

FINALISED ANGUS LOCAL PLAN REVIEW

**STATEMENT OF RESPONSE BY
ANGUS COUNCIL**

**OBJECTIONS TO PRE-SECOND INQUIRY
MODIFICATIONS**

- VOLUME 1 :** Objections where there is no change proposed
- VOLUME 2 :** Objections where there is no change proposed but the matter is to be referred to a second PLI
- VOLUME 3 :** Objections not to a published Pre-Second Inquiry Modification so therefore not competent at this stage of the Local Plan Review Process
- APPENDIX** Copy of Report 1121/07 to Infrastructure Services Committee, 27 November 2007



December 2007

VOLUME 1

**Objections where there is no
change proposed**

Finalised Angus Local Plan Review

Statement of Response by Angus Council

Objections to pre-second Inquiry Modifications

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K2 : Housing - Hillhead

Guild Homes (Tayside) Ltd	872/2/1	Maclay Murray Spens
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SUMMARY OF OBJECTION

Guild Homes (Tayside) Ltd supports the proposed modification to the Angus Local Plan Review in relation to K2: Housing - Hillhead and are both willing and able to accommodate the proposed amended allocation of housing at Hillhead by the early phasing of these 40 houses in the period up to 2011 as opposed to post-2011 as previously confirmed.

Housing at Hillhead (K2) would then amount to 80 units up to 2011 and 40 units post 2011 - an allocation of 120 houses in total. Both Hillhead (K2) and Guild Homes are demonstrably capable of undertaking the effective delivery of these 80 units in the period to 2011, thereby assisting in meeting the current shortfall in the number of housing units in the Forfar, Kirriemuir and the Glens Housing Market Area.

ASSESSMENT OF OBJECTION

Support noted.

ANGUS COUNCIL DECISION

No Change.

K4 : Housing - South of Beechwood Place

Eric Y Hill 843/2/2

SUMMARY OF OBJECTION

The Council's decision to delete the earlier proposed allocation of housing land at Beechwood Place is welcomed and supported.

ASSESSMENT OF OBJECTION

Support noted.

ANGUS COUNCIL DECISION

No Change.

Webster Contracts Ltd 202/2/4 BLUE Planning & Development

SUMMARY OF OBJECTION

Webster Contracts Ltd. support the deletion of the area to the south of Beechwood Place for housing, as promoted as a proposed modification to the Finalised Angus Local Plan Review.

ASSESSMENT OF OBJECTION

Support noted.

ANGUS COUNCIL DECISION

No Change.

James Hill 855/2/2

SUMMARY OF OBJECTION

The Council's decision to delete the earlier proposed allocation of housing land at Beechwood Place is welcomed and supported.

ASSESSMENT OF OBJECTION

Support noted.

ANGUS COUNCIL DECISION

No Change.

J & J Learmonth 71/2/4 The Charlton Smith Partnership

SUMMARY OF OBJECTION

J&J Learmonth supports the Council's decision to publish a pre-second Inquiry modification to delete K4: Housing - South of Beechwood Place. This falls in line with the Council's earlier decision to delete the site by a first round pre-inquiry modification in September 2005 and confirms the position that the Council represented at the 2006 Inquiry.

J&J Learmonth, however, objected to the Council's Post Inquiry Modification February 2007 to allocate 40 houses to this site to cover part of the shortfall of 85 houses, which resulted from the 2006 Inquiry Reporter's recommendations on overall housing numbers. They therefore maintain their objection to this site and any extension of it promoted by Select Homes, and for the reasons given below would wish to participate in any reopened Public Inquiry (Second Inquiry), which seeks to discuss the appropriateness of this site for any part of the shortfall of 85 houses. We note that this site is set out in Table 3, Report 728/07 for referral to a second PLI.

ASSESSMENT OF OBJECTION

Support noted.

ANGUS COUNCIL DECISION

No change.

VOLUME 2 :

**Objections where there is no change proposed
but the matter is to be referred to a second PLI**

Finalised Angus Local Plan Review

Statement of Response by Angus Council

Objections to pre-second Inquiry Modifications

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F8 : Housing - Slatefield

Ms B Eleanor Gledhill

1108/1/1

SUMMARY OF OBJECTION

The affected parties, including neighbours, should have been notified at an earlier stage about the proposals to allocate F8 Slatefield for housing.

This area was not included in the original Local Plan, nor the later revision, which were open for public comment. This area was outside the town boundary, had a Section 75 Agreement on it and was an area of productive agricultural land.

Angus Council and the Reporter have deemed that the existence of the Section 75 Agreement 'should not fetter the discretion of the Council in land use matters arising from the Local Plan'. This view has been taken without any public consultation. The public assumes that the existence of a Section 75 Agreement means that the land will not be developed for 75 years. The deeming that the Section 75 is irrelevant is a breach of trust between the Council and the public.

Therefore the public assumes that the town boundary will not be changed unless it is in the proposed changes in the Local Plan, that productive agricultural land will not be used for housing unless in very special circumstances.

The inclusion of this area into the Local Plan at this late stage in proceedings is effectively the same as having a planning application approved for housing, however in this case the rights of the neighbours to be notified have been ignored.

ASSESSMENT OF OBJECTION

Although the objection is made to the proposed modification to the wording of F8 : Housing - Slatefield it also relates to the principle of inclusion of the site in the Local Plan Review and expresses the view that the existence of a S75 Agreement covering the land was understood to preclude the area from development.

An objection to the omission of this site from the Local Plan was considered at the first PLI in 2006. The Reporter considered that the development of the site at Slatefield would be a justifiable rounding off of the development boundary in line with recent developments and that in landscape terms the visual impact of houses on the site would be very limited when viewed from outwith the site as the development would not alter the horizontal grain of the landscape in this part of Forfar. The Reporter also concluded that the existence of a Section 75 Agreement should not restrict the Council from considering the future of the land as part of a Local Plan Review. Taking these factors into account the Reporter recommended that the site be included in the Local Plan for a "high quality development of around 5 houses".

The objector makes reference to the "rights of neighbours". The Local Plan Review has been prepared fully in accordance with the requirements of the Town and Country Planning (Structure and Local Plans)(Scotland) Regulations 1983. It should be noted that unlike the requirements associated with planning applications, there is no neighbour notification procedure associated with Local Plan allocations. Consequently no neighbour rights have been ignored by the Local Plan Review process. Contrary to the statement by the objector it is understood that the land is not in productive agricultural use.

Angus Council at their meeting of 16 November 2006 accepted the Reporter's recommendation in relation to the principle of development at Slatefield, but agreed to modify the wording in relation to the number of houses that could come forward. The modification relating to site F8 : Housing - Slatefield was published in February 2007. No objection to the principle of development was received. A single objection was made by Select Homes

(Tayside) Ltd to the number of houses that could come forward (Ref No 871/1/1) Angus Council considered this objection at their earlier meeting of 22 August 2007 and agreed that the wording should be modified from "to a maximum of 5 houses" to "around 5 houses" in line with the Reporters recommendation.

