area, Angus Council will consider the use of a Tree Preservation Order. Where felling is acceptable appropriate new and/or replacement planting will be required.

Listed Buildings

3.30 There are over 2000 listed buildings in Angus. The Council has a statutory duty to protect these buildings for their special architectural or historic interest. The Council will seek to ensure that development proposals respect and sustain the character and quality of the buildings and their settings.

3.31 Listed buildings are an important part of the heritage of the area and will be protected from alteration, extension or development that will affect their character, setting or any features which have led to their designation. The demolition of a listed building will not be supported unless a very strong case is made.

3.32 Alterations to listed buildings that require to meet other legislative requirements, particularly The Building Standards (Scotland) Regulations 1990, as amended, must be undertaken sensitively and ensure that the impact on both internal or external features is minimised.

3.33 Further guidance can be found in Angus Council Advice Note 20: Listed Buildings and Conservation Areas.

Policy ER15 : Change of Use, Alterations and Extensions to Listed Buildings

Change of use, or alterations and extensions to a listed building will only be permitted where they are in keeping with the fabric, character and appearance of the building or its setting.

3.34 The relationship of a listed building with the buildings, landscape and spaces around it is an essential part of its character. The setting of a listed building is, therefore, worth preserving and may extend to encompass land or buildings some distance away. Insensitive development can erode or destroy the character and/or setting of a listed building. Consequently planning permission will not be granted for development which adversely affects the setting of a Listed Building. Trees and landscaping, boundary walls and important elevations may be particularly sensitive to the effects of development.

Listed Building

A building that is included in a list compiled by Historic Scotland as being of architectural or historic interest.

Policy ER16 : Development Affecting the Setting of a Listed Building

Development proposals will only be permitted where they do not adversely affect the setting of a listed building. New development should avoid building in front of important elevations, felling mature trees and breaching boundary walls.

3.35 Listed buildings represent the very best examples both locally and nationally of particular building types and there is a strong presumption against demolition in whole or in part. Where proposals for demolition are put forward considerable supporting evidence will be required as part of any application for Listed Building Consent.

Policy ER17 : Demolition of Listed Buildings

There will be a presumption against the demolition of listed buildings. applications for consent to demolish a listed building will only be considered where:

- (a) it has been demonstrated through a detailed structural and feasibility report that the condition of the building makes it impractical to repair, renovate or adapt it to any reasonably beneficial use for which planning permission would be granted; and**
- (b) there is evidence that all reasonable efforts have been made to sustain the existing use or find a viable and acceptable new use or uses for the building including marketing of the building nationally for at least 6 months; and**
- (c) detailed planning permission for the reuse of the site, including any replacement building or other structure has been granted.**

Submission of the necessary information does not imply that consent for demolition will be automatically granted.

In most cases demolition will only be permitted where work on the erection of a replacement building is to start immediately following the date of demolition or other such period as may be agreed with Angus Council.

Ancient Monuments and Archaeological Sites

3.36 Angus has a rich heritage of archaeological remains ranging from crop marks and field systems through to structures such as standing stones, hill forts, castles and churches. They are evidence of the past development of society and help us to understand and interpret the landscape of today. They are a finite and non-renewable resource to be protected and managed.

Listed Building Consent

A legal requirement which authorises work to listed buildings.

NPPG 5: Planning and Archaeology (1994)

Sets out the role of the planning system in protecting ancient monuments and archaeological sites and landscapes. The Government seeks to encourage the preservation of our heritage of sites and landscapes of archaeological and historic interest. The development plan system provides the policy framework for meeting the need for development along with the need for preserving archaeological resources.

3.37 Sites considered to be of national importance are scheduled by Scottish Ministers as Ancient Monuments. There are over 200 such sites in Angus with additional sites regularly being incorporated into the List. In addition, there are other monuments of regional or local significance. All of these sites and monuments, whether scheduled or not, are fragile and irreplaceable.

3.38 The owner or occupier of a scheduled ancient monument is required to obtain consent from Historic Scotland for repairs, alterations, demolition, or any work affecting the monument. In order therefore to protect the scheduled monument any planning application that may affect it will be notified to Historic Scotland and their comments taken into account in determining development proposals.

PAN 42 : Archaeology – the Planning Process and Scheduled Monument Procedure (1994)

Archaeological remains offer a tangible, physical link with the past. They are a finite and non-renewable resource containing unique information about our past and the potential for an increase in future knowledge. Such remains are part of Scotland's identity and are valuable both for their own sake and for education, leisure and tourism. The remains are often fragile and vulnerable to damage or destruction; care must therefore be taken to ensure that they are not needlessly destroyed.

Policy ER18 : Archaeological Sites of National Importance

Priority will be given to preserving Scheduled Ancient Monuments in situ. Developments affecting Scheduled Ancient Monuments and other nationally significant archaeological sites and historic landscapes and their settings will only be permitted where it can be adequately demonstrated that either:

- a) the proposed development will not result in damage to the scheduled monument or site of national archaeological interest or the integrity of its setting; or**
- b) there is overriding and proven public interest to be gained from the proposed development that outweighs the national significance attached to the preservation of the monument or archaeological importance of the site. In the case of Scheduled Ancient Monuments, the development must be in the national interest in order to outweigh the national importance attached to their preservation; and**
- c) the need for the development cannot reasonably be met in other less archaeologically damaging locations or by reasonable alternative means; and**
- d) the proposal has been sited and designed to minimise damage to the archaeological remains.**

Where development is considered acceptable and preservation of the site in its original location is not possible, the excavation and recording of the site will be required in advance of development, at the developer's expense.

Scheduled Ancient Monument (SAM):

The site of a scheduled monument and any other monument which in the opinion of the Scottish Ministers is of public interest by reason of its historic, architectural, traditional, artistic or archaeological interest.

3.39 While the best examples of valuable archaeological sites are designated of national importance there are numerous examples of historic sites in both urban and rural areas that are of local significance. There are also other sites where finds may have been made in the past but no remains are known to date.

3.40 Within the mediaeval burghs of Arbroath, Brechin, Forfar and Montrose areas of primary and secondary archaeological significance were identified through the Scottish Burgh Surveys undertaken in the late 1970s. This provides an indicator for prospective developers that where redevelopment is being proposed an archaeological assessment may be required prior to commencement of works or at least a watching brief during excavations.

Policy ER19 : Archaeological Sites of Local Importance

Where development proposals affect unscheduled sites of known or suspected archaeological interest, Angus Council will require the prospective developer to arrange for an archaeological evaluation to determine the importance of the site, its sensitivity to development and the most appropriate means for preserving or recording any archaeological information. The evaluation will be taken into account when determining whether planning permission should be granted with or without conditions or refused.

Where development is generally acceptable and preservation of archaeological features in situ is not feasible Angus Council will require through appropriate conditions attached to planning consents or through a Section 75 Agreement, that provision is made at the developer's expense for the excavation and recording of threatened features prior to development commencing.

Historic Gardens and Designed Landscapes

3.41 There are many fine examples of estates, parks and gardens, which help to form the landscape quality of Angus. The contribution of these historic and designed landscapes to the appearance of Tayside is recognised in the Tayside Landscape Character Assessment (1999).