This represents a material change to the Local Plan and although these words were originally suggested by the Reporter, the objection is considered to be valid and should be referred to the second PLI. The issue addressed by the Inquiry should be restricted to the wording associated with the potential number of houses and should not extend to the principle of the inclusion of the site in the Local Plan Review.

ANGUS COUNCIL DECISION

No Change.

Refer the objection to the second PLI.

K2 : Housing - Hillhead

J & J Learmonth

71/2/1

The Charlton Smith Partnership

SUMMARY OF OBJECTION

J&J Learmonth object to the Council's proposed pre-second Inquiry Modification for K2: Housing - Hillhead.

The Council should re-open the Local Plan Inquiry to allow J&J Learmonth to present further evidence on an additional 2ha of Sunnyside to provide an alternative site to Hillhead for accommodating 40 additional houses.

ASSESSMENT OF OBJECTION

J & J Learmonth has objected to the Council's pre-second inquiry modification to amend the phasing of site K2 : Housing - Hillhead from 40 houses to 80 houses in the period to 2011. The objector is seeking that the additional 40 houses allocated for Hillhead should be directed to an additional phase of housing on land south of site K3 : Housing - Sunnyside. J & J Learmonth has linked this objection to site K2 : Housing - Hillhead to another objection made by them at this time regarding the omission of a site South of Sunnyside (Ref: 71/2/3).

A previous objection by J & J Learmonth (Ref No 71/1/2) seeking to secure the allocation of additional land at Sunnyside adjacent to site K3 (which was published as a post-inquiry modification in February 2007) was considered by Angus Council at their Meeting on 22 August 2007. The Council agreed to make no change to the post-inquiry modification.

The Council's position on the number of houses to come forward as the first phase of site K2 : Housing - Hillhead was previously set out in Report 728/07 by the Director of Infrastructure Services to a Special Meeting of Angus Council of 22 August 2007. At that meeting Angus Council agreed that, in order to meet the strategic housing allowances for the Forfar, Kirriemuir & the Glens HMA set out in the Dundee and Angus Structure Plan for the period to 2011, consideration of how to address the shortfall of 85 houses left unallocated by the Reporter should be referred to a second public inquiry.

This objection relates directly to a pre-second inquiry modification and is therefore valid. Nothing in the objection suggests that a change to the Council's position is merited.

ANGUS COUNCIL DECISION

No change.

Refer the objection to the second PLI.

Webster Contracts Ltd

202/2/1

BLUE Planning & Development

SUMMARY OF OBJECTION

Webster Contracts Ltd object to the proposed second post inquiry modification that seeks to increase the allocation at Hillhead from 40 houses to 80 houses in the period up to 2011, in lieu of land south of Beechwood Place that was to have been allocated for 40 units, but is now to be deleted from the plan. Webster Contracts Ltd object to the Hillhead allocation on transportation, access, deliverability and sustainability grounds.

Grounds of Objection

This site was considered suitable for 40 houses in the period to 2011, but to increase this now to 80 units would put undue pressure on the local road network, in particular in Kirriemuir Town Centre, that at present suffers from severe congestion, given the physical constraints of the existing street ways. There is also a lack of parking in the town centre that adds to the problems of congestion.

A second means of access would be required to service a site of this increased size, and such an access cannot easily be achieved, and then not without land outwith the control of the Hillhead site owners.

This site, and its proposed allocation for an additional 40 units by the Council as an attempt to re-dress the arithmetical mistake made by the Reporter at the earlier Local Plan Inquiry, is also considered to be part of "the arithmetical problem" that should be re-considered as a whole by a new Reporter at a second public inquiry.

Proposed changes

The allocation should remain at 40 houses in the period to 2011.

ASSESSMENT OF OBJECTION

Webster Contracts Ltd has objected to the Council's pre-second inquiry modification to amend the phasing of site K2 : Housing - Hillhead from 40 houses to 80 houses in the period to 2011. The objector is seeking that the additional 40 houses allocated for Hillhead should be deleted on transport, access, deliverability and sustainability grounds and that the matter of where the shortfall of 85 houses is met should be addressed by the second PLI.

The principle of the acceptability of the Hillhead site for the development of around 120 houses was considered at the first PLI in 2006 and accepted by the Reporter who among other factors took account of access and accessibility issues. Angus Council agreed at a Special Meeting in November 2006 to accept the Reporter's recommendation and allocated the site for 120 houses with a first phase of 40 in the period to 2011. The land is in the control of a developer and the Council has no reason to doubt the deliverability of the project.

Angus Council Roads Standards indicate that up to 200 houses can be served from a single access point. This would indicate that there is no requirement for a second access to serve the site.

The Council's position on the number of houses to come forward as the first phase of site K2 : Housing - Hillhead was previously set out in Report 728/07 by the Director of Infrastructure Services to a Special Meeting of Angus Council on 22 August 2007. At that meeting Angus Council agreed that, in order to meet the strategic housing allowances for the Forfar, Kirriemuir & the Glens HMA set out in the Dundee and Angus Structure Plan for the period to 2011, consideration of how to address the shortfall of 85 houses left unallocated by the Reporter should be referred to a second public inquiry.

This objection relates directly to a pre-second inquiry modification and is therefore valid. Nothing in the objection suggests that a change to the Council's position is merited.

ANGUS COUNCIL DECISION

No change.

Refer the objection to the second PLI.

Select Homes (Tayside) Limited

871/3/1

Paull & Williamsons

SUMMARY OF OBJECTION

Following the Public Local Inquiry, a shortfall of 85 units for the Forfar, Kirriemuir and The Glens Housing Market Area has been identified meaning that the current proposed housing allocations in the Local Plan Review would not be in accordance with the Structure Plan requirements. To address the identified shortfall, the Council readjusted phasing of housing site F4 Wester Restenneth and proposed to re-allocate the K4 site for 40 houses. This decision of the Council was taken on 14 December 2006.

The Objector supported the re-allocation of the K4 site however objected to the southern boundary proposed for the site.

Despite the decision in December 2006, a Pre-Second Inquiry Modification now proposes to delete the K4 site again and to add the 40 units in addition to 40 already allocated to Hillhead to meet part of the identified shortfall of 85 units in the Forfar, Kirriemuir and The Glens Housing Market Area. This means that the Hillhead site is receiving all of the Kirriemuir housing allocation as increased through the modifications.

The objector objects to the proposed Pre-Second Inquiry Modification to allocate the shortfall of 40 units on the K2 Hillhead site. It is understood that the community benefits envisaged as part of Hillhead will no longer be coming forward as part of that development and there is therefore no economic argument for allocating the additional 40 units to that site. This is in contrast with other sites, such as the K4 South of Beechwood Place site promoted by Select Homes (Tayside) Limited under separate representation to the Pre-Second Inquiry Modifications which is suitable for accommodating the shortfall.

The objection by Select Homes (Tayside) Limited would be resolved by the deletion of the allocation of the 40 unit shortfall for the Kirriemuir settlement on the K2 Hillhead site and its allocation to the K4 Land South of Beechwood Place site promoted by Select Homes to enable cross subsidy and earlier provision of the business park and ensure retention of locally important businesses.

ASSESSMENT OF OBJECTION

Select Homes (Tayside) Limited has objected to the Council's pre-second inquiry modification to amend the phasing of site K2 : Housing - Hillhead from 40 houses to 80 houses in the period to 2011. The objector is seeking that the additional 40 houses allocated for Hillhead should be directed to reinstate site K4 : Housing - South of Beechwood Place which is proposed for deletion by a pre-second inquiry modification. Select Homes has linked this objection to the proposed deletion of site K4 to another made at the same time by Select Homes regarding the phased release of land at site K2 : Housing - Hillhead (Ref: 871/3/2).

The Council's position on the number of houses to come forward as the first phase of site K2 : Housing - Hillhead was previously set out in Report 728/07 by the Director of Infrastructure Services to a Special Meeting of Angus Council on 22 August 2007. At that meeting Angus Council agreed that, in order to meet the strategic housing allowances for the Forfar, Kirriemuir & the Glens HMA set out in the Dundee and Angus Structure Plan for the period to 2011, consideration of how to address the shortfall of 85 houses left unallocated by the Reporter should be referred to a second public inquiry.

This objection relates directly to a pre-second inquiry modification and is therefore valid. Nothing in the objection suggests that a change to the Council's position is merited.

ANGUS COUNCIL DECISION

No change.

Refer the objection to the second PLI.

K4 : Housing - South of Beechwood Place		
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Select Homes (Tayside) Limited	871/3/2	Paul & Williamsons
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SUMMARY OF OBJECTIONS

Following the Public Local Inquiry, a shortfall of 85 units for the Forfar, Kirriemuir and The Glens Housing Market Area has been identified meaning that the current proposed housing allocations in the Local Plan Review would not be in accordance with the Structure Plan requirements. To address the identified shortfall, the Council readjusted phasing of housing site F4 Wester Restenneth and proposed to re-allocate the K4 site for 40 houses. This decision of the Council was taken on 14 December 2006.

The Objector supported the re-allocation of the K4 site however objected to the southern boundary proposed for the site.

Despite the decision in December 2006, a Pre-Second Inquiry Modification now proposes to delete the K4 site again and to add the 40 units in addition to 40 already allocated to Hillhead to meet part of the identified shortfall of 85 units in the Forfar, Kirriemuir and The Glens Housing Market Area. This means that the Hillhead site is receiving all of the Kirriemuir housing allocation as increased through the modifications. The Modification is bringing forward a post 2011 allocation to pre-2011 and therefore a shortfall in the sites allocated for post 2011 has now been created.

The Objector objects to the proposed Pre-Second Inquiry Modification to remove the allocation of 40 units on the Objection Site. The Objector believes that the Council's original decision to allocate the site was the right one and the decision to delete the site should be reversed. There is no apparent reason for the Council's change in position from 14 December 2006, as confirmed by the approval of the detailed policy wording by the Infrastructure Services Committee on 25 January 2007. There is an immediate shortfall in the housing numbers in the Housing Market Area. Allocating all the additional units to the Hillhead site will not help address the short term need. Allocating 40 units to the Objection Site would allow both Hillhead and the Objection Site to come forward in tandem to ensure the delivery of additional housing as early as possible. Furthermore it will allow the new distributor road and other infrastructure related to the Muirhead of Logie employment land to come forward as originally envisaged by the Council.

This would be in line with SPP3 which highlights that housing can complement other forms of new development and can act as a catalyst for regular growth. Since the publication of the latest modifications, the Council have had discussions with the Objector about the promotion of the business park.

The Objector considers that the land south of Beechwood Place would be able to accommodate some, if not all of the identified 85 unit shortfall for the Housing Market Area, although considers that the 40 units identified for the settlement of Kirriemuir would be a sufficient threshold beyond which the cross subsidy from the residential site would allow the business park to flourish. Without any cross subsidy from a residential allocation on the Objection Site, the business park will not come to fruition.

The Council recognised this when the Objection Site was allocated as they requested a legal agreement be entered into to tie delivery of the residential development and industrial development together.

It is understood that the community benefits envisaged as part of Hillhead will no longer be coming forward as part of that development and there is therefore no economic argument for allocating the additional 40 units to that site. The cross funding of the business land by the Objection Site should be of paramount importance to the Council.

Select Homes (Tayside) Limited is aware of and has been approached by at least two local companies who wish to relocate from their current premises to the new business park and the Council should recognise the importance of retaining local businesses in the same town in which their current premises are. An allocation of housing to the Objection Site would enable the early opening of the business park, attracting investment and growth to the area.

The objection by Select Homes (Tayside) Limited would be resolved by the allocation of the 40 unit shortfall for the Kirriemuir settlement on the Objection Site to enable cross subsidy and earlier provision of the business park and ensure retention of locally important businesses. This is in contrast with other sites promoted by other objectors which may be put forward as sites suitable for accommodating the shortfall.

If the council is not minded to allocate 40 units on land South of Beechwood Place pre-2011, the 40 unit shortfall in the allocations post 2011 in Kirriemuir should be zoned to land South of Beechwood Place. This would allow the employment land to come forward through the anticipated cross subsidy albeit at a later date unless the annual housing land audit showed a shortfall in the effective supply before 2011 which would then enable the Objection Site to be released earlier under HI of the Structure Plan.

ASSESSMENT OF OBJECTION

Select Homes (Tayside) Limited has objected to the pre-second inquiry modification deleting site K4 : Housing - South of Beechwood Place. The objector is seeking that the additional 40 houses allocated for site K2 : Housing - Hillhead by the pre-second inquiry modification should be directed to reinstate site K4 : Housing - South of Beechwood Place. This objection is linked to another objection made by Select Homes at this time regarding the proposed amendment to the phasing of the site at Hillhead (Ref: 871/3/1). The objector also refers to the requirement for cross funding from the housing development to allow the adjacent employment land allocation at East Muirhead of Logie, Forfar Road to come forward.

The principle of housing development of the site at Beechwood Place was dealt with fully at the 2006 PLI. The Reporter concluded that the site should not be allocated in the Local Plan Review in either the 2006 to 2011 period or the period beyond 2011.