3.42 Angus Council will seek to protect and enhance historic gardens and designed landscapes currently included in the Inventory of Gardens and Designed Landscapes in Scotland (1989), and any others that may be identified during the plan period as well as non-inventory sites of local or regional importance. Although it is recognised that non-inventory sites make an important contribution to the character of the landscape of Angus, further research is required to determine their number and location.

Inventory of Gardens and Designed Landscapes in Scotland(1989):

A detailed list compiled by Historic Scotland and Scottish Natural Heritage as being of architectural or historic interest.

Inventory sites in Angus include:

*Airlie Castle
Ascreavie
Brechin Castle
Cortachy Castle
Edzell Castle
Glamis Castle
Guthrie Castle
The Guynd
House of Dun
House of Pitmuies
Kinnaird Castle*

Policy ER20 : Historic Gardens and Designed Landscapes

Sites included in the “Inventory of Gardens and Designed Landscapes in Scotland”, and any others that may be identified during the plan period, will be protected from development that adversely affects their character, amenity value and historic importance. Development proposals will only be permitted where it can be demonstrated that:

- (a) the proposal will not significantly damage the essential characteristics of the garden and designed landscape or its setting; or
- (b) there is a proven public interest, in allowing the development, which cannot be met in other less damaging locations or by reasonable alternative means.

Protection will also be given to non-inventory historic gardens, surviving features of designed landscapes, and parks of regional or local importance, including their setting.

Shopfronts, Advertisements and Signs in Conservation Areas, Dutch Canopies, Window Alterations and Security Grilles

3.43 Angus Council has produced a series of Advice Notes to provide further policy guidance on design issues with regard to alterations to existing buildings. The guidance is intended to ensure that alterations to existing buildings are carried out in a sympathetic manner that does not detract from the character of a building or area. Guidance has been published for shopfronts, advertisements and signs in conservation areas, dutch canopies, window alterations and security grilles.

Policy ER21 : Design Guidance

Development proposals affecting shopfronts, advertisements and signs in Conservation Areas, dutch canopies, security grilles and window alterations will be required to take account of the guidance provided by:

- Advice Note 2 – Shopfronts and Signs in Conservation Areas;
- Advice Note 8 – Dutch Canopies/Sunblinds;
- Advice Note 9 – Window Alterations;
- Advice Note 10 – Shop Window Security.

WATER RESOURCE MANAGEMENT

3.44 The Water Environment and Water Services (Scotland) Act 2003 introduced legislation to implement the EC Water Framework Directive. This established a requirement for river basin management by SEPA in partnership with other agencies including Angus Council. The Water Framework Directive requires the sustainable management of Scotland's water resources on the basis of natural river basin districts taking account of all the impacts that cause harm to the aquatic environment, including physical development, land use activity and effluent discharge. In the interim period until detailed controls are introduced through River Basin Management Plans, the Local Plan seeks to ensure that development activity does not lead to a deterioration of the quality and status of the water resource in Angus.

Foul Drainage

3.45 Recent major investment by Scottish Water, including the Tay Waste Water Project, to meet the requirements of the Urban Waste Water Treatment (Scotland) Regulations 1994 and Bathing Water (Classification) (Scotland) Regulations 1991 has significantly improved treatment standards and enhanced development prospects at Arbroath, Carnoustie, Monifieth, Forfar and Montrose. Drainage constraints do however continue to affect a number of locations across Angus and influence site selection and the timing of land release for development. In order to secure implementation of the Local Plan strategy the Council will continue to press Scottish Water to allocate appropriate resources for the Angus area in their Investment Plan to remove longstanding development constraints.

3.46 The nature and scale of some development constraints may present the opportunity for developer/Scottish Water partnership initiatives and investment. This approach is welcomed by Angus Council where it supports development proposals which are in accordance with the Local Plan strategy.

3.47 Private drainage systems, including septic tanks and biodiscs, are vital in bringing forward development proposals in locations outwith areas served by public sewers. Such private systems have however been increasingly viewed by developers as providing an opportunity to overcome development constraints affecting towns and villages served by public sewerage. Concerns remain over long-term maintenance and the potential for pollution and environmental damage.

3.48 Consequently, the general approach of the Local Plan will be to require development within sewered areas to be connected to the public drainage system and to discourage the use of private drainage solutions in areas served by public sewers, regardless of whether or not capacity is available.

Policy ER22 : Public Drainage Systems

Within towns and villages served by public sewers all development proposals requiring drainage must be connected to the public drainage system. Private drainage solutions will not be permitted within areas served by public sewers, even where they are subject to constraint.

Policy ER23 : Private Drainage Systems

Development proposals requiring the private provision of waste water treatment plant, biodiscs, septic tanks or similar arrangements will only be acceptable where:-

- (a) the site is located outwith the public sewerage network;**
- (b) the proposed development is in accord with the development strategy and other relevant policies of the Local Plan;**
- (c) there is no detrimental effect to a potable water supply, or supply for animals or an environmentally sensitive water course or loch, including ground and surface waters; and**
- (d) the requirements of SEPA and/or The Building Standards (Scotland) Regulations 1990, as amended, are met in relation to installation, e.g. proximity to other buildings.**

Surface Water Management

3.49 In the Angus towns and villages much of the existing drainage network is a combined system which deals with both foul water and surface water run-off from roads, roofs and other impermeable surfaces. This significantly reduces the capacity of the foul drainage network during storm water conditions. Scottish Water does not accept surface water run-off from new greenfield development into the foul drainage network and separate arrangements are required for surface water disposal. Depending on local circumstances such arrangements will also be required for brownfield redevelopment sites.

3.50 Developers are required to make appropriate provision for the collection, treatment, decontamination and disposal of all surface water arising from development sites to the standards and requirements of SEPA, Angus Council Planning & Transport and Roads Departments and Scottish Water as appropriate. Isolating pollutants at source and providing the necessary treatment can reduce the potential for pollution. The use of permeable surfaces and other water attenuation measures designed to slow surface water run-off from the development site can reduce the risk of flooding in water catchment areas. Detailed guidance on the effective management of surface water run-off through the use of Sustainable Urban Drainage Systems (SUDS) is provided by PAN61: Planning and Sustainable Urban Drainage Systems (2001) and the Sustainable Urban Drainage Systems - Design Manual for Scotland and Northern Ireland (2002).

PAN 61: Planning and Sustainable Urban Drainage Systems (2001)

Sustainable Urban Drainage Systems (SUDS) aim to deal in an integrated way with surface water, based on the following principles:

- *managing surface water run-off on-site as near to source as possible;*
- *slowing down run-off;*
- *treating it naturally; and*
- *releasing good quality surface water to watercourses or groundwater.*

Sustainable Urban Drainage Systems - Design Manual for Scotland and Northern Ireland (2002):

prepared by the Sustainable Urban Drainage Scottish Working Party the Manual provides a definitive source of advice for SUDS design, planning and implementation in Scotland.

Policy ER24 : Surface Water Disposal

Sustainable Urban Drainage Systems are preferred in dealing with surface water drainage from all new development. In considering development proposals Angus Council will consult and liaise closely with SEPA, Scottish Water and developers in order to ensure that appropriate methods of surface water run-off collection, treatment, decontamination and disposal are implemented to minimise the risk of flooding and the pollution of water courses, lochs and ground water.

Proposals that adopt ecological solutions to surface water management which promote local biodiversity by the formation of ponds and/or wetlands for example, and create or improve habitats will also be encouraged.