Angus Council has considered its position on this site at a number of meetings (November and December 2006; January 2007, and most recently in August 2007). The Council's position not to include this site in the Local Plan Review was set out in Report 728/07 by the Director of Infrastructure Services to a Special Meeting of Angus Council on 22 August 2007. At this meeting the Council agreed to modify the Local Plan Review and change a previous decision which had included the site in the Plan. The pre-second inquiry modification published in September 2007 deleted site K:4 Housing - South of Beechwood Place.

No detailed evidence was led at either the 2006 PLI or submitted in support of this objection to demonstrate the requirement for cross funding between the housing site south of Beechwood Place and the proposed business park development at East Muirhead of Logie. In the absence of any new evidence to support this objection there is no justification for the Council to change its position.

The Council's position on the number of houses to come forward as the first phase of site K2 : Housing - Hillhead was previously set out in Report 728/07 by the Director of Infrastructure Services to a Special Meeting of Angus Council on 22 August 2007. At that meeting Angus Council agreed that, in order to meet the strategic housing allowances for the Forfar, Kirriemuir & the Glens HMA set out in the Dundee and Angus Structure Plan for the period to 2011, consideration of how to address the shortfall of 85 houses left unallocated by the Reporter would be referred to a second public inquiry.

This current objection relates directly to a pre-second inquiry modification and is therefore competent.

ANGUS COUNCIL DECISION

No change.

Refer the objection to the second PLI.

VOLUME 3 :

**Objections not to a published Post-Inquiry
Modification so therefore not competent at
this stage of the Local Plan Review process**

Finalised Angus Local Plan Review

Statement of Response by Angus Council

Objections to pre-second Inquiry Modifications

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F9 : Safeguard Site - North of Turfbeg

Elite Homes (Tayside) Limited 69/2/1

Paull & Williamsons

SUMMARY OF OBJECTION

Whilst the Objector welcomed the Modification published on 14 February 2007 to safeguard the land for development of around 300 houses and agreed with the Reporter's conclusion that the land should be reserved as possible long-term housing, the Objector objected to the reference that the allocation required to be confirmed by a future Local Plan. The Objector sought the deletion of these words from the Modification in order to allow the site to come forward and be released should the land be required to maintain the effective supply of housing land in the future.

The Council responded by indicating that no change was required to the Local Plan to address the objection. However the Council also indicated that the objection should be referred to the second Public Local Inquiry in order for the objection to the policy wording alone to be considered in light of the shortfall of 85 houses in the Forfar, Kirriemuir and The Glens Housing Market Area in the period up to 2011.

The reopening of the Inquiry into Turfbeg should only relate to the timing of the release of the site and not its suitability for development.

The Council took a decision on 16 November 2006 that the shortfall of 85 units would be split between the settlements of Forfar and Kirriemuir. A decision was made that Forfar would be allocated 45 units and Kirriemuir would take 40 units.

The Council must recognise that the progress of this Local Plan Review has slipped and that this has a knock on effect on the provision of housing in the timescales envisaged by the Local Plan. This Local Plan Review may only be adopted in late 2008 or early 2009 and yet the housing allocations from this Review are supposed to cover the period 2006-2011. The Council have to ensure that there is a minimum 5 year effective land supply under Policy H1 of the Structure Plan and if the annual monitor of housing land demonstrates that any of the current effective sites are no longer effective alternative sites should be identified to make up the shortfall. Already an 85 unit shortfall has been identified for the whole of the Housing Market Area which will require additional land to be allocated up to 2011.

Turfbeg was recognised as being a site that can accommodate residential development and one of the sites was to come forward when additional land was required. Thus the Objection site is a suitable site which could accommodate the immediate shortfall identified for the Forfar settlement now.

In terms of the balance of around 255 units it is accepted that these units are not required now but may be needed going forward if the effective supply requires supplementing and will be needed post 2011 in terms of Schedule 1 - Housing Land Provision 2001-2016 of the Structure Plan. Artificially restraining the release of the site pending a further Local Plan Review is contrary to SPP3 and the Structure Plan itself. It is contrary to the approach taken on other sites in the Local Plan with allocations post 2011 such as Hillhead, Kirriemuir. Whilst it is accepted that Schedule 1 envisages a Structure Plan review it is conceivable that this review will not take place before 2011. The calculation of the 5 year housing land requirement under PAN 38 at the time of adoption of this Local Plan will include houses required beyond 2011. If the Local Plan restricts the release of land beyond 2011 subject to a further Local Plan Review the safeguarded sites, such as Turfbeg, cannot be included as effective as there is no guarantee that a Local Plan review will take place within 5 years. This means that the effective supply may drop below 5 years triggering a need to release additional land under Policy H1 of the Structure Plan yet the safeguarded sites will be unable to be released despite being considered suitable for development. Land would require to be released outwith the Development Plan process which is contrary to s25 of the 1997 Act.

The objection by Elite Homes (Tayside) Ltd. would be resolved by the allocation of 45 units to Turfbeg up to 2011 and the safeguarding of the balance of the site for around 255 units but without a further Local Plan Review to release the land.

ASSESSMENT OF OBJECTION

No pre-second inquiry modification was published in September 2007 in relation to F9 : Safeguarded Site - North of Turfbeg. The objection is therefore not competent at this stage in the Local Plan Review process.

An earlier objection to the terms of F9: Safeguarded Site - North of Turfbeg was submitted by Elite Homes (Tayside) Ltd to the post inquiry modification published in February 2007 (Ref No 69/1/1). Angus Council considered that objection at their meeting of 22 August 2007 and agreed that no change should be made to the post-inquiry modification. This matter was referred for consideration at the second public local inquiry. The current representation seeks to bring forward release of land reserved at Turfbeg for possible future housing.

ANGUS COUNCIL DECISION

No change.
Do not refer to second PLI.

Omission Kirriemuir - Land South of Sunnyside

J & J Learmonth 71/2/3 The Charlton Smith Partnership

SUMMARY OF OBJECTION

J&J Learmonth maintain their earlier objection in that the extra 40 houses could have been directed by a published modification to the additional 2ha at Sunnyside, Sunnyside having been the area preferred by the Reporter as an additional choice.

An agreement in principle has been reached, 1/3/07, with Angus Council, Neighbourhood Services who have approved a Deed of Servitude over part of the Mortarholes garage site. On 16/07/07 J&J Learmonth received reserved matters consent, including an agreed technical solution to access via the Mortarholes, to develop their site K(b) Westfield/Lindsay Street for 38 houses. It is this Local Plan allocated site that will be the first to receive infrastructure. It therefore follows that not only is Sunnyside the best area to send 40 houses recommended by the Reporter from the 2006 Inquiry, with a Council modification accordingly, but as this area is the most advanced in terms of the necessary consents the allocation of a further 40 houses to the additional 2ha would be the most sustainable in terms of making best use of the new roads and sewerage at Westfield/Lindsay Street.

The Council should re-open the Local Plan Inquiry to allow J&J Learmonth to present further evidence on an additional 2ha of Sunnyside to provide an alternative site to Hillhead for accommodating 40 additional houses.

ASSESSMENT OF OBJECTION

The objection is not to a pre-second inquiry modification but seeks the allocation of an additional phase of housing development on land to the south of site K3 : Housing - Sunnyside. The objection therefore is not competent at this stage in the Local Plan Review process.

A previous objection by J & J Learmonth (Ref No 71/1/2) seeking to secure the allocation of additional land at Sunnyside adjacent to site K3 (which was published as a post-inquiry modification in February 2007) was considered by Angus Council at a Special Meeting on 22 August 2007. The Council agreed to make no change to the post-inquiry modification.

Although this objection is not competent the matter of land at Sunnyside is being considered at the second PLI as a result of earlier decisions taken by Angus Council at the Special Meeting on 22 August 2007 in response to objections to post-inquiry modifications, including site K3 : Housing - Sunnyside. At that meeting Angus Council agreed that, in order to meet the strategic housing allowances for the Forfar, Kirriemuir & the Glens HMA set out in the Dundee and Angus Structure Plan for the period to 2011, consideration of how to address the shortfall of 85 houses left unallocated by the Reporter would be referred to a second public inquiry.

ANGUS COUNCIL DECISION

No change
Do not refer this objection to the second PLI.

SUMMARY OF OBJECTION

The proposed allocation of site K3 Sunnyside is supported and at any future Local Plan Inquiry, consideration should be given to allocating housing on an additional 2 hectares of land south of site K3 for the following reasons:

- * The remaining 2 hectares or so south of K3 is part of the same field and always has been. To allocate this land now would provide for a comprehensive development of the area providing an integrated design with the land to the north.
 - * The land at Sunnyside was for many years allocated for housing, from the early 1970s until 1986. Sunnyside has always been well located for local services and nowadays this is even more important in terms of Government policy.
 - * The existing road and housing at Sunnyside were built in the early/mid 1970s on land which at that time formed part of the same Sunnyside fruit-field. There was every indication and expectation at that time that future housing would be forthcoming further west. The road accesses heading westwards from Sunnyside Road betray this earlier intention - these are full width accesses not just field accesses.
 - * It should come as no surprise that housing is being promoted on land previously allocated at Sunnyside.
 - * Both site K3 and the 2 hectares of land to the south are vacant and have been out of agricultural use for several years.
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ASSESSMENT OF OBJECTION

The objection is not to a pre-second inquiry modification but seeks the allocation of an additional phase of housing development on land to the south of site K3 : Housing - Sunnyside. The objection therefore is not competent at this stage in the Local Plan Review process.

A previous objection by J & J Learmonth (Ref No 71/1/2) seeking to secure the allocation of additional land at Sunnyside adjacent to site K3 (which was published as a post-inquiry modification in February 2007) was considered by Angus Council at a Special Meeting on 22 August 2007. The Council agreed to make no change to the post-inquiry modification.

Although this objection is not competent the matter of land at Sunnyside is being considered at the second PLI as a result of earlier decisions taken by Angus Council at the Special Meeting on 22 August 2007 in response to objections to post-inquiry modifications, including site K3 : Housing - Sunnyside. At that meeting Angus Council agreed that, in order to meet the strategic housing allowances for the Forfar, Kirriemuir & the Glens HMA set out in the Dundee and Angus Structure Plan for the period to 2011, consideration of how to address the shortfall of 85 houses left unallocated by the Reporter would be referred to a second public inquiry.

ANGUS COUNCIL DECISION

No change

Do not refer this objection to the second PLI.

SUMMARY OF OBJECTION

The proposed allocation of site K3 Sunnyside is supported and at any future Local Plan Inquiry, consideration should be given to allocating housing on an additional 2 hectares of land south of site K3 for the following reasons:

- * The remaining approx. 2 hectares or so south of K3 is part of the same field and always has been. To allocate this land now would provide for a comprehensive development of the area providing an integrated design with the land to the north.
- * The land at Sunnyside was for many years allocated for housing, from the early 1970s until 1986. Sunnyside has always been well located for local services and nowadays this is even more important in terms of Government policy.
- * The existing road and housing at Sunnyside were built in the early/mid 1970s on land which at that time formed part of the same Sunnyside fruit-field. There was every indication and expectation at that time that future housing would be forthcoming further west. The road accesses heading westwards from Sunnyside Road betray this earlier intention – these are full width accesses not just field accesses.
- * It should come as no surprise that housing is being promoted on land previously allocated at Sunnyside.

ASSESSMENT OF OBJECTION

The objection is not to a pre-second inquiry modification but seeks the allocation of an additional phase of housing development on land to the south of site K3 : Housing - Sunnyside. The objection therefore is not competent at this stage in the Local Plan Review process.

A previous objection by J & J Learmonth (Ref No 71/1/2) seeking to secure the allocation of additional land at Sunnyside adjacent to site K3 (which was published as a post-inquiry modification in February 2007) was considered by Angus Council at a Special Meeting on 22 August 2007. The Council agreed to make no change to the post-inquiry modification.

Although this objection is not competent the matter of land at Sunnyside is being considered at the second PLI as a result of earlier decisions taken by Angus Council at the Special Meeting on 22 August 2007 in response to objections to post-inquiry modifications, including site K3 : Housing - Sunnyside. At that meeting Angus Council agreed that, in order to meet the strategic housing allowances for the Forfar, Kirriemuir & the Glens HMA set out in the Dundee and Angus Structure Plan for the period to 2011, consideration of how to address the shortfall of 85 houses left unallocated by the Reporter would be referred to a second public inquiry.

ANGUS COUNCIL DECISION

No change

Do not refer this objection to the second PLI.

**Part 4 : Building Sustainable Communities
Kirriemuir**

K4 : Working - East Muirhead of Logie, Forfar Road

Webster Contracts Ltd

202/2/3

BLUE Planning & Development

SUMMARY OF OBJECTION

Webster Contracts Ltd. remain in objection to the continued inclusion of the eastern most portion of this land for business and industrial uses.

Grounds of Objection

This site is remote from the main centre of the population in Kirriemuir; it would set a precedent for possible further inappropriate development out-with the existing settlement boundary in an unsustainable location relative to other potentially more suitable town centre sites.

Proposed changes

We respectfully request that the whole of Proposal K4 on land south of Beechwood Place is deleted from the Local Plan.

ASSESSMENT OF OBJECTION

No pre-second Inquiry modification was published in September 2007 in relation to site K4 : Working - East of Muirhead of Logie, Forfar Road. The objection therefore is not competent at this stage in the Local Plan Review process.

ANGUS COUNCIL DECISION

No change.

Do not refer the objection to a second PLI.