Water Supply

3.51 As a result of programmed investment by Scottish Water over a number of years the Angus water supply infrastructure (sources, treatment plant, service reservoirs and distribution network) is of a very high standard and generally capable of meeting the water demands of the development proposals identified in the Local Plan.

3.52 Although localised water supply problems continue to affect a number of villages in Angus including Monikie and Tannadice, there are no schemes currently proposed by Scottish Water to resolve these issues. Angus Council will continue to encourage Scottish Water to make timeous and appropriate investment in Angus to remove existing water supply constraints and maintain the current high standard of water supply and treatment.

3.53 Some more remote areas of rural Angus, where public water supply is not available, are dependent on private water supplies. It is important that these supplies and water catchment areas that are the source of potable water are protected from development which may adversely affect water quality. Applications for planning permission will require to prove to the satisfaction of Angus Council that the development proposal will not detrimentally affect existing water supplies. Use of private water sources in areas served by a public water supply will not be acceptable.

Policy ER25 : Water Resource Protection

Development proposals which adversely affect a water catchment area to the detriment of the potable quality of a public or private water supply will not be permitted.

Policy ER26 : Private Water Supplies

In areas outwith the public water supply network, development proposals requiring connection to a private supply will require to ensure that:-

- (a) the supply is certified fit for human consumption by the Environmental and Consumer Protection Department of Angus Council; and
- (b) abstraction rates from the source will not contaminate or deplete the supply to the detriment of existing users.

Flood Risk

3.54 Parts of Angus, principally around lochs, rivers and watercourses, are prone to localised flooding as a consequence of periods of heavy rainfall or rapid snow melt. In addition some low lying areas may be at risk from flooding due to tidal influence and wave action. Climate change is likely to have an increasing impact on both flooding and sea level rise over the life of this Local Plan. Recent trends show increasing levels of rainfall with storms likely to become more frequent and unpredictable. While flood events are most likely to occur along the North Esk, South Esk, Brothock Water, parts of the Elliot Water, and catchment of the Dighty Water and its tributaries, low-lying areas adjacent to other watercourses, such as the Barry Burn, can also be prone to localised flooding.

3.55 The effects of natural flood events can be compounded by surface water run-off from developed areas and the amount of existing development in low-lying areas at risk from flooding. It is therefore important when assessing development proposals or options for future development land that the potential for flooding should be minimised by taking full account of flood risk, both on site and elsewhere in the local catchment area.

3.56 The Angus Flood Liaison and Advice Group has considered the potential for flooding in Angus taking into account flood frequency information provided by SEPA which identified those areas most susceptible to flood risk. As a general principle there will be a presumption against locating 'built' development in areas of known significant flood risk. A precautionary principle will be adopted in considering development options or proposals in flood plains and low-lying areas adjacent to watercourses.

3.57 Where development is proposed, an assessment of the potential for flooding will be required, taking account of the location of the site and the flow characteristics of the local watercourse. Where appropriate, developers will be required to provide a detailed flood risk assessment in support of a planning application. SPP7: Planning and Flooding includes a Risk Framework based on flood return periods for coastal, tidal and watercourse flooding that provides a basis for assisting the assessment of development proposals in areas known or suspected to be at risk from flooding.

3.58 Angus Council will consult SEPA on all development proposals in areas known to be subject to flooding. To minimise the risk of localised flooding, surface water run-off from all new development will be managed using Sustainable Urban Drainage Systems (SUDS) as specified by Policy ER24 above.

SPP7: Planning and Flooding (2004):

The central purpose of the Governments Policy is to prevent further development which would have a significant probability of being affected by flooding or which would increase the probability of flooding elsewhere.

Planning authorities must take the probability of flooding from all sources and the risks involved into account during the preparation of development plans and in determining planning applications.

Flood Liaison and Advice Group (FLAG):

A non-statutory advisory group of public and private sector representatives, convened by Councils to share concerns and knowledge and provide advice on a wide range of planning and other flooding issues.

Policy ER27 : Flood Risk - Consultation

Angus Council will routinely consult with SEPA on all development proposals adjacent to or potentially affected by:-

- (a) the North Esk, south of Edzell;
- (b) the South Esk;
- (c) the Brothock Burn, south of Leysmill;
- (d) the Elliot Water, south of Arbirlot;
- (e) the catchment of the Dighty Water and its tributaries; and
- (f) other watercourses and lochs of known potential flood risk.

Angus Council may require developers to submit a flood risk assessment in support of a planning application.

Policy ER28 : Flood Risk Assessment

Proposals for development on land at risk from flooding, including any functional flood plain, will only be permitted where the proposal is supported by a satisfactory flood risk assessment. This must demonstrate to the satisfaction of Angus Council that any risk from flooding can be mitigated in an environmentally sensitive way without increasing flood risk elsewhere. In addition, limitations will be placed on development according to the degree of risk from coastal, tidal and watercourse flooding. The following standards of protection, taking account of climate change, will be applied:-

- In Little or No Risk Areas where the annual probability of flooding is less than 0.1% (1:1000 years) there will be no general constraint to development.
- Low to Medium Risk Areas where the annual probability of flooding is in the range 0.1% - 0.5% (1:1000 – 1:200 years) are suitable for most development. Subject to operational requirements these areas are generally not suitable for essential civil infrastructure. Where such infrastructure has to be located in these areas, it must be capable of remaining operational during extreme flood events.
- Medium to High Risk Areas (see 2 sub areas below) where the probability of flooding is greater than 0.5% (1:200 years) are generally not suitable for essential civil infrastructure, schools, ground based electrical and telecommunications equipment.
 - (a) *Within areas already built up* sites may be suitable for residential, institutional, commercial and industrial development where an appropriate standard of flood prevention measures exist, are under construction or are planned.
 - (b) *Undeveloped or sparsely developed areas* are generally not suitable for additional development.

Flood Risk Assessment

An assessment carried out to predict and assess the probability of flooding for a particular site or area and recommended mitigation measures including maintenance.

Essential Civil Infrastructure
includes hospitals, fire stations, emergency depots, etc.

Coastal Management

3.59 The Angus coastline is one of the area's most important assets extending from Montrose in the north to Monifieth in the south. The wider coastal area is home to around 50% of the Angus population and is a significant communications corridor for road, rail and sea as well as containing important employment centres at Arbroath and Montrose and contributing to the area's tourism industry. The coastal area also contains a number of sites protected for their natural and historic interest. In general there is a need to minimise unnecessary development on the coast whilst providing for development that requires a coastal location.

3.60 In line with the Dundee and Angus Structure Plan and Government advice outlined in National Planning Policy Guideline 13: Coastal Planning and Planning Advice Note 53: Classifying the Coast for Planning Purposes the Angus coast has been divided into two categories; developed and undeveloped coast. The undeveloped coast is shown on the Proposals Map.

3.61 The developed coast comprises the main towns of Monifieth, Carnoustie, Arbroath and Montrose and includes the traditional "links areas" which are important recreation zones. New development requiring a coastal location will generally be directed toward the main towns, within established development boundaries. Opportunity for the establishment of a coastal footpath/cycle route to link developed and undeveloped coast will also be progressed (see Proposal SC40: Walking and Cycling).

3.62 There is very little physical development on the undeveloped coast, the exceptions being at Barry Links which is used as a military training area, a number of fishing villages (Easthaven, Auchmithie, Ethiehaven and Usan) and farmsteads. The undeveloped coast is also important with regard to natural heritage and scenic views. Montrose Basin is a unique estuarine basin of rich natural heritage recognised as being internationally important. Priority for the undeveloped coastline will be to safeguard and protect the landscape character, biodiversity, natural and cultural heritage from inappropriate development.

3.63 The Tay Estuary Forum provides the opportunity to develop an integrated approach to the management and development of the Angus coastline through the preparation of a Coastal Zone Management Plan. In addition Angus Council has published the Angus Shoreline Management Plan that sets out the strategy for coastal defence. All development proposals affecting the Angus coastline will be assessed against the Shoreline Management Plan.

Developed Coast

Includes towns and cities as well as substantial freestanding industrial and energy developments. It may also contain sites of significance for national and international nature conservation, important cultural heritage resources as well as valuable areas of open space and recreation such as golf courses.

Undeveloped Coast

Includes agricultural and forestry land, low intensity recreational uses and smaller settlements which depend on the coast for their livelihood. Extensive sections of the undeveloped coast are protected by national and international natural heritage designations and contain important cultural heritage resources.

NPPG13 – Coastal Planning (1997)

Tay Estuary Forum

The Forum, established in 1997, aims to promote the wise and sustainable use of the Tay Estuary and adjacent coastline.

Shoreline Management Plan

This outlines the risks, to people and the environment, from coastal erosion and flooding and identifies preferred policies to manage the risks. Its aim is to ensure that future land use and development of the shoreline take account of these factors.

Policy ER29 : Coastal Development

New development requiring a coastal location will generally be directed toward the developed coast.

Development proposals for the undeveloped coast will generally only be considered acceptable where it can be demonstrated that:

- **the proposal requires a coastal location; and**
- **no other suitable alternative site exists within the developed coast; and**
- **the social and economic benefits of the proposal outweigh the potential detrimental impact on the Angus coastal environment.**

In addition, all development proposals affecting either the developed or undeveloped coast will be assessed against the Angus Shoreline Management Plan and other relevant policies of this Local Plan.

Agriculture

Agricultural Land

3.64 Current national policy protects prime quality agricultural land from inappropriate and irreversible development. It is estimated that Angus has around 9.6% of this scarce and non-renewable national resource, predominantly located in the lowland area along Strathmore and the coastal strip between Carnoustie and Arbroath. As the Local Plan strategy seeks to accommodate development in and around the main towns, it is inevitable that some prime quality land will be required for development.

Prime Quality Agricultural Land – Grade 1, 2 and 3.1 as defined and identified on the Macauley Land Use Research Institutes Land Capability for Agriculture maps.

Policy ER30 : Agricultural Land

Proposals for development that would result in the permanent loss of prime quality agricultural land and/or have a detrimental effect on the viability of farming units will only normally be permitted where the land is allocated by this Local Plan or considered essential for implementation of the Local Plan strategy.

Intensive Livestock Buildings

3.65 Agriculture is a major business activity throughout rural Angus and has a role in both economic and environmental terms. The scale of some farming practices has resulted in certain types of development now being subject to planning regulations. This applies particularly to intensive livestock rearing and Angus Council will seek to ensure that such developments do not adversely impact on neighbouring residents, and that existing and proposed units are not compromised by the development of housing in close proximity.

Intensive Livestock Building: a building, structure or installation used or to be used for housing pigs or poultry

Policy ER31 : Intensive Livestock Buildings

Proposals for intensive livestock buildings:

- **should not be located within 400 metres of the curtilage of a protected building; and**
- **the scale, design, access, traffic implications and waste disposal measures of the intensive livestock building must be appropriate and acceptable to its location.**

Planning permission will not normally be granted for new (non-agriculturally related) houses within 400 metres of an existing or proposed intensive livestock building.

Protected Building: any permanent building which is normally occupied by people or would be so occupied, if it were in use for purposes for which it is apt; but does not include-

- a building within the agricultural unit; or
- a dwelling or other building on another agricultural unit which is used for or in connection with agriculture.

Source - Town and Country Planning (General Permitted Development)(Scotland) Order 1992.

Minerals

3.66 Mineral deposits are finite and valuable natural resources of national and strategic importance which can make a significant contribution to the Angus economy. However, mineral extraction and associated activity can affect the landscape, heritage and environment of the area and the residential amenity of properties and

NPPG4: Land for Mineral Working (1994)

A sustainable framework for mineral extraction should seek:

- To conserve minerals as far as possible, while ensuring an adequate supply to meet

communities adjacent to operational sites.

3.67 NPPG4: Land for Mineral Working (1994) and the UK Strategy for Sustainable Development both promote a positive framework for mineral extraction. Accordingly, the extraction of mineral resources should only be considered where it is required to maintain an effective landbank equivalent to 10 years supply and construction material cannot be obtained from more sustainable or less environmentally damaging sources. The use of recycled or secondary minerals can both prolong the life of existing quarrying operations and reduce the requirement to establish new sites. Proposals for mineral extraction should avoid the most sensitive and vulnerable areas of Angus through application of a sequential approach (Policy ER39) to the selection of sites for mineral development.

3.68 Development proposals for hard rock or sand and gravel extraction in Angus will be considered in the context of the guidance provided by the Dundee and Angus Structure Plan and the Angus Mineral and Waste Landfill Audit (2001).

the needs of society for minerals.

- *To minimise production of waste and to encourage efficient use of materials, including appropriate use of materials and recycling of wastes.*
- *To encourage sensitive working practices during minerals extraction and to preserve or enhance the overall quality of the environment once extraction has ceased.*
- *To protect designated areas of critical landscape or nature quality from development, other than in exceptional circumstances where it has been demonstrated that development is in the public interest.*

Policy ER32 : Minerals

Angus Council will seek to conserve existing mineral reserves within Angus taking account of market demand and promoting the use of recycled and secondary minerals.

Proposals for mineral extraction will only be permitted where it can be demonstrated that:

- a) development is justified to maintain an effective 10 year land bank for construction aggregates and that the market requirement cannot be met from existing renewable, recycled or secondary sources;**
- b) the development conforms to a sequential consideration of international, national and locally important planning designations established by Policy ER39;**
- c) proposals for land restoration, aftercare and after use are satisfactory. Where considered necessary and prior to the commencement of development Angus Council will require a bond to cover the cost of an agreed scheme for the restoration, aftercare and after-use of the site;**
- d) the roads leading to and from the site are capable of accommodating the type and volume of heavy traffic movements generated by the development;**
- e) development will not have a detrimental impact on the residential amenity or general environment;**
- f) they do not adversely affect watercourses, lochs or groundwater resources; and**
- g) the proposal conforms to other relevant policies of the Local Plan.**

Where appropriate, development proposals will require to be accompanied by an Environmental Statement and/or Transport Assessment.

3.69 Angus Council supports the Government policy to address the causes of climate change, and has adopted an Environmental Policy Statement along with a draft Local Agenda 21 Strategy for Angus. The effective conservation and management of energy resources is important for economic, environmental and ecological reasons. The production of energy from renewable sources prevents the production of emissions in power generation, while the reduction of energy consumption reduces the demand for electricity from all sources and should make homes and businesses more cost efficient. In terms of sustainable development, energy efficiency and non-polluting power generation are fundamental to establishing a stable and environmentally acceptable energy policy.