Forfar and Kirriemuir: Public Local Inquiry 2 - Procedure
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Webster Contracts Ltd	202/2/2	BLUE Planning & Development
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SUMMARY OF OBJECTION

The Council, in recommending a second inquiry, relied principally on their conclusion that "a unique set of circumstances have arisen in the Forfar/Kirriemuir Housing Market Area, namely the identification of a shortfall of housing that was not taken into account by the Reporters at the first PLI". (para 4.30 on pages 11 and 12 of the Copy of Report 728/07 set-out in the Appendix to the Statement of Response by Angus Council, Objections to Post-Inquiry Modifications, September 2007).

This apparent shortfall was justified from the figures set out in Table 1 : Forfar, Kirriemuir and The Glens Housing Market Area - Housing Land Supply 2001- 2011, that appeared on page 114 of Angus Council's Statement of Response to the Reporters Report (Volume 2, February 2007) following the Local Plan Inquiry.

However, we consider that there is a further arithmetical error in the Council's assessment, leading not to a shortfall of 85 units, but rather to a shortfall of 150 units.

This additional shortfall was missed by the Council because they had included (as did the Reporter) land for 60 units at Gowanbank, and land for 5 units at Slatefield in Forfar, that were themselves new sites promoted by the Reporter but not previously allocated or considered by the Finalised Angus Local Plan Review. The Council also included 2 new sites themselves, after the LPI and the publication of the Reporter's Report, that totalled 90 units as shown in line I of the Council's Table 1 as set out above (an additional 40 units at site K2 - Hillhead, Kirriemuir, and an additional 50 units at site F4 - Wester Restenneth). As such, Table 1 ought more properly and accurately to read as follows:

Table 1 (As amended by BLUE Planning & Development)

	FKGIHMA	Forfar	Kirriemuir	Landward
A DASP Allowance 2001-2011	1085			
B Minus completions	- 223	144	46	33
C Minus existing sites at June 2004	- 213	118	47	48
D Remaining requirement to be identified in FALPR (A-(B+C))	649			
E Sites previously identified in the first Angus Local Plan and brought forward	- 47	25	10	2
F Requirement for new allocations in FALPR (D-E)	= 602			
G Pre Inquiry allocation (excluding F7, Westfield)	- 452	300	80	72
H Shortfall (F-G)	= 150			

We therefore consider it fair and proper that, not only should a second local plan inquiry consider the outstanding shortfall in the Forfar and Kirriemuir area of 150 units, but also that these additional increases in committed allocations at sites K2 Hillhead and F4 - Wester

Restenneth should be reconsidered. We maintain that the allocations should be moved to the Westfield site at Forfar as promoted in the objections to the Council's proposed modifications, and as set out in the planning application currently before Angus Council.

We also question, in the light of this arithmetic error and the original error made by the Reporter when considering sites in the Forfar and Kirriemuir areas, whether the additional smaller sites promoted as alternatives by the Reporter, to effectively 'plug the shortfall gap' as he then saw it (albeit incorrectly as it now seems) would in fact have been promoted had the true extent of the actual shortfall been realised.

We consider land is available at Westfield in Forfar that would more appropriately meet the overall requirement. We invite Angus Council to reconsider this land in this context, and to re-assert their original proposal, albeit phased in the period to 2011 for 150 units, with the remaining land allocated for longer-term development subject to a review of the Structure Plan.

Proposed changes

The Inquiry should not be restricted to an assessment of sites suitable to meet a need only of an additional 85 housing units. Rather, it should consider land for at least a further 150 units, and given the nature of the two separate arithmetical mistakes, we would urge a review of the whole housing chapter - including the strategic section of the draft plan as it relates to Forfar and Kirriemuir.

ASSESSMENT OF OBJECTION

The objection by Webster Contracts Ltd does not relate to a published pre-second Inquiry modification and therefore cannot be considered competent at this stage in the Local Plan process. The objection relates to the Council's intention to "restrict the second inquiry to an assessment of sites suitable to meet a need for an additional 85 housing units in the Forfar and Kirriemuir areas."

The objector contends that there is a shortfall of 150 houses, not the 85 houses identified by Angus Council, and that this should be addressed by the second Inquiry. Angus Council at a Special Meeting on 22 August 2007, agreed that in order to meet the strategic housing allowances set out in the Dundee & Angus Structure Plan in respect of the Forfar, Kirriemuir and the Glens Housing Market Area for the period to 2011, the issue of how to address the identified shortfall of 85 houses left unallocated by the Reporter would be referred to a second PLI. Webster Contracts already have objections relating to the shortfall of housing land allocations referred to the second Inquiry. The opportunity for Webster Contract to raise issues relating to the scope of the second PLI may be available to them at the future Pre-Inquiry Meeting with the Reporter.

ANGUS COUNCIL DECISION

No Change.

Do not refer this objection to the second PLI.

APPENDIX

**Copy of Report 1121/07 to
Infrastructure Services Committee
27 November 2007**

**Finalised Angus Local Plan Review
Statement of Response by Angus Council
Objections to pre-second Inquiry Modifications**

ANGUS COUNCIL

INFRASTRUCTURE SERVICES COMMITTEE

27 NOVEMBER 2007

SUBJECT: FINALISED ANGUS LOCAL PLAN REVIEW OBJECTIONS TO PRE-SECOND INQUIRY MODIFICATIONS

REPORT BY DIRECTOR OF INFRASTRUCTURE SERVICES

Abstract: This report summarises and responds to objections received to the proposed pre-second inquiry modifications (published in September 2007) to the Finalised Angus Local Plan Review.

1 RECOMMENDATION

It is recommended that the Committee:-

1. note the objections received to the published pre-second inquiry modifications (September 2007);
2. agree the response to the objections set out in this report; and
3. authorise the Head of Planning & Transport to continue the arrangements for a second Public Local Inquiry (PLI) for those valid objections agreed above.

2 BACKGROUND

- 2.1 Angus Council, at their special meeting of 22 August 2007, agreed their response to objections received to the proposed post inquiry modifications (first round) published on 14 February 2007. (Report 728/07 refers). The proposed modifications were made following consideration of the Inquiry Reporters' conclusions and recommendations into unresolved objections to the Finalised Angus Local Plan by the Council in November and December 2006 and January 2007. (Reports 1342/06; 1481/06; and 78/07 refer).
- 2.2 The relevant pre-second inquiry modifications were advertised as required by the Regulations and the six week period for objections ended on 23 October 2007. A total of 8 individuals, companies and agents submitted 16 representations to the Local Plan Review second round modifications, all received within the prescribed period. Table 1 sets out the number and subject area of objections.
- 2.3 Five representations were formal objections to the content of the post inquiry modifications. These included objections to the rewording of F8 Housing - Slatefield, Forfar (1); rephrasing of K2 Housing – Hillhead, Kirriemuir (3); and deletion of Housing land south of Beechwood Place, Kirriemuir (1).
- 2.4 Of the remaining 11 other representations, 6 related to a matter which did not arise from the published pre-second inquiry modifications and 5 were representations of support. In relation to the former group, some representations refer back to objections made at earlier stages in the Local Plan process particularly following the decision of the Council in respect of the recommendations from the Inquiry Reporters following the 2006 PLI. Representations submitted relate to:- Omission of land for housing south of

K3 Housing – Sunnyside, Kirriemuir (3); K4 Working – East Muirhead of Logie, Kirriemuir (1); F9 Safeguarded site – North of Turfbeg, Forfar (1); and Terms of reference for the second PLI (1). These 6 representations are therefore not valid objections at this stage of the Local Plan process although some of the issues raised will no doubt be relevant matters to be considered in the second inquiry, in the context of other objections.