Energy Efficiency

3.70 Energy efficiency, the reduction of pollution and the use of renewable resources are elements of the sustainable principles on which this plan is based. The key factors that impact on the energy efficiency of a building are site location and building design. The gradient and orientation of a site, together with the spacing between buildings and the height of possible obstructions have an impact on the amount of exposure a building has to direct sunlight and therefore its potential for solar energy gain. Heat loss is influenced by the number and/or construction of external walls and, on exposed sites, by the presence of planting and other types of windbreaks.

3.71 The choice of materials, amount of insulation, use of renewable energy sources and the installation of energy efficient heating/cooling systems can contribute to the wise use of resources. Energy generation and conservation technologies using renewable sources and energy efficient systems can reduce demand for fossil fuels and reduce running costs of domestic and commercial properties. Re-use of building materials and/or the local sourcing of materials also contributes to the conservation of resources and should be incorporated into development proposals wherever possible.

**Securing a Renewable Future,
Scottish Executive 2003**

Energy efficiency has a crucial role to play if we are to achieve significant cuts in carbon emissions. ...It is also vital to improving Scotland's economic performance and business competitiveness.

Policy ER33 : Energy Efficiency

Angus Council will encourage energy efficiency through the promotion of:

- **siting, form, orientation and layout of buildings to maximise the benefits of solar energy, passive solar gain, natural ventilation and natural light;**
- **the use of landscaping and boundary treatment to modify temperature extremes, minimise heat loss due to exposure and create shelter on inner faces and entrances to buildings;**
- **optimum provision of insulation and the use of energy efficient heating/cooling systems;**
- **the re-use of building materials;**
- **local sourcing of materials;**

- the use of a flexible design to facilitate possible future adaptation for other uses;
- renewable energy generation and energy efficient systems in domestic and commercial buildings where appropriate, which reduce demand for power from non-renewable sources.

Renewable Energy

3.72 The Scottish Executive is strongly supportive of renewable energies and has set a target of 17-18% of Scotland's electricity supply to come from renewable sources by 2010. NPPG6: Renewable Energy Developments (Revised 2000) considers a range of renewable energy technologies and encourages the provision of a positive policy framework to guide such developments. The Scottish Executive's aspiration is for renewable sources to contribute 40% of electricity production by 2020, an estimated total installed capacity of 6GW (Minister for Enterprise, July 2005). This will require major investment in commercial renewable energy production and distribution capacity throughout Scotland.

3.73 The Dundee and Angus Structure Plan acknowledges the advantages of renewable energy in principle but also recognises the potential concerns associated with development proposals in specific locations. Angus Council supports the principle of developing sources of renewable energy in appropriate locations. Large-scale developments will only be encouraged to locate in areas where both technical (e.g. distribution capacity and access roads) and environmental capacity can be demonstrated.

3.74 Developments which impinge on the Cairngorms National Park will be considered within the context of the National Park Authority's Planning Policy No1: Renewable Energy.

Renewable Energy Sources

3.75 Offshore energy production, including wind and tidal methods, has the potential to make a significant contribution to the production of renewable energy in Scotland. Other than small-scale onshore support buildings, such developments currently fall outwith the remit of the planning system.

3.76 All renewable energy production, including from wind, water, biomass, waste incineration and sources using emissions from wastewater treatment works and landfill sites will require some processing, generating or transmission plant. Such developments, that can all contribute to reducing emissions will have an impact on the local environment and will be assessed in accordance with Policy ER34.

Policy ER34 : Renewable Energy Developments

Proposals for all forms of renewable energy development will be supported in principle and will be assessed against the following criteria:

NPPG6: Renewable Energy Developments (Revised 2000)

The Scottish Ministers wish to see the planning system make positive provision for renewable energy whilst at the same time:

- meeting the international and national statutory obligations to protect designated areas, species, and habitats of natural heritage interest and the historic environment from inappropriate forms of development; and
- minimising the effects on local communities.

Large-scale projects which may or will require an Environmental Assessment. These are defined as hydroelectric schemes designed to produce more than 0.5MW and wind farms of more than 2 turbines or where the hub height of any turbine or any other structure exceeds 15m.

SNH's EIA Handbook identifies 6 types of impact which may require an assessment:

- Landscape and visual;
- Ecological;
- Earth heritage;
- Soil;
- Countryside access; and
- Marine environment.

- (a) the siting and appearance of apparatus have been chosen to minimise the impact on amenity, while respecting operational efficiency;
- (b) there will be no unacceptable adverse landscape and visual impacts having regard to landscape character, setting within the immediate and wider landscape, and sensitive viewpoints;
- (c) the development will have no unacceptable detrimental effect on any sites designated for natural heritage, scientific, historic or archaeological reasons;
- (d) no unacceptable environmental effects of transmission lines, within and beyond the site; and
- (e) access for construction and maintenance traffic can be achieved without compromising road safety or causing unacceptable permanent and significant change to the environment and landscape.

Wind Energy

3.77 Onshore wind power is likely to provide the greatest opportunity and challenge for developing renewable energy production in Angus. Wind energy developments vary in scale but, by their very nature and locational requirements, they have the potential to cause visual impact over long distances. Wind energy developments also raise a number of environmental issues and NPPG 6 advises that planning policies should guide developers to broad areas of search and to establish criteria against which to consider development proposals. In this respect, Scottish Natural Heritage Policy Statement 02/02, Strategic Locational Guidance for Onshore Wind Farms in Respect of the Natural Heritage, designates land throughout Scotland as being of high, medium or low sensitivity zones in terms of natural heritage. Locational guidance is provided to supplement the broad-brush zones.

3.78 A range of technical factors influence the potential for wind farm development in terms of location and viability. These include wind speed, access to the distribution network, consultation zones, communication masts, and proximity to radio and radar installations. Viability is essentially a matter for developers to determine although annual average wind speeds suitable for commercially viable generation have been recorded over most of Angus, other than for sheltered valley bottoms. Environmental implications will require to be assessed in conjunction with the Council, SNH and other parties as appropriate.

Strategic Locational Guidance for Onshore Windfarms in Respect of the Natural Heritage - Scottish Natural Heritage Policy Statement No 02/02

Zone 3 – high natural heritage sensitivity. Developers should be encouraged to look outwith Zone 3 for development opportunities

Zone 2 – medium natural heritage sensitivity. ...while there is often scope for wind farm development within Zone 2 it may be restricted in scale and energy output and will require both careful choice of location and care in design to avoid natural heritage impacts.

Zone 1 - ...inclusion of an area in Zone 1 does not imply absence of natural heritage interest. Good siting and design should however enable such localised interests to be respected, so that overall within Zone 1, natural heritage interests do not present a significant constraint on wind farm development

Figure 3.4 : Geographic Areas



1 Highland

2 Lowland and Hills

3 Coast

TLCA Designation

- 1a Upper Highland Glens
- 1b Mid Highland Glens
- 3 Highland Summits & Plateaux
- 5 Highland Foothills

TLCA Designation

- 8 Igneous Hills
- 10 Broad Valley Lowland
- 12 Low Moorland Hills
- 13 Dipslope Farmland

TLCA Designation

- 14a Coast with sand
- 14b Coast with cliffs
- 15 Lowland Basin

3.79 Scottish Natural Heritage published a survey of Landscape Character, the Tayside Landscape Character Assessment (TLCA), which indicates Angus divides naturally into three broad geographic areas – the Highland, Lowland and hills and the Coast. The Tayside Landscape Character Assessment provides a classification to map these areas based on their own particular landscape characteristics (Fig 3.4).

Area	TLCA Classification	Landscape Character
1 Highland	1a, 1b, 3, 5	Plateaux summits, glens and complex fault line topography
2 Lowland and hills	8, 10, 12,13	Fertile strath, low hills and dipslope farmland.
3 Coast	14a, 14b, 15	Sand and cliff coast and tidal basin

The impact of wind farm proposals will, in terms of landscape character, be assessed against the TLCA classifications within the wider context of the zones identified in SNH Policy Statement 02/02.

3.80 The open exposed character of the Highland summits and the Coast (Areas 1 and 3) is sensitive to the potential landscape and visual impact of large turbines. The possibility of satisfactorily accommodating turbines in parts of these areas should not be discounted although locations associated with highland summits and plateaux, the fault line topography and coast are likely to be less suitable. The capacity of the landscape to absorb wind energy development varies. In all cases, the scale layout and quality of design of turbines will be an important factor in assessing the impact on the landscape.

3.81 The Highland and Coast also have significant natural heritage value, and are classified in SNH Policy Statement 02/02 as mainly Zone 2 or 3 - medium to high sensitivity. The development of large scale wind farms in these zones is likely to be limited due to potential adverse impact on their visual character, landscape and other natural heritage interests.

3.82 The Lowland and Hills (Area 2) comprises a broad swathe extending from the Highland boundary fault to the coastal plain. Much of this area is classified in Policy Statement 02/02 as Zone 1- lowest sensitivity. Nevertheless, within this wider area there are locally important examples of higher natural heritage sensitivity such as small- scale landscapes, skylines and habitats which will influence the location of wind turbines. In all cases, as advocated by SNH, good siting and design should show respect for localised interests.

3.83 Wind farm proposals can affect residential amenity, historic and archaeological sites and settings, and other economic and social activities including tourism. The impact of wind farm developments on these interests requires careful assessment in terms of sensitivity and scale so that the significance can be determined and taken into account.

3.84 Cumulative impact occurs where wind farms/turbines are visually interrelated e.g. more than one wind farm is visible from a single point or sequentially in views from a road or a footpath.

Landscape and visual impact can be exacerbated if wind turbines come to dominate an area or feature. Such features may extend across local authority, geographic or landscape boundaries and impact assessments should take this into account. Environmental impacts can also be subject to cumulative effect – for example where a number of turbine developments adversely affect landscape character, single species or habitat type.

3.85 SNH advise that an assessment of cumulative effects associated with a specific wind farm proposal should be limited to all existing and approved developments or undetermined Section 36 or planning applications in the public domain. The Council may consider that a pre-application proposal in the public domain is a material consideration and, as such, may decide it is appropriate to include it in a cumulative assessment. Similarly, projects outwith the 30km radius may exceptionally be regarded as material in a cumulative context.

Policy ER35 : Wind Energy Development

Wind energy developments must meet the requirements of Policy ER34 and also demonstrate:

- (a) the reasons for site selection;**
- (b) that no wind turbines will cause unacceptable interference to birds, especially those that have statutory protection and are susceptible to disturbance, displacement or collision;**
- (c) there is no unacceptable detrimental effect on residential amenity, existing land uses or road safety by reason of shadow flicker, noise or reflected light;**
- (d) that no wind turbines will interfere with authorised aircraft activity;**
- (e) that no electromagnetic disturbance is likely to be caused by the proposal to any existing transmitting or receiving system, or (where such disturbances may be caused) that measures will be taken to minimise or remedy any such interference;**
- (f) that the proposal must be capable of co-existing with other existing or permitted wind energy developments in terms of cumulative impact particularly on visual amenity and landscape, including impacts from development in neighbouring local authority areas;**
- (g) a realistic means of achieving the removal of any apparatus when redundant and the restoration of the site are proposed.**

NPPG6 : Renewable Energy Developments (Revised 2000)

Large-scale projects which may or will require an Environmental Assessment. These are defined as hydroelectric schemes designed to produce more than 0.5MW and wind farms of more than 2 turbines or where the hub height of any turbine or any other structure exceeds 15m.

Local Community Benefit

3.86 Where renewable energy schemes accord with policies in this local plan there may be opportunities to secure contributions from developers for community initiatives. Such contributions are not part of the planning process and as such will require to be managed through other means than obligations pursuant to Section 75 Planning Agreement. Community contributions are separate from planning gain and will not be considered as part of any planning application.

WASTE MANAGEMENT

3.87 As part of the Government's drive for sustainable development and in support of the wider environment, waste management is entering a period of change aimed at stopping the continued growth of waste arisings and dealing more effectively with the waste produced. Driven by European Legislation and the need for improved environmental protection, the current dependence on landfill is no longer appropriate, requiring a move towards more sustainable waste management.

3.88 The National Waste Strategy: Scotland (1999) introduced the principles that require to be taken into account in establishing an integrated approach to the sustainable management of waste. The waste hierarchy is key to the approach promoted by the National Waste Strategy. The objective of sustainable waste management is to minimise the amount of waste produced at source and increase the percentage of waste that is reused, recycled and recovered. Ultimately this approach should reduce the amount of waste being disposed of to landfill.

Municipal Solid Waste

3.89 The Tayside Area Waste Plan (2003), was prepared in the context of the National Waste Strategy by a partnership of SEPA, Angus, Dundee City, and Perth and Kinross Councils and the waste industry. This established the Best Practicable Environmental Option (BPEO) for the collection and management of municipal solid waste. Consideration of non-municipal wastes will be addressed in future development of the Tayside Area Waste Plan.

3.90 The Area Waste Plan provides an integrated approach to waste management in Tayside and promotes a range of measures to achieve Landfill Diversion Targets for Angus. Although the BPEO seeks to extend the existing range of waste management infrastructure and activity in Tayside through further development of centralised facilities and significantly improve the proportion of municipal waste that will be minimised, reused, recycled, composted and recovered, it is recognised that a proportion of municipal waste in the area will still need to go to landfill sites.

3.91 NPPG10: Planning and Waste Management (1996) places a requirement on local authorities to maintain a 10 year capacity for landfill. The Waste Landfill Audit (June 2001) projected, on the basis of a 25% reduction of municipal waste going to landfill in the period to 2010, that Angus had sufficient capacity for non-inert waste until 2015 at its existing landfill site at Lochhead, Forfar. Although the most recent projections based on current rates of disposal confirm that the site has capacity to around 2017 (in excess of the 10 year requirement) Angus Council will require to commence work to identify and consider landfill options for future disposal of residual waste.

The EU Landfill Directive (1999):

requires a progressive reduction in the landfilling of bio-degradable municipal waste and the pre-treatment of wastes before landfilling, to both reduce waste volume and minimise environmental impact of disposal.

The National Waste Strategy: Scotland (1999):

sets out a framework within which individuals and organisations can make a contribution by better use of resources available to them and by making better decisions about how to dispose of waste products.