- 2.5 The representations of support (5) relate to the changed phasing of housing development at K2 Housing Hillhead, Kirriemuir (1); and deletion of housing land south of Beechwood Place, Kirriemuir (4).

Table 1: Distribution of objections

Topic		Objections to modifications	Other representations
Forfar	F8 Housing - Slatefield F9 Safeguard site – North of Turfbeg	1	1
Kirriemuir	K2 Housing - Hillhead K4 Housing – south of Beechwood Place Omission land south of Sunnyside K4 Working East Muirhead of Logie	3 1	1 4 3 1
General	Forfar & Kirriemuir PLI 2 - procedure		1
Total objections		5	11

- 2.6 This report summarises and responds to the objections received and reaffirms the next steps in progressing to the second PLI.
- 2.7 A copy of all the representations received has been placed in the Members' Lounge, and a summary, assessment and recommendation in respect of each objection is appended as Schedule 1 to this report.

3 RESPONSE TO OBJECTIONS

Forfar: F8 Housing Slatefield

- 3.1 The published modification was not to the principle of development (which was previously published in February 2007 following the decision of the Council to agree the recommendation made by the Reporter to include this site) but to the number of houses that might come forward. The modification replaced the earlier wording of 'to a maximum of 5 houses' with the words 'around 5 houses'.
- 3.2 An objection has been received from **B Eleanor Gledhill** (objector reference number **1108/1/1**) to the number of houses to be allowed.
- 3.3 Notwithstanding that the wording of the modification was originally suggested by the Reporter, the objection is competent. The Council's position on the number of house units for this site was previously set out in report 728/07 by the Director of Infrastructure Services to the special meeting of Angus Council

of 22 August 2007. The detailed response to the current objection is now set out in Schedule 1 of this report, but nothing contained within this current objection suggests that a change to the Council's position is merited. The objection should be considered by the second PLI, which will however, only address the wording associated with the housing numbers, not the principle of the site's inclusion for housing in the Local Plan Review.

Recommendation: No change. Refer the objection to the second PLI.

Forfar : F9 Safeguard Site – North of Turfbeg

- 3.4 No modification relating to this site was published in this round of modifications. The objection therefore by **Elite Homes (Tayside) Limited (69/2/1)** is an *'additional objection which seeks to clarify the basis for consideration of the site at the re-opened Inquiry.'*
- 3.5 In terms of the local plan procedures, the objection cannot be considered a competent objection at this stage of the process as it relates to a matter which was not published in this round of modifications. It is however open to the objector to seek a meeting with the Council to clarify matters and/or await the procedural meeting associated with the second PLI.

Recommendation: No change. Do not refer the objection to a second PLI.

Kirriemuir: K2 Housing - Hillhead

- 3.6 The published modification was not to the principle of housing development at Hillhead but to the phasing of development, in particular the adjustment of the first phase from 40 houses to 80 houses.
- 3.7 Objections have been received from **J & J Learmonth (71/2/1)**; **Webster Contracts Limited (202/2/1)**; and **Select Homes (Tayside) Limited (871/3/1)** to the published modification. The objections by J & J Learmonth, Webster Contracts Limited and Select Homes (Tayside) Limited are to the increase in house numbers in the first phase. J & J Learmonth want the additional numbers (40) allocated to a third phase at Sunnyside, Kirriemuir; while Select Homes (Tayside) Limited want the houses allocated to Beechwood Place, Kirriemuir. The Council's position on the number of houses to come forward in the first phase of Hillhead development was previously set out in report 728/07 by the Director of Infrastructure Services to the special meeting of Angus Council of 22 August 2007. The detailed response to the current objection is now set out in Schedule 1 of this report, but nothing contained within this current objection suggests that a change to the Council's position is merited.
- 3.8 Angus Council, at their meeting of 22 August 2007, agreed that in order to meet to the housing allowances set out in the Dundee & Angus Structure Plan in respect of the Forfar, Kirriemuir and the Glens Housing Market Area for the period to 2011, the shortfall of the 85 houses left unallocated by the Inquiry Reporter be considered by a second public inquiry. Consequently the above objections will be referred to that Inquiry.

Recommendation: No change. Refer the objections to the second PLI.

- 3.9 **Guild Homes (Tayside) Limited (872/2/1)** have indicated support for the Council's position in respect of both the principle of development at Hillhead, for 120 houses, and the amended first phase of 80 houses in the period to 2011.

Recommendation: No change. Support for the Council's position noted.

Kirriemuir: K4 Housing – South of Beechwood Place

- 3.10 The published modification deleted the earlier allocation by the Council for 40 houses on land south of Beechwood Place, Kirriemuir.
- 3.11 Support for the modification has been received from **J & J Learmonth (71/2/4), J F Hill (855/2/2), E Y Hill (843/2/2) and Webster Contracts Limited (202/2/4)**.
- 3.12 An objection to the modification has been received from **Select Homes (Tayside) Limited (871/3/2)** who consider that a site south of Beechwood Place should be allocated for housing purposes, with 40 houses in the period to 2011 emphasising the importance of cross funding from the housing development to enable the development of the new business park on the adjacent site. The objector has also suggested that they would be prepared to accept a deferred phase of 40 houses (in the period post 2011) to secure the development of the business park now.
- 3.13 This principle of housing development on this site was dealt with fully at the 2006 PLI, following which the Inquiry Reporter recommended to the Council that the site should not be included in either the 2006 - 2011 or the post 2011 period of the Local Plan Review. Angus Council has also considered this matter at a number of meetings (November & December 2006; January 2007, and most recently August 2007) finally determining that the site should not be included in the Local Plan Review. The Council's position, not to include this site in the Local Plan Review, was previously set out in report 728/07 by the Director of Infrastructure Services to the special meeting of Angus Council of 22 August 2007. The detailed response to the current objection is now set out in Schedule 1 of this report, but nothing contained within this current objection suggests that a change to the Council's position is merited. No detailed evidence was led at either the 2006 PLI or submitted with this objection to demonstrate the extent of requirement for cross funding between the two sites – housing and business park. Consequently there is no new evidence since the decision taken by the Council in August 2007.

Recommendation: No change. Refer the objection to second PLI.

- 3.14 **J & J Learmonth (71/2/4)** has indicated support for the Council's decision to publish a pre- second Inquiry modification to delete K4 Housing – south of Beechwood Place

Recommendation: No change. Support for the Council's position is noted.

Kirriemuir: Omission of land south of Sunnyside.

- 3.15 No modification relating to this site was published in this round of modifications.
- 3.16 Objections have been received to the omission of a site south of Sunnyside for housing purposes from **E Y Hill (843/2/1)**, **J F Hill (855/2/1)** and **J & J Learmonth (71/2/2)**.
- 3.17 In terms of the local plan procedures, the objections cannot be considered as competent objections at this stage of the process as they relate to a matter which was not published in this round of modifications.

Recommendation: No change. Do not refer the objections to second PLI.

Kirriemuir – K4 Working East Muirhead of Logie, Forfar Road, Kirriemuir

- 3.18 No modification relating to this site was published in this round of modifications.
- 3.19 **Webster Contracts Limited (202/2/3)** has objected to the inclusion of the above site for business land.
- 3.20 In terms of the local plan procedures, the objection cannot be considered a competent objection at this stage of the process as it relates to a matter which was not published in this round of modifications.
- 3.21 The published modification was to the Council's decision to delete land south of Beechwood Place for housing purposes not to the principle of land allocation at East Muirhead of Logie for a new business park. The allocation of the land for a business park was confirmed by Angus Council at their meeting of 16 November 2006 when the Council agreed the Inquiry Reporters recommendation to accept the first round pre-inquiry modification put forward by the Council in September 2005. A consequence of the deletion of housing land south of Beechwood Place was the need for a technical modification to the renumbering of the business park proposal. As such this representation cannot be considered a competent objection as it does not relate to a published post inquiry modification.

Recommendation: No change. Do not refer the objection to the second PLI.

Forfar and Kirriemuir – terms of the second PLI

- 3.22 No modification relating to this site was published in this round of modifications.
- 3.23 An objection has been received on behalf of **Webster Contracts Limited (202/2/2)** objecting to *'restrict the second inquiry to an assessment of sites suitable to meet a need for an additional 85 housing units in the Forfar and Kirriemuir areas'*.

- 3.24 In terms of the local plan procedures, the objection cannot be considered a competent objection at this stage of the process as it relates to a matter which was not published in this round of modifications. It does relate to the arithmetic calculations which led to the identified shortfall of housing numbers and subsequently to the terms of reference of the second PLI.

Recommendation: No change. Do not refer the objection to second PLI.

4 NEXT STEPS

- 4.1 The procedures and regulations governing the steps in the Local Plan process are set out in The Town and Country Planning (Structure and Local Plans) (Scotland) Regulations 1983 and the Code of Practice for Local Plan Inquiries.
- 4.2 The response by the Council to the various representations made to the Local Plan Review pre-second inquiry modifications, as summarised in section 3 above and also set out in the schedule accompanying this report, is another important stage in the Local Plan process. The Statement of Responses to objections will be published at locations as previously agreed by Angus Council including on the Local Plan web page and at all Public Libraries and Access Offices. All objectors will be notified of the decision of the Council in respect of their objection and a copy of the appropriate response, as set out in the schedule, will be sent out to each objector. This will allow objectors to consider their position and where relevant whether they wish to continue their objection.
- 4.3 Angus Council has already agreed to hold a second PLI into a limited range of matters, and also appointed the Inquiry Reporter. (Reports 728/07; 949/07 refer.) Arrangements for the second PLI will continue to be progressed.

5 FINANCIAL IMPLICATIONS

- 5.1 As highlighted in Report 949/07, an allowance of £35,000 has been made within the Planning & Transport 2008/09 Provisional Revenue Budget to meet the costs of holding of a second PLI - the Inquiry, the Reporter, legal representation for the Council, appointment of a programme officer, and advertising. There are no additional financial implications for the Council arising directly from the recommendations in this report.

7 HUMAN RIGHTS IMPLICATIONS

- 7.1 Potential human rights issues at this stage in the Local Plan process relate to adequately publicising Angus Council's Statement of Responses to Objections to the Local Plan Review pre-second inquiry modifications, any further rounds of modifications and emerging arrangements for the Public Local Inquiry, thereby ensuring that sufficient opportunity is available to all interested parties, including objectors and other contributors, to view and make comments on the published material. The arrangements summarised in of this report, fully meet statutory requirements in publicising the Council's response on objections and the emerging arrangements associated with the Public Local Inquiry.

8 CONSULTATION

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

9 CONCLUSION

- 9.1 Following publication of the pre-second inquiry modifications to the Finalised Angus Local Plan Review, a number of objections have been received some of which raise issues that require to be referred to the second PLI which is provisionally arranged for spring 2008.

NOTE

The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above Report.

- Finalised Angus Local Plan Review February 2005
- Report 948/07 Angus Local Plan Review Second Public Local Inquiry Appointment of Reporter, Infrastructure Services Committee, 16 October 2007
- Report No 728/07 Finalised Angus Local Plan Review Objections to Modification Following the Public Local Inquiry. Angus Council, 22 August 2007
- Finalised Angus Local Plan Review Proposed Modifications - September 2007
- Finalised Angus Local Plan Review Report of Public Local Inquiry - Statement of Response by Angus Council, February 2007
- Finalised Angus Local Plan Review Modifications (post-inquiry). Angus Council, February 2007
- Report No. 78/07 Finalised Angus Local Plan Review - Beechwood Place, Kirriemuir. Infrastructure Services Committee, 25 January 2007
- Report No. 1481/06 Finalised Angus Local Plan Review – Deferred Kirriemuir Item. Angus Council, 14 December 2006
- Report No. 1342/06 Finalised Angus Local Plan Review – Report of Public Local Inquiry. Special Angus Council meeting, 16 November 2006
- Report of the Public Inquiry into Unresolved Objections to the Finalised Angus Local Plan Review, Volumes 1, 2 and 3, by Richard E. Bowden, BSc(Hons), MPhil, MRTPI and Richard G. Dent, BA(Hons), DipTP, FMRTPI, August 2006
- Report 517/05 Finalised Angus Local Plan – Update on objections and next steps. Infrastructure Services Committee, 28 April 2005
- Report No. 1081/05 Finalised Angus Local Plan Review – Responses to Objections and Progress towards Public Local Inquiry. Infrastructure Services Committee, 8 September 2005

NOTE

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

P&T/GDP/IAL
15 November 2007

Eric S. Lawson
Director of Infrastructure Services