The Tayside Area Waste Plan (March 2003):

aims to contribute to the sustainable development of the Tayside Area by developing waste management systems that will control waste generation, reduce the environmental impacts of waste production, improve resource efficiency, stimulate investment and maximise the economic opportunities arising from waste.

Best Practicable Environmental Option (BPEO):

The outcome of a decision-making procedure, which emphasises the protection and conservation of the environment across land, air and water.

The procedure establishes the option that provides the most benefits or the least damage to the environment as a whole, at an acceptable cost, in the long term as well as in the short term.

Landfill Diversion Targets for Angus:

- *bio-degradeable municipal waste to landfill reduced to 35% of 1995 levels by 2020.*
- *85% household participation in recycling by 2010.*
- *85% household participation in composting by 2010.*
- *85% household participation in kerbside segregated collection by 2010.*

3.92 Proposals to develop or identify sites for new or extended landfill sites and other waste management facilities for municipal solid waste will be considered in the context provided by the Tayside Area Waste Plan and against Policy ER35.

Policy ER36 : Municipal Solid Waste Management

In accordance with the Tayside Area Waste Plan and the provisions of the National Waste Strategy: Scotland and National Waste Plan, Angus Council will support the provision of local facilities to reduce, reuse, recycle, recover and pre-treat municipal solid waste.

Proposals for new or extended landfill sites and/or the development of facilities for the management and disposal of municipal solid wastes will be permitted where it can be demonstrated that:

- (a) the proposal accords with the Development Strategy and BPEO set out by the Tayside Area Waste Plan;
- (b) the proposal would assist in the delivery of the Angus Council Waste Implementation Plan;
- (c) there is evidence of local need;
- (d) the capacity and location of the site accords with the principles of self-sufficiency and the proximity principle;
- (e) the development conforms to a sequential consideration of international, national and locally important planning designations established by Policy ER39;
- (f) the proposal provides a proven and acceptable system for the containment, collection, treatment and disposal of leachate;
- (g) the proposal provides a proven and acceptable system for the containment, collection and active use of landfill gas;
- (h) there is no detrimental impact on residential amenity or the general environment through noise, dust and odours;
- (i) there is no adverse affect on watercourses, lochs or groundwater resources;
- (j) the proposal will result in the positive regeneration of already degraded areas;
- (k) land restoration, aftercare and after use details are satisfactory; and
- (l) the roads leading to and from the site are capable of accommodating the type and volume of heavy traffic movements generated by the development.

Proposals for waste management facilities which can satisfy the above criteria may, where considered suitable, be acceptable on employment land (defined by Policy SC16 : Employment Land Supply and Policy SC17 : Industrial and Business Use).

Where appropriate, development proposals will require to be accompanied by an Environmental Statement and Transport Assessment.

Municipal Solid Waste:

Household waste and any other wastes collected by a waste collection authority or its agents, such as municipal parks and garden waste, beach cleansing waste, commercial or industrial waste, and waste resulting from the clearance of fly-tipped materials.

NPPG10 : Planning and Waste Management (1996)

Self-sufficiency:

the principle that waste areas should seek to provide sufficient facilities to manage local waste arisings.

Proximity Principle:

establishment of adequate waste management facilities to handle waste arisings as close as possible to the point of production.

Non-Municipal Solid Waste

3.93 The collection and disposal of non-municipal waste, includes inert and special wastes. Normally undertaken by commercial waste operators the treatment and disposal of inert waste is based around a small number of material waste treatment facilities on industrial estates and a range of landfill sites, usually former quarry sites in the Angus countryside. Increasing the recovery and re-use of metals, stone, slate and other construction wastes contributes to a more sustainable use of natural resources and can considerably extend the lifespan of landfill sites.

3.94 There are few facilities for the disposal of special wastes in Angus. The vast majority of special wastes are transported outwith Angus for treatment and disposal at specialist facilities.

3.95 The Tayside Area Waste Plan does not currently deal with non-municipal waste. In the absence of this guidance, proposals to develop or identify sites for new or extended landfill sites and other waste management facilities for non-municipal solid waste will be considered against Policy ER36.

Policy ER37 : Non-Municipal Waste Management

Angus Council will support the provision of local facilities to reduce, reuse, recycle, recover and pre-treat non-municipal waste in accordance with the provisions of the National Waste Strategy: Scotland and National Waste Plan.

Proposals for new or extended landfill sites and/or the development of facilities for the management and disposal of non-municipal solid waste will be permitted where it can be demonstrated that:

- a) there is evidence of a strategic local or national need;
- b) the development conforms to a sequential consideration of international, national and locally important planning designations established by Policy ER39;
- c) sites for inert waste include provision of facilities for the treatment of construction and demolition waste;
- d) sites for hazardous or special waste are required to meet a strategic national requirement;
- e) the proposal provides a proven and acceptable system for the containment, collection, treatment and disposal of leachate;
- f) the proposal provides a proven and acceptable system for the containment, collection and active use of landfill gas;
- g) there is no detrimental impact on residential amenity or the general environment through noise, dust and odours;
- h) there is no adverse affect on watercourses, lochs or groundwater resources;
- i) the proposal will result in the positive regeneration of already degraded areas;
- j) land restoration, aftercare and after use details are satisfactory; and
- k) the roads leading to and from the site are capable of accommodating the type and volume of heavy traffic movements generated by the development.

Non-Municipal Solid Waste:

Non-municipal wastes fall into two main types defined as:

Industrial waste is waste from a factory or any premises used for, or in connection with, the provision of public transport; the public supply of gas, water, sewerage or electricity services; the provision to the public of postal or telecommunications services.

Commercial waste is waste from premises used for a trade or business or for the purposes of sport, recreation or entertainment.

In addition non-municipal waste often also contains difficult or hazardous materials that may require specialist handling and treatment.

Inert Waste:

Waste that does not undergo any significant physical, chemical or biological transformations as defined by the EU Landfill Directive (99/31/EEC).

Proposals for waste management facilities which can satisfy the above criteria may, where considered suitable, be acceptable on employment land (defined by Policy SC16 : Employment Land Supply and Policy SC17 : Industrial and Business Use).

Where appropriate, development proposals will require to be accompanied by an Environmental Statement and Transport Assessment.

Recycling and Composting Facilities

3.96 Angus Council already promotes and supports the principles of waste reduction, recycling and re-use. Recycling centres are located in the main towns and collect a range of household wastes, paper, glass, metal and green waste as well as other bulkier household goods and waste that can be recycled and disposed of safely.

3.97 Angus Council will, through implementation of the Waste Implementation Plan, seek to extend this area of waste management activity through further development of centralised facilities, mini-recycling points in new retail, business and residential developments, kerbside collections and other initiatives. The requirement for mini recycling points to be provided in residential development in the towns and main villages will be considered in the context of the roll out of kerbside collections for glass, paper and plastic containers. Angus Council intend to produce Supplementary Guidance setting out detailed requirements for the provision of recycling facilities in new residential, business, industrial, residential and commercial developments. Where appropriate, developers will be encouraged to establish strategies to minimise waste from new development, including during the design and construction of the project.

Recycling facilities in Angus include:

- *civic amenity sites at Arbroath, Brechin, Carnoustie, Forfar, Kirriemuir, Monifieth and Montrose;*
- *mini recycling points at Friockheim, Glamis, Inverkeilor, Letham and Newtyle;*
- *34 recycling points.*

Policy ER38: Recycling and Composting Facilities

In support of the Tayside Area Waste Plan and Angus Waste Implementation Plan, Angus Council will promote the further development of local recycling facilities including:

- **centralised in-vessel composting (compliant with the Animal By-Products (Scotland) Regulations 2003) of green waste at Lochhead Landfill/Restenneth; and**
- **community recycling facilities to serve Carnoustie and Monifieth.**

Proposals for new retail, business, commercial, industrial and residential developments must include appropriate provision for recycling facilities for the collection of glass, metal cans, paper and other recyclable material. Recycling facilities must be located in a conveniently accessible location within the development and should be designed in consultation with Angus Council Environmental and Consumer Protection Department. This will include provision for the separate collection and storage of recyclates within the curtilage of individual houses.

SEQUENTIAL APPROACH FOR MINERAL EXTRACTION, LANDFILL AND LAND RAISE PROPOSALS

3.98 Proposals for mineral extraction, landfill and land raise development can result in significant issues of potential impact on the wider Angus environment and amenity enjoyed by residents and local communities. It is considered appropriate to establish a sequential approach to directing development, taking full account of a hierarchy of international, national and local designations. The hierarchy seeks to direct development to the least sensitive areas.

3.99 As the impact of different types of development on designations and other identified features varies, certain factors appear in different levels on the hierarchy. For instance prime agricultural land is in a lower level for renewable energy development than the others as the potential land take is relatively low.

This broad sequential approach based on the hierarchy of natural heritage designations is supported in a range of NPPGs including NPPG14: Natural Heritage.

The hierarchy also includes factors considered important in Angus, including settlement development boundaries, distance from a Trunk or "A" Class road, coastal sand and dune

systems, and river and stream beds.

Policy ER39 : Sequential Approach for Mineral Extraction, Landfill and Land Raise Proposals

Proposals for mineral extraction, landfill and land raise development must demonstrate and satisfy a sequential consideration of the international, national and locally important planning designations detailed in Table 3.1.

Level 1: International Designations:

Development that would have an adverse impact on the conservation interests of international designations will only be permitted where:

- **there are reasons of overriding public interest; and**
- **there is no alternative solution (including the full exploration of alternative sites in levels 2, 3 and 4).**

Level 2: National Designations:

Development that would have an adverse impact on a designated area of national importance will only be permitted where:

- **the designation objectives and overall integrity of the area will not be compromised; or**
- **any significant adverse impact on the area are clearly outweighed by social or economic benefits of national importance; or**
- **no suitable alternative site is available in levels 3 and 4.**

Level 3: Local Designations:

Development that would have a significant adverse impact on local designations or features will only be permitted where:

- **the importance or value of the designation or feature to local environmental quality is clearly outweighed by the local economic and social benefits ; and**
- **no suitable alternative site is available in level 4.**

Level 4: Preferred Areas:

Development may be permitted subject to local circumstances and amenity considerations.

TABLE 3.1

	Mineral Extraction	Landfill and Land Raise
LEVEL 1 INTERNATIONAL	<ul style="list-style-type: none"> • Special Protections Areas (SPAs) • Special Areas of Conservation (SACs) • Ramsar Sites • Priority habitats, as defined in Article 1 of the Habitats Directive 	<ul style="list-style-type: none"> • Special Protection Areas (SPAs) • Special Areas of Conservation (SACs) • Ramsar Sites • Coastal sand and dune systems • River and stream beds • Priority habitats as defined in Article 1 of the Habitats Directive
LEVEL 2 NATIONAL	<ul style="list-style-type: none"> • National Nature Reserves • Sites of Special Scientific Interest which are not SPAs or SACs • Scheduled Ancient Monuments (and their settings) • Historic Gardens and Designed Landscapes • Listed Buildings (and their settings) • Prime Agricultural Land (Classes 1, 2 and 3.1) • Coastal sand and dune systems • River and stream beds • UK Biodiversity Action Plan priority habitats 	<ul style="list-style-type: none"> • National Nature Reserves • Sites of Special Scientific Interest which are not SPAs or SACs • Scheduled Ancient Monuments (and their settings) • Historic Gardens and Designed Landscapes • Listed Buildings (and their settings) • Prime Agricultural Land (Classes 1, 2 and 3.1) • UK Biodiversity Action Plan priority habitats
LEVEL 3 LOCAL	<ul style="list-style-type: none"> • Other archaeological sites appearing on the Sites and Monuments Record • Areas of Wildlife Interest • Local or non-statutory Nature Reserves • Local Biodiversity Action Plan priority habitats • Recreation areas and facilities • Pipeline wayleave routes carrying water, oil, gas and petrochemical products • Buffer zones extending 400m from settlement boundaries • Sites safeguarded for possible future development • Outwith 2km of 'A' Class or Trunk Road 	<ul style="list-style-type: none"> • Other archaeological sites appearing on the Sites and Monuments Record • Areas of Wildlife Interest • Local or non-statutory Nature Reserves • Local Biodiversity Action Plan priority habitats • Recreation areas and facilities • Pipeline wayleave routes carrying water, oil, gas and petrochemical products • Buffer zones extending 400m from settlement boundaries • Sites safeguarded for possible future development • Outwith 2km of 'A' Class or Trunk Roads
LEVEL 4	<ul style="list-style-type: none"> • Areas not covered by designations included in tiers 1-3 	<ul style="list-style-type: none"> • Areas not covered by designations included in tiers 1-3

CONTAMINATED LAND

3.100 There are a number of sites across Angus, principally in the towns and villages, which may as a consequence of previous use be unstable and/or contaminated. The planning system has a key role to play in addressing the legacy of contaminated land through the consideration of proposals for its future use.

3.101 Part IIA of the Environmental Protection Act 1990 established a framework for Local Authorities aimed at addressing the issue of land contamination which is considered to be at risk of causing harm to human health or the environment. Under this legislation Angus Council has prepared a Contaminated Land Strategy, which indicates how the Council intends to identify and deal with contaminated land across Angus.

3.102 Guidance on dealing with proposals to develop or change the use of contaminated land is provided by PAN33 : Development of Contaminated Land (Revised 2000) and Angus Council Advice Note 27: Planning and Contaminated Land. In principle development proposals on sites suspected of being contaminated will be considered using a `Suitable for Use` approach.

PAN33 (Revised 2000): Development of Contaminated Land

The `Suitable for Use` approach to dealing with contaminated land consists of three elements:

- *Ensuring that land is suitable for its current use;*
- *Ensuring that land is made suitable for any new use, as planning permission is given for that new use; and*
- *Limiting requirements for remediation to the work necessary to prevent unacceptable risks to human health or the environment in relation to the current use or future use of the land for which planning permission is being sought.*

Policy ER40 : Contaminated Land

Development on land known or suspected to be unstable or contaminated will only be permitted where it can be demonstrated to the satisfaction of Angus Council that any actual or potential risk to the proposed use can be overcome.

Development proposals on such land will require to be supported by an appropriate site investigation (detailing the extent and nature of ground instability and/or contamination), risk assessment and details of any remediation measures necessary to make the site suitable for the intended use. Where appropriate Angus Council will require necessary remedial measures to be undertaken prior to the commencement of development